Section 1
Hume City
Guidelines for the Planning & Provision of Open Space
Table of Contents

1 INTRODUCTION ................................................................................................................................. 5
  1.1 PURPOSE OF THESE GUIDELINES .................................................................................................... 5
  1.2 DEFINITION .................................................................................................................................. 5

2 PLANNING FOR OPEN SPACE: THE PLANNING PROCESS AND INFORMATION REQUIREMENTS .......... 5
  2.1 THE PROVISION OF PUBLIC OPEN SPACE – A BRIEF BACKGROUND .................................................. 5

3 THE OPEN SPACE PLANNING PROCESS ........................................................................................... 6
  3.1 BRIEF OVERVIEW OF THE PLANNING MECHANISMS USED IN THE PROVISION OF OPEN SPACE ........ 6

4 PRE-APPLICATION PLANNING PROCESS ......................................................................................... 8
  4.1 CONDUCTING INITIAL SITE RESEARCH .......................................................................................... 8
  4.2 PRE-APPLICATION DISCUSSIONS .................................................................................................... 8
  4.3 SITE ANALYSIS AND CONTEXT ASSESSMENT .............................................................................. 9

5 PREPARING PLANS AND INFORMATION FOR SUBMISSION ................................................................ 10
  5.1 THE OPEN SPACE IMPLEMENTATION PLAN .................................................................................... 10

6 LANDSCAPE DEVELOPMENT PLAN APPROVAL PROCESS .................................................................... 13
  6.1 CONSERVATION MANAGEMENT PLANS .......................................................................................... 16
  6.2 ENVIRONMENTAL MANAGEMENT WORKS PLANS ........................................................................ 16
  6.3 CONSTRUCTION AND MAINTENANCE SCHEDULES AND COSTS ....................................................... 16

7 CONSTRUCTION AND MAINTENANCE PERIODS ................................................................................ 17
  7.1 PRE-CONSTRUCTION AND CONSTRUCTION .................................................................................... 17
  7.2 STATEMENT OF COMPLIANCE AS IT RELATES TO OPEN SPACE PROVISION ...................................... 17
  7.3 BONDING OF WORKS ..................................................................................................................... 19
  7.4 MAINTENANCE PERIOD AND HAND OVER ..................................................................................... 20

8 SUMMARY OF DOCUMENTATION REQUIREMENTS: PLANS & SUPPORTING INFORMATION .......... 21

9 APPENDIX 1 - OPEN SPACE CONTRIBUTIONS ................................................................................... 22

10 APPENDIX 2 - AN OVERVIEW OF THE PLANNING MECHANISMS USED IN THE PROVISION OF OPEN SPACE ................................................................. 23
  10.1 PLANNING SCHEME AMENDMENTS ............................................................................................. 23
  10.2 COMPREHENSIVE PLANNING OF AN AREA .................................................................................. 23
  10.3 PLANNING PERMIT APPLICATIONS .............................................................................................. 24
List of Figures

Figure 1  Overview of the Open Space planning process.................................7
Figure 2  Example site analysis and context assessment plan..........................11
Figure 3  Example open space implementation plan .....................................12
Figure 4  Landscape plan approval process ....................................................14
Figure 5  Sample landscape concept plan - proposed neighbourhood park .......15
Figure 6  Landscape construction, maintenance, and handover process ..........18
Figure 7  Statement of Compliance as it relates to Open Space Provision ...........19

List of Tables

Table 1  Site analysis and context assessment.................................................9
Table 2  Open space implementation plan requirements ...................................10
Table 3  Plan Detail Requirements ................................................................21
Using this Document

The following provides a guide to this document. It shows which section of the document is relevant for each stage of open space planning and provision.

<table>
<thead>
<tr>
<th>Stage of Planning and Development</th>
<th>Relevant Sections</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-application Planning Process</td>
<td>Guidelines for the planning and provision of open space</td>
</tr>
<tr>
<td></td>
<td>Introduction (Page 5)</td>
</tr>
<tr>
<td></td>
<td>Pre-application Planning Process (Page 8)</td>
</tr>
<tr>
<td></td>
<td>Summary of documentation requirements: Plans &amp; Supporting Information (Page 21)</td>
</tr>
<tr>
<td>Preparing Plans and Information as part of an application or request for planning approval</td>
<td>Guidelines for the planning and provision of open space</td>
</tr>
<tr>
<td></td>
<td>Preparing Plans and Information for Submission (Page 10)</td>
</tr>
<tr>
<td></td>
<td>Summary of documentation requirements: Plans &amp; Supporting Information (Page 21)</td>
</tr>
<tr>
<td></td>
<td>Achieving the Vision (Section 2)</td>
</tr>
<tr>
<td></td>
<td>Open Space Classification System (Section 3)</td>
</tr>
<tr>
<td></td>
<td>Precinct Objectives (Section 4)</td>
</tr>
<tr>
<td>Preparation and approval of Landscape Plan(s)</td>
<td>Guidelines for the planning and provision of open space</td>
</tr>
<tr>
<td></td>
<td>Landscape Plan Approvals Process (Page 13)</td>
</tr>
<tr>
<td></td>
<td>Summary of documentation requirements: Plans &amp; Supporting Information (Page 21)</td>
</tr>
<tr>
<td>Construction and Maintenance Periods and Hand over</td>
<td>Guidelines for the planning and provision of open space</td>
</tr>
<tr>
<td></td>
<td>Landscape Plan Approvals Process (Page 13)</td>
</tr>
<tr>
<td></td>
<td>Summary of documentation requirements: Plans &amp; Supporting Information (Page 21)</td>
</tr>
</tbody>
</table>
1 INTRODUCTION

Well-designed and maintained parks engender a strong sense of community pride and identity. Hume City Council recognises the role that open space plays in adding value to existing areas and new subdivisions. These guidelines aim to ensure that a high standard of maintainable open space provision is achieved throughout the City of Hume.

1.1 Purpose of these guidelines

The purpose of these Guidelines is to provide a clear planning framework for developers and their consultants, so that high quality, diverse and sustainable open spaces are developed. They are based on an integrated approach to the planning, design, construction, and maintenance of open space. The guidelines allow for creativity and innovation, while ensuring that minimum standards of provision are achieved. They apply variably to all residential, commercial and industrial precincts throughout the municipality.

1.2 Definition

Council defines open space as:

All parks, gardens, reserves, road reserves and other parcels of land accessible to the public, owned by Council or another public authority, and used for open space purposes. This includes spaces provided for passive, active, formal and informal recreation as well as for conservation purposes.

2 PLANNING FOR OPEN SPACE: THE PLANNING PROCESS AND INFORMATION REQUIREMENTS

This section outlines the planning process and the information that must be submitted. How Council obtains, and how developers provide public open space is also explained.

2.1 The Provision of Public Open Space - A Brief Background

Public open space is provided in a number of different ways under the Planning and Environment Act 1987 and Subdivision Act 1988. In most cases where land is being rezoned or subdivided for Residential, Industrial or Commercial purposes the provision of open space is required.

Where land is being rezoned or larger scale ‘green field’ subdivisions are proposed, the provision of open space should be addressed through the comprehensive planning undertaken when considering such proposals. The comprehensive planning undertaken can result in Planning Scheme Amendments, Comprehensive Development Plans, Local Structure Plans and Development Plans. Further detail on these mechanisms can be found in Appendix 2 - An overview of the planning mechanisms used in the provision of open space.

The Subdivision Act 1988 provides for open space contributions where the Planning and Environment Act or Planning Schemes and subordinate documents do not stipulate the provision of open space. The
Subdivision Act 1988 provides for open space contributions of up to 5% of the land to be subdivided or developed or up to 5% of site value as cash in lieu of provision of land. In many cases agreements are reached for the provision of additional open space that contributes to the protection of vegetation or enhancement of a particular area. Open Space Contributions are discussed in more detail in Appendix 1 - Open Space Contributions.

Developers are encouraged to discuss their development proposals with Council, prior to purchasing land. Figure 1 provides an overview of the Open Space Planning Process that should be followed for all proposals that involve the provision of open space.

3 THE OPEN SPACE PLANNING PROCESS

3.1 Brief overview of the planning mechanisms used in the provision of open space

Generally there are three principle mechanisms that guide open space provision under the Victorian Planning System, although alternatives to these have existed and are discussed in Appendix 2 - An overview of the planning mechanisms used in the provision of open space. The three principle mechanisms are:

- Planning Scheme Amendments (Often referred to as rezoning, where the amendment involves land being rezoned)
- The comprehensive planning of a particular area using:
  - Comprehensive Development Plans
  - Local Structure Plans
  - Development Plans
- Planning Permit Applications
Figure 1 Overview of the Open Space planning process

Proposal involves Open Space?

Yes

Pre-application Planning Process

- Conduct Initial Site Research
- Pre-application discussions
- Prepare and Submit Site Analysis and Context Assessment
  - Review Precinct Objectives
  - Review Achieving the Vision
  - Apply Open Space Classification System
- Prepare and Submit Open Space Implementation Plan

Rezoning required?

No

Prepare and Submit Planning Permit Application to Council for approval

Planning Permit Issued

Yes

Prepare and Submit Planning Scheme Amendment to Council for approval

Development Plan Required?

No

Prepare and Submit Development Plan to Council for approval
4 PRE-APPLICATION PLANNING PROCESS

Council recommends that applicants seek advice from external professionals such as Land Use and Recreation Planners, Landscape Architects, Urban Designers and Civil Engineers, when proposing to subdivide and develop land in circumstances where open space may need to be provided.

4.1 Conducting Initial site research

In most cases Council's planning officers will be able to provide advice on the planning controls and agreements that affect your site. All developments need to be considered in terms of:

- How the land is zoned
- Any overlays that apply to the land
- Comprehensive Development Plans, Local Structure Plans, Development Plans or any other plan that gives direction regarding the preferred future use and development of the land
- Any agreements that the land is subject to, including but not limited to those entered into under the Negotiated Development Zone (under the former Shire of Bulla Planning Scheme) or Section 173 agreements entered into under the Planning and Environment Act 1987
- Proposals that are thoroughly researched and prepared will be processed more efficiently by Council officers. Developers should find out as much information about the site as possible, and determine the site's history, previous use and existing conditions. They should also examine the site in the context of surrounding properties. Pointers include:
  - What are the existing conditions on the site and adjoining properties?
  - What is the topography of the land?
  - What vegetation is located on the site and on adjoining properties?
  - What types of interfaces does the site have with adjoining land?
  - Does a waterway flow to/from the site to/from another property?
  - Do existing open spaces adjoin the site?

4.2 Pre-Application Discussions

Pre-application discussions will generally focus on:

- Whether a land contribution for open space is required
- The provision of open space in relation to the context of the site
- These Guidelines and their application
- Planning controls
- Hume Open Space Strategy 1999
- Planning process time-lines

In considering the need for open space, the proposed development will be assessed in relation to:

- The existing and proposed use or development of the land
- Any likelihood that existing open space will be more intensively used as a result of the proposal
- The effect of the proposal on the population density
- Whether there are existing open spaces in the neighbourhood and the adequacy of these
- How much of the land in the proposal is likely to be used for open space by the future land owners
- Hume Open Space Strategy 1999

Consideration of the above points means that, in many cases, a land contribution is required.
4.3 Site Analysis and Context Assessment

Once it has been determined that a ‘land’ contribution is required, a Site Analysis and Context Assessment must be undertaken. More detailed plans may need to be submitted later in the process, but the Site Analysis and Context Assessment is the foundation element in the open space planning process.

4.3.1 Purpose of the Site Analysis and Context Assessment

The Site Analysis and Context Assessment identifies and analyses the conditions, opportunities and constraints of the site and its surrounds, and identifies other open space sites in the vicinity. The purpose of this analysis is to determine the type and level of provision to be supplied, and ensure that any new open space that is provided complements, rather than copies, the existing open space in the area.

4.3.2 What is required when submitting the Site Analysis and Context Assessment?

It must include an appropriately scaled plan of the site and its surrounds and should include a written statement that clarifies and reinforces the information shown on the plan and the initial site research conducted as outlined in Chapter 4.1 and Table 1.

It is recommended that a preliminary Site Analysis and Context Assessment be submitted during the Pre-Application stage to allow Council officers and other stakeholders to properly assess the proposal. In certain circumstances two Site Analysis and Context Assessment plans may be appropriate, one showing detail of the subject site, and another at a different scale showing details of the surrounding context.

The requirements of the Site Analysis and Context Assessment are outlined in Table 1. and are graphically depicted in Figure 2. Pre-application discussions will determine which of these elements are required for each specific site.

Table 1 Site analysis and context assessment

<table>
<thead>
<tr>
<th>Site analysis and context assessment may be required to include:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The existing topographic, visual, and built features of the site and surrounding land at a scale that is relevant to the proposal</td>
</tr>
<tr>
<td>• Geological features and soil conditions</td>
</tr>
<tr>
<td>• Aerial photo of the site and the surrounding land</td>
</tr>
<tr>
<td>• Relevant Planning Scheme Overlays, e.g. Environmental, Vegetation or Heritage</td>
</tr>
<tr>
<td>• Mapped locations of existing site vegetation including planted trees, indigenous grasses, shrubs, trees, noxious and environmental weeds;</td>
</tr>
<tr>
<td>• Views to and from the site</td>
</tr>
<tr>
<td>• Waterways and drainage patterns, including the 100 year flood line</td>
</tr>
<tr>
<td>• Solar access, orientation, and noise sources</td>
</tr>
<tr>
<td>• Any encumbrances that exist on the site or surrounding land e.g. easements, covenants, etc., and the proposed location of services e.g. sewer, storm water drainage etc.</td>
</tr>
<tr>
<td>• Adjoining property conditions and uses e.g. subdivision, other open spaces, etc.</td>
</tr>
<tr>
<td>• Existing pedestrian and vehicular circulation patterns and access points</td>
</tr>
<tr>
<td>• Natural and cultural heritage values e.g. historic buildings, rare plant or animal species, aboriginal artifacts etc.</td>
</tr>
<tr>
<td>• Surrounding community or neighbourhood character and links to these areas</td>
</tr>
</tbody>
</table>
5 PREPARING PLANS AND INFORMATION FOR SUBMISSION

5.1 The Open Space Implementation Plan

The Site Analysis and Context Assessment should be used as a base plan, and enhanced using the following sections of these guidelines to develop the Open Space Implementation Plan:

- Review and use the relevant Hume City Precinct Objectives
- Apply the Hume Open Space Classification System
- Review and apply the Achieving the Vision: Principles, Guidelines and Standards

NB: The Hume City Precinct Objectives and Hume Open Space Classification System are excerpts from the Hume Open Space Strategy 1999, and consideration of these ensures that all new open space assets are planned and developed in accordance with Hume’s vision for a diverse and integrated series of open spaces throughout the municipality.

The Open Space Implementation Plan must include a plan at the same scale as the Site Analysis and Context Assessment Plan. A written statement that clearly responds to the above process must also be prepared for submission. See Table 2 for a further explanation of Council’s requirements for Open Space Implementation Plan preparation and Figure 3 for a graphic example.

The completed Open Space Implementation Plan, Site Analysis and Context Plan and all supporting written documentation must be submitted to Council as part of the planning application.

Table 2 Open space implementation plan requirements

<table>
<thead>
<tr>
<th>Must include</th>
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</thead>
<tbody>
<tr>
<td>• The Site Analysis and Context Assessment plan as a base map</td>
</tr>
<tr>
<td>• A spatial response to the Site Analysis and Context Assessment, Precinct</td>
</tr>
<tr>
<td>objectives, Open Space Classification System and the Achieving the Vision</td>
</tr>
<tr>
<td>section of these Guidelines</td>
</tr>
<tr>
<td>• A written statement demonstrating how the proposal responds to the above</td>
</tr>
<tr>
<td>• and as required by Council:</td>
</tr>
<tr>
<td>• Development stages</td>
</tr>
<tr>
<td>• Road layout, including provision for on-road bicycle networks</td>
</tr>
<tr>
<td>• Location and size of proposed public open space and linking networks</td>
</tr>
<tr>
<td>• Location of all proposed path systems (e.g. pedestrian, bicycle and/or</td>
</tr>
<tr>
<td>equestrian) and how they link with any path systems on adjoining land</td>
</tr>
<tr>
<td>• Proposed layout or orientation of lots adjacent to areas of open space</td>
</tr>
<tr>
<td>• Proposed finished levels, where these differ from existing levels</td>
</tr>
<tr>
<td>• Proposed facilities such as commercial areas, schools, neighbourhood</td>
</tr>
<tr>
<td>houses, etc.</td>
</tr>
<tr>
<td>• Proposed stormwater treatment/management facility locations</td>
</tr>
<tr>
<td>• Location of services eg storm water drainage, sewers, water, electricity</td>
</tr>
<tr>
<td>and gas</td>
</tr>
<tr>
<td>• Any proposed special urban design precinct location, size and theme</td>
</tr>
<tr>
<td>• Existing vegetation and indications of any proposed changes in site such</td>
</tr>
<tr>
<td>as removal of vegetation, elevation changes, hydrological changes etc.</td>
</tr>
<tr>
<td>• The proposed staging and indicative timing of the implementation of open</td>
</tr>
<tr>
<td>space development works</td>
</tr>
</tbody>
</table>
Figure 2 Example site analysis and context assessment plan
Figure 3 Example open space implementation plan
6 LANDSCAPE DEVELOPMENT PLAN APPROVAL PROCESS

Following planning approval for the development, Landscape Development Plans for all open space and streetscapes need to be prepared. Landscape Development Plans are detailed plans that graphically depict the design features for the site. They include hard and soft landscaping, site facilities and services and the design intent. An example Landscape Plan is shown at Figure 4.

Landscape Plans must be prepared for all open space and streetscape developments that are to be provided to Council. Where appropriate, plans must be accompanied by supporting written text that addresses:

- Design intent
- Response to these Guidelines
- Design Details for specific elements

It is important that the design process for the open space and streetscapes within the development begins as soon as possible after planning approval is given.

Council welcomes the opportunity to discuss draft landscape concepts and proposals prior to final submission of plans, and will participate in a site visit where appropriate. Depending on the nature of the application, further information such as geo-technical reports, flora and fauna surveys, open space concept plans, conservation management plans and maintenance schedules may be required before landscape development plans can be assessed.

All plans relating to a particular open space must be consistent with one another. All engineering plans relating to civil infrastructure construction and all landscape development plans, must show important details such as the location of existing trees and other vegetation to be retained/protected, location of drainage systems and other services.

Council may require a safety and risk assessment to be undertaken and submitted to Council for approval with landscape development plans, in particular for designs that incorporate water elements.

Please refer to the Landscape Planning Process Figure 5 for submission procedures. Landscape Development Plans will be assessed in relation to, must consider and include, as appropriate:

- Site Analysis and Context Assessment
- Open Space Implementation Plan
- All planning and building permit conditions relating the built structures within it
- These guidelines, and in particular the Achieving the Vision: Principles, Guidelines and Standards, the Open Space Classification System, the Hume City Precinct Objectives and the Design Details and Technical Notes sections
- Conservation Management Plans (where required)
- Maintenance schedule and costs

As constructed Landscape Plans must be supplied to Council in both digitised format and hard copy when open space is handed over to Council. Digital information is to be provided in Cad based format, with Drawing Format as the first preference, and DXF as the second preference. Drawings must be based on accurate latitudinal and longitudinal coordinates, which are geo-referenced to match the Victorian State digital cadastral database coordinates.

A Building Permit is required for all built structures within the open space, and it is the developer’s responsibility to apply for a building permit where required (eg pavilions, pergolas, retaining/rock/feature
walls, fences, decks, piers, entry signs etc). Council’s City Development, Building and Asset Departments can advise developers if a Building Permit is required. For more details regarding Council’s building permit requirements for built structures see the Design Details and Technical Notes for Open Space section of these guidelines.

Where Developers wish to install additional facilities (such as playgrounds and barbeques) into developed reserves, after residents have moved into the adjacent properties, they will require approval and may need additional permits. Notwithstanding, Developers will be required to carry out consultation with the surrounding community in accordance with Council’s community consultation processes. The consultation process includes:

- Surveying all residents in the area, to gain their views on the proposed additional facilities and notify Council of these survey results
- For playground installation, collection of local demographic information to ensure that the facility caters for the appropriate age groups
- Prepare plans of the reserve showing location and details of the proposed facility
- Conduct a public consultation event in the reserve to allow residents to comment on the design of the facility

**Figure 4 Landscape plan approval process**
Figure 5 Sample landscape concept plan - proposed neighbourhood park
6.1 Conservation Management Plans

Sites that contain areas of conservation significance will require written management plans/agreements. These will be completed prior to or in conjunction with the submission of the Landscape Plan. The complexity of the Conservation Management Plan will depend on the significance, size, and context of the area to be protected. The Conservation Management Plan must include a proposed program of management works, protection mechanisms, interpretation (if appropriate) and a schedule of maintenance costs.

This requirement will be identified through the Site Analysis and Context Assessment and will be discussed and negotiated during the planning stage.

6.2 Environmental Management Works Plans

Please note that Council now requires Environmental Management Works Plans for all civil and subdivision construction sites. Environmental Management Works Plans must detail:

- How areas of significant vegetation will be protected
- How noise, dust, litter and waste disposal/recycling will be managed
- Measures to control erosion
- Measures to manage storm water run-off and sediments
- Locations of construction materials and waste material stockpiles
- Vehicle parking (construction machinery and general carparking)
- Construction site access and vehicle circulation within the site

These must be submitted prior to, or at the time of, submission of engineering plans.

6.3 Construction and Maintenance Schedules and Costs

In order to accurately assess appropriate amounts for bonding of construction works, 2 year maintenance periods and insurance of all new assets, Council now requires details of the costs associated with the construction all landscape developments and their annual maintenance requirements. In some cases Council may require the bonding of the costs for the 2 year maintenance period.

In addition to the Landscape Plans, applicants must submit for approval a proposed maintenance schedule and projected costs. This schedule will also be used to ensure the proposed maintenance program is consistent with Council standards and to project the future maintenance costs for Council. It will also be useful for the developer in preparing budget projections and tender specifications for the 2 year maintenance requirement.
7 CONSTRUCTION AND MAINTENANCE PERIODS

7.1 Pre-Construction and Construction

Prior to any construction or works taking place on any open space areas, the developer must have a Council approved and endorsed Landscape Plan and works Specification (see Figure 6). Land set aside for open space must be protected from disturbance during initial subdivision development, such as road construction and the provision of infrastructure.

Council must be notified in writing 2 weeks before open space construction is planned to commence to arrange a pre-construction site meeting/inspection. This is to ensure the areas set aside for open space are consistent with those on approved plans, that the site is adequately prepared to protect significant features, and to establish a schedule of inspections during the development phase.

Council will monitor landscape construction processes through a planned and negotiated inspection routine including key witness and/or hold points. An additional site inspection will occur when construction is completed, to establish Practical Completion of the works and mark the commencement of the 2 year maintenance period. This inspection will ensure that the site was developed according to the approved plan.

Council must be notified of, and approve any changes to the approved works which are identified as necessary during the construction period. As constructed drawings will be required if any changes are made to the approved works.

7.2 Statement of Compliance as it relates to Open Space Provision

A Statement of Compliance is a written confirmation from Council that all works and other requirements relating to a particular subdivision or development proposal have been completed satisfactorily and is required prior to the release of lots by the Titles Office.

A Statement of Compliance is only issued when a developer has met all requirements placed on a subdivision or development (usually in the form of conditions on a Planning Permit), or an agreement entered into regarding their completion. The provision of Open Space is often one of a number of different actions that must be completed by a developer prior to the issuing of a Statement of Compliance. Other actions include the provision of infrastructure such as roads, electricity, water and sewerage mains.

To meet the open space requirements for the issue of a Statement of Compliance the developer must demonstrate that all permit conditions in relation to Open Space and Streetscape Development provision have been completed to Council's satisfaction.
Figure 6 Landscape construction, maintenance, and handover process

1. Endorsed planning permit and landscape plan

2. Arrange a pre-construction inspection

3. Construction

4. Arrange an on maintenance inspection

   a. Rectify to Council’s satisfaction

   b. Construction to Council’s satisfaction?

      i. Yes

         - Practical Completion
         - Start of maintenance

         - Developer maintenance period

         - Arrange a handover inspection

         - 3 months prior notification required

      ii. No

         - Rectify to Council’s satisfaction

         - Maintenance to Council’s satisfaction?

            i. Yes

               - Submit maintenance records to Council

            ii. No

               - End of Maintenance Period. Handover to Council
7.3 Bonding of works

If landscaping works are incomplete when a Statement of Compliance is requested, bonding of landscaping works will be required.

- To bond works the applicant must:
- Have an endorsed landscape development plan
- Submit a schedule of works with associated costs for approval
- Submit a time line indicating when proposed works will be completed for approval
- Submit a cheque or bank guarantee to Council at 150% of the value defined in the approved schedule of works

Release of the bond must be requested by the Developer, and will take place once all works are completed to the satisfaction of Council. All requests for the return of bonds must be in writing, clearly stating the development, stage and works that they refer to, and include a copy of the original bonding documentation. Council’s bonding requirements can be outlined by during the pre-planning discussions.

Figure 7 Statement of Compliance as it relates to Open Space Provision

Request for Statement of Compliance

Have all conditions on the permit relating to Open Space been met?

Yes

No

Has a bond been provided?

Yes

No

Bond landscape works

Statement of Compliance Issued

Note: This flowchart is indicative only, a Statement of Compliance can only be issued once all requirements that enable a Statement of Compliance to be issued are met, not just those relating to open space provision.
7.4 Maintenance Period and Hand over

Council will conduct site inspections during the Developer’s maintenance period, to ensure the asset is being managed appropriately. Comprehensive maintenance logs must be maintained by the developer during this period.

Council must be notified in writing 3 months prior to the end of the maintenance period, and a final site inspection will be scheduled. Any defects identified during the final inspection will be detailed on Council’s ‘New Asset Inspection Sheet’ and forwarded to the applicant for rectification.

The developer must undertake rectification works if the site has not been maintained to Council’s satisfaction. If at the end of the maintenance period Council determines that rectification of more than 50% of the landscaping is necessary, the developer will be required to maintain the open space for an additional year.

Final hand over will occur with the developer providing Council with ‘as constructed’ plans in digital format and hard copy, the maintenance history of the site, copies of as constructed irrigation system plans, copies of all playground inspections and records of all component replacements and repairs.
### 8 SUMMARY OF DOCUMENTATION REQUIREMENTS: PLANS & SUPPORTING INFORMATION

All plans must be produced at appropriate scales, to enable accurate assessment and ease of comparison with the Site Analysis Plan and Open Space Implementation Plan. Table 3 indicates Council’s requirements in relation to the types, quantities, sizes and scale of plans and other information.

<table>
<thead>
<tr>
<th>Type of Plan Information Required</th>
<th>Quantity, Plan Size and Format</th>
<th>Scale</th>
<th>Details Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Analysis and Context Assessment Plan and written</td>
<td>2 x A3 or A4 copies, 5 x A0 or A1 copies, 1 x DWG File (if appropriate)</td>
<td>All plans should be to a scale that acknowledges the size of the site and its relationship to the surrounding context</td>
<td>All existing conditions and relevant info as per Table 1: North Arrow, Clear Title and Legend, Scale bar, Total Site Area (Hectares)</td>
</tr>
<tr>
<td>document outlining Response to these Guidelines</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Open Space Implementation Plan and written document outlining</td>
<td>2 x A3 or A4 copies, 5 x A0 or A1 copies, 1 x DWG File (if appropriate)</td>
<td>Same scale as the Site Analysis and Context Assessment</td>
<td>All relevant information as per Table 2: North Arrow, Clear Title and Legend, Scale bar, Total Site Hectares, Open Space Contribution in Ha.</td>
</tr>
<tr>
<td>Design intent and Response to these Guidelines</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rezoning, Development Plans and Planning Permit Plans</td>
<td>5 x A0 or A1 as appropriate</td>
<td>Scale that is an appropriate multiple of the Site Analysis and Context Assessment &amp; Open Space Implementation Plan</td>
<td>Location and surrounds, Stage Location inset in overall development map, Open Space areas clearly defined including drainage reserves, utility easements, and POS.</td>
</tr>
<tr>
<td>and written document outlining Response to these Guidelines</td>
<td>2 x A3 or A4 copies, A0 or A1 as appropriate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Landscape Plans including Street Trees, Parks, Entrance</td>
<td>4 x A1 or A0 copies</td>
<td>Scale that is an appropriate multiple of the Site Analysis and Context Assessment &amp; Open Space Implementation Plan</td>
<td>Clear Title and Legend, North Arrow, Open Space Classification Description, Total Hectares of site, Proposed facilities, hard and soft landscape treatments including setout and grading, planting plans, irrigation, drainage and service locations, surfaces &amp; finishes, sections &amp; details of all structures and hard landscape elements</td>
</tr>
<tr>
<td>s, etc. and written document outlining Design intent</td>
<td>Digitised Format File is required at handover for Landscape Plans</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Response to these Guidelines and Design Details for specific elements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction Specifications</td>
<td>1 x A4 double sided copies</td>
<td></td>
<td>Detailed specification that is in accordance with the Design Details and Technical Notes section of this document.</td>
</tr>
<tr>
<td>Plans for structures requiring Building Permits and explanation of how structure meets standards set out in the Design Details and Technical Notes for Open Space</td>
<td>As appropriate</td>
<td>Structural drawings etc as appropriate</td>
<td>Drawings/plans, Architectural, Structural, Engineering and Soil Report.</td>
</tr>
<tr>
<td>As constructed Landscape Plans at handover to Council</td>
<td>1 x DWG File, 1 x A0 or A1 size copy</td>
<td>Scale that is an appropriate multiple of the Site Analysis and Context Assessment &amp; Open Space Implementation Plan</td>
<td>Legend, North Arrow, Scale bar, Total Hectares of site, Facilities &amp; Landscape treatments</td>
</tr>
</tbody>
</table>
9 APPENDIX 1 - OPEN SPACE CONTRIBUTIONS

Open Space contributions can be stipulated in Council’s planning scheme or in documents prepared in accordance with the planning scheme such as Comprehensive Development Plans, Local Structure Plans and Development Plans. Council’s Open Space Strategy 1999 also indicates that contribution schemes will be applied when land is rezoned for residential purposes. Where open space contributions are not stipulated in the planning scheme they can still be required under the Subdivision Act 1988.

Under the Subdivision Act 1988 Council may require an open space contribution as either land or a cash in lieu payment that consists of up to 5% of all of the land intended to be used for residential, industrial or commercial purposes. Such contributions are not made for 2 lot subdivisions nor for the re-subdivision of existing industrial lots where contributions have (or could have) been sought. The Subdivision Act 1988 also states that if the contribution is in the form of land then this land must be in a location satisfactory to Council.

Certain land is not appropriate for the provision of open space as its primary function is for a purpose other than open space or recreation. Land with another primary purpose will not be accepted as part of an open space contribution. Areas that will not form part of the contribution include:

- Drainage reserves or water bodies up to the 100 year floodline
- Road reserves
- Encumbered land and easements required for services
- Land affected by an Environment Significance overlay and delineated as having local or greater conservation and/or environmental significance. Such land is to be protected for its inherent values

Exceptions to this may be approved by Council provided the primary function of the land will not be compromised and if it can be demonstrated by the developer that:

- The land can be developed and used for recreational purposes at least 80% of the time
- Recreational use of the land will not adversely effect the land or its values/assets
- Recreational use of the land will not create a safety risk to users

In the case of an exception, Council may grant an open space credit for this land of up to 50% of the land area, but no more than 10% of the total open space contribution.

Cash contributions for open space can be taken by Council for any subdivision where land contributions are not required, but where as a result of the subdivision there will be an increase in use of existing open space. Council will consider taking a cash contribution for open space when the needs of the community and conservation requirements can be adequately serviced by existing open space. Cash contributions will be used for:

- Embellishment of existing neighbourhood open space (consistent with the precinct recommendations in Hume Open Space Strategy 1999: Part two)
- Strategic land purchase
- Regional open space facilities

In Commercial areas a cash open space contribution may be required to provide a level of embellishment of civic space, such as creation of meeting places, activity nodes, bike networks and facilities.

Additional open space may be obtained under agreements made under the Planning and Environment Act 1987. These are negotiated, legally binding agreements that are linked to the title of the land.
10 APPENDIX 2 - AN OVERVIEW OF THE PLANNING MECHANISMS USED IN THE PROVISION OF OPEN SPACE

There are three principal mechanisms that guide open space provision under the Victorian Planning System, although alternatives to these have existed and will be discussed later. The three mechanisms are:

- Planning Scheme Amendments (Often referred to as rezoning, where the amendment involves land being rezoned)
- The comprehensive planning of a particular area using:
  - Comprehensive Development Plans
  - Local Structure Plans
  - Development Plans
  - Older agreements: Negotiated Agreements, Negotiated Development Zones, Concept Plans
- Planning Permit Applications

10.1 Planning Scheme Amendments

Planning Scheme Amendments are intensive processes that should not be entered into lightly. Council’s planning officers will be able to provide advice as to whether or not your proposal will require a Planning Scheme Amendment and what this involves.

Planning Scheme Amendments are not restrained by statutory limitations in the same way as planning permit applications. Planning Scheme Amendments provide great opportunities to address open space issues pro-actively because they are the most flexible mechanism via which open space is obtained or provided. Open space issues can be addressed in a number of different ways through the Planning Scheme Amendment process.

Particular sites within a development area can be rezoned for the purposes of open space as part of the Planning Scheme Amendment process. Alternatively, various zones and overlays (including appropriate schedules) can be put in place as part of the Planning Scheme Amendment process to provide guidance regarding the future provision of open space.

10.2 Comprehensive Planning of an area

To facilitate open space planning/provision, and for consistency with these guidelines, each of the different type of plans outlined below should include:

- A Site Analysis and Context Assessment
- Location and classification of all proposed open space, including streetscapes, drainage areas and parklands
- Text outlining the stages for open space development, landscaping themes, construction management practices, mechanisms for protection of assets and the maintenance agreement
- Where relevant, recreation and leisure facilities including proposed walking and cycling links

10.2.1 Comprehensive Development Plans

Particular areas within Hume including, the Merri Growth Corridor, around Craigieburn and areas around Sunbury (eg Jackson’s Hill), are zoned Comprehensive Development Zones. They are subject to Comprehensive Development Plans that show the main land use intentions for each area in a generalised
way. Comprehensive Development Plans can also identify the general open space intentions. These help to guide the detailed planning of open space within a Comprehensive Development Plan area.

10.2.2 Local Structure Plans

Local Structure Plans derive from Comprehensive Development Plans. In most cases, under the Comprehensive Development Zone no subdivision, buildings or works may take place before the land to be subdivided or developed is included in a Local Structure Plan. Local Structure Plans are required to address and show particular details under the Comprehensive Development Zone where appropriate, but often vary in terms of detail and content.

Local Structure Plans address the provision of open space but do this in various ways. For example, amounts of open space to be provided in particular sub areas (Cells) are often identified, but the exact size and location of specific open spaces is left for more detailed planning at a later stage. The key aspect of Local Structure Plans is that they provide a level of guidance for the provision of open space that is more detailed than that found in a Comprehensive Development Plan.

10.2.3 Development Plans

A Development Plan is required where the Hume Planning Scheme indicates that the Development Plan Overlay applies to the land. The purpose of the Development Plan Overlay is to identify the form and conditions of future use and development of the area, before a planning permit can be granted.

Requirements relating to the content of a Development Plan are outlined in the Hume Planning Scheme, and include identification of the areas to be set aside for public open space. Once approved, the Development Plan must accompany any and all planning permit applications.

10.2.4 Negotiated Agreements, Negotiated Development Zones and Concept Plans

In certain circumstances, agreements exist that pre-date the current planning system. Negotiated Agreements, Negotiated Development Zones and Concept Plans were used as alternative planning mechanisms and are still be relevant to some properties.

Agreements of this type can still have a bearing on the open space planning for particular sites throughout the municipality. The agreements can vary considerably from property to property. The key issue when dealing with a situation involving an agreement pre-dating the current planning scheme is to ensure all parties involved with a proposal are familiar with the relevant agreement.

Other agreements may also exist so it is important to research the planning history of your property before planning for development.

10.3 Planning Permit Applications

Planning permit applications are the most common forms of development approval and, generally speaking, include the legal requirements to provide open space. Planning permit applications must be consistent with Comprehensive Development Plans, Local Structure Plans or Development Plans if these plans have been previously approved. If such plans have not been approved, then the assessment of the application will be guided by the principles outlined in these guidelines.

It should be noted that these guidelines apply particularly to estate style subdivision rather than subdivisions of existing buildings or of medium density sites.