

1.1 ADOPTION OF POL-LP-1-12 PUBLIC OPEN SPACE AND COMMUNITY BUILDINGS

Ward: (All Wards) (Asset Management)

Disclosure of Interest: Nil

Authorised Officer: (Executive Manager Operations)

KEY ISSUES

- *POL-LP-1-12 Public Open Space and Community Buildings* has been developed to give statutory weight to the City's *Standards of Provision: Open Space and Community Buildings*. The *Standards of Provision: Open Space and Community Buildings* were adopted by Council on 18 October 2017.
- *POL-LP-1-12 Public Open Space and Community Buildings* will replace the Interim Policy *POL-C-112 Public Open Space Residential Areas*.
- *POL-LP-1-12 Public Open Space and Community Buildings* was approved for advertising by Council on 15 November 2017.
- Following the Council endorsement of *POL-LP-1-12 Public Open Space and Community Buildings* the required statutory public comment period was undertaken and no comments were received. *POL-LP-1-12 Public Open Space and Community Buildings* has now been finalised.

It is recommended that the Council adopt *POL-LP-1-12 Public Open Space and Community Buildings* and repeal Interim Policy *POL-C-112 Public Open Space Residential Areas* under the provisions of the City's *Local Planning Scheme No. 17*.

BACKGROUND

The *Standards of Provision: Open Space and Community Buildings (Standards)* have been prepared to guide the planning and development of open space and community buildings within the City of Swan. Both the *Standards* and *POL-LP-1-12 Public Open Space and Community Buildings* are aligned to and support the City's *Local Planning Scheme No. 17*, Integrated Planning Framework and Strategic Community Plan.

In order to provide statutory weight to the Standards and other associated facility planning documents, *POL-LP-1-12 Public Open Space and Community Buildings* has been developed. *POL-LP-1-12 Public Open Space and Community Buildings* reinforces the *Standards* in setting out the expectations for the provision of open space and community buildings which must be addressed in Structure Plans (and accompanying Management Strategies), Development Plans (and accompanying Management Plans), Detailed Area Plans and any subsequent proposals for subdivision.

DETAILS

POL-LP-1-12 Public Open Space and Community Buildings contains general information that is in the *Standards* however, adoption of the Policy under the provisions of the City's *Local Planning Scheme No.17* will give the matters included in the *Standards* greater weight in determination of Structure Plans (and accompanying Management Strategies), Development Plans (and accompanying Management Plans), Detailed Area Plans and any subsequent proposals for subdivision. *POL-LP-1-12 Public Open Space and Community Buildings* will replace the Interim Policy *POL-C-112 Public Open Space Residential Areas*.

CONSULTATION

POL-LP-1-12 Public Open Space and Community Buildings and repeal of Interim Policy *POL-C-112 Public Open Space Residential Areas* required a statutory public comment period following Council endorsement. *POL-LP-1-12 Public Open Space and Community Buildings* was open for public comment for a period of 28 days, during this time no comments were received.

Upon adoption of *POL-LP-1-12 Public Open Space and Community Buildings* notice will be published once in a newspaper circulating the City of Swan.

ATTACHMENTS

POL-LP-1-12 Public Open Space and Community Buildings

STRATEGIC IMPLICATIONS

The policy contributes to achieving outcomes in all Key Result Areas identified Strategic Community Plan 2017-2027.

STATUTORY IMPLICATIONS

The *POL-LP-1-12 Public Open Space and Community Buildings* is to be adopted under Section 2.4 of *Local Planning Scheme No. 17*.

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority

RECOMMENDATION

That the Council resolve to:

- 1) Adopt *POL-LP-1-12 Public Open Space and Community Buildings* and publish notice of the policy in a newspaper circulating in the Local Planning Scheme area.
- 2) Repeal Interim Policy POL-C-112 Public Open Space Residential Areas.

CARRIED

POL-LP-1-12 Public Open Space and Community Buildings

1. OBJECTIVE

The City of Swan's (the City) objectives for the provision of open space and community buildings are:

- a) Equitably plan and prioritise future open space and community buildings which meet the City's growing population and diverse community needs;
- b) Guide the delivery of open spaces and community buildings through the establishment of a provision framework with regard to hierarchy, function, use and design;
- c) Ensure the retention of significant environmental and cultural features in relation to open space and community buildings; and
- d) Ensure a consistent level of service for all open space and community building throughout the City. This includes embellishment and quality.

2. PURPOSE

The purpose of this Policy is to set out the City's expectations for the provision of open space and community buildings within the municipality in order to meet the City's growing population and diverse community needs.

The Policy states the requirements and processes for the planning and delivery of open space and community buildings through Structure Plans, Local Development Plans, and any subsequent proposals for subdivision or development applications.

This Policy must be used in conjunction with the City's *Standards of Provision: Open Space and Community Buildings*, *Landscape Design Guidelines*, *Community Building Design Guidelines* and other relevant City strategies, policies, design guidelines and specifications.

The Policy is intended to complement and be used in conjunction with relevant State Government legislation, policies and guidelines that apply to the provision of open space and community buildings.

3. REQUIREMENTS

This section outlines the requirements for the provision of open space and community buildings within the City that must be addressed in Structure Plans, Local Development Plans, and any subsequent proposals for subdivision or development applications.

It is expected that Structure Plans for larger urban growth areas will contain a range of strategies, targets and benchmarks demonstrating how proposals for public open space and community buildings will satisfactorily address the requirements of the Policy. These are then to be implemented through more detailed Local Development Plans, subdivision proposals and development applications for smaller development cells in order to establish an equitable and consistent network of open space and community buildings throughout the City.

Planning for new, renewal or redevelopment of open spaces and community buildings must be in accordance with the City's Open Space and Community Building Principles (contained within the City's *Standards of Provision: Open Space and Community Buildings*) as follows.

3.1 Sustainability

Core to providing and maintaining open space and community buildings is balancing the current and future needs of the community, the environment and the economy. Sustainability in open space and community buildings principally involves ensuring appropriate use and protection of resources, waste minimisation and energy efficiency, the implementation of both water sensitive urban design and environmentally sustainable design, and appropriate use of public assets.

3.2 Quality and Enjoyment

Open space and community building design should enhancing the physical quality and appearance of public places, helping to reinforce a place's identity and making it a more attractive environment for people to gather and interact with each other. Open spaces that are inviting and enjoyable can attract more people and more frequent use, thus having a greater impact on community health. Community buildings that have a civic quality, sense of stability and appropriate level of amenity will create important place in the community.

3.3 Diversity, Flexibility and Innovation

The City recognises the diversity of places that it manages and is mindful of the importance of open space and community buildings in creating a sense of place and belonging. It aims to provide a diverse range of experiences and opportunities across the City. Implementation must be responsive to community needs and local issues. Flexible and innovative solutions should:

- a) Recognise that communities are dynamic and constantly undergoing change;
- b) Be sufficiently robust and flexible to provide opportunities for adapting buildings to meet changing needs;
- c) Consider flexible and innovative approaches to management which will promote opportunities for partnership, collaboration and coordination between government, non-government agencies and the community; and
- d) Recognise that in certain situations cash-in-lieu of new open space or community buildings is more appropriate to fund improvements to existing open space and community building is more sustainable.

3.4 Access and Equity

A range of open spaces and community buildings of different size and function should be accessible to all of the City's residents and visitors. There should be an equitable distribution in terms of the amount, condition, and amenity across the City so that locations, user groups or segments of the community are not disadvantaged. All user groups and community members should be equally considered in the design and development of open space and community buildings. There is a responsibility to consider intergenerational equity and ensure fit-for-purpose open spaces and community buildings are available for future generations.

3.5 Financial Responsibility

The City must be accountable and responsible for its use of public funds and assets. The provision and maintenance of open space and community buildings must represent an efficient use of resources through cost-effective design and operation. An appropriate balance between full life cycle cost and community benefit must be achieved.

3.6 Integration

Open spaces and community buildings should be integrated with the urban and natural environment in recognition that it does not operate in isolation with other community functions. This integration can encompass the co-location of facilities such as park amenity and sporting buildings, or the inclusion of significant vegetation, that enhances and compliments the open space. Where an agency requires the retention of a space (such as resource enhancement wetlands or of heritage significance) the management of that space should be first offered to that agency. The City will seek to build partnerships in such instances but partnerships should not be at the expense of meeting the functional needs of residents.

3.7 Consultation and Collaboration

Consultation is an important element when developing any open space or community building. All relevant stakeholders and community groups should be consulted to ensure the best outcome is achieved. The following should be adopted in the planning of open space and community buildings:

- a) Fair, open and participatory processes will be used in planning; and
- b) To achieve this, the active involvement of the community including social and commercial groups as well as other government and non-government agencies will be encouraged in planning, development and review processes.

3.8 Safety

For a place to function effectively it must be safe. Elements that must be considered include the design and location of open space and community buildings, as well as the embellishments within them. The natural surveillance of open space and community buildings, and amenities should be enhanced by locating facilities in active and accessible locations.

4. APPROACH TO PROVISION

The future provision of open space and community buildings will take into account a number of factors including community need, population and distance standards, location and design criteria, hierarchy levels, land quality and function. These are generally expressed in terms of benchmarks and criteria.

In broad terms, the benchmarks and criteria are utilised to provide open space and community buildings with the following considerations in mind:

- a) Size, role and composition of the community infrastructure;
- b) Access and travel patterns;
- c) Physical characteristics;
- d) Local competition; and
- e) Development trends.

The six core benchmark and criteria types adopted by the City for the provision of open space and community buildings are detailed below.

4.1 Hierarchy

A hierarchy of provision ensures that appropriate open space and buildings are provided for distinct catchments, with larger infrastructure serving a larger population, and smaller catering for local needs. Ratios are used to evaluate the number or size of buildings and open spaces required across different locations. Benchmarks can either be on a population or distance catchment basis.

4.2 Function

In conjunction with hierarchy, the potential function of open space and community buildings must be clearly specified during the planning phase, to ensure that buildings and spaces are designed fit for purpose.

4.3 Use

The uses of each open space and community building must be understood in order to ensure the design and embellishment can cater for the various community uses. By considering the potential uses within a particular open space or community building, the City can ensure equitable access for all community members.

4.4 Length of Stay (Open Space Only)

The City considers open space to have either a short length of stay, or long length of stay. The level of embellishment within an open space is commensurate to the amount of time people stay in an open space. Typically, all community buildings have a long length of stay ability, with the exception of public toilets.

4.5 Standards of Provision Framework

The planning of all open space and community buildings must be based on the hierarchy, function, use, and its intended length of stay, as identified in the frameworks. The City's *Standards of Provision: Open Space and Community Buildings* set out detailed frameworks for both open spaces and community buildings. The integral sections of the framework are detailed below, the full frameworks should be utilised during the development and assessment of Structure Plans (and accompanying Management Strategies), Local Development Plans, and any subsequent proposals for subdivision or development applications.

Table 1 articulates the City's expectations for open space in regards to unrestricted open space. Unrestricted open space refers to open space that is 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.

Where spaces 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, gas pipeline easements, cultural heritage sites, significant topographical features include trees, and Bush Forever sites), they shall be classified as restricted open space. Areas of Restricted open space may be within resource enhancement wetlands, buffers or areas of remnant vegetation that can provide some open space function. In such instances there must be an approved management plan to manage impact and to demonstrate the improvement of environmental values can still take place with some degree of public accessibility.

Table 1: Open Space Hierarchy, Function, Size and Catchment

Hierarchy	Function					Description	Size	Indicative Catchment
	Recreation	Sport	Nature	Kick About	Play Space			
Local	✓	x	✓	✓	*	Small parklands that service the recreational needs of the immediate surrounding area. They provide basic embellishment commensurate with short stays with higher levels of embellishment expected on larger spaces.	0.4 –1 ha Nb. In the case of a Kick About space, there must be enough unrestricted space to kick a ball, play a small game of cricket etc.◇	>400m
Neighbourhood (All other functions)	✓	x	✓	✓	✓	Serves as the recreational and social focus of a community where residents are attracted by the variety of features, and opportunities to socialise. When a play space is to be included, the identified site should focus on a specific age category & offer a suite of play opportunities tailored toward the toddler, junior and intermediate ages.	1-5ha◇	800m
Neighbourhood (Sporting Function ONLY)	✓	✓	✓	✓	✓	Although sport spaces are permitted at a neighbourhood level, it is preferred that these sites are located within district sized areas, as two sports ovals can be incorporated into a district site maximising the ability to use the spaces. Sporting types accommodated within spaces will be identified on local demand through Place Measures.	1-5 ha The sport space must be senior sized and there must be minimum provision of 2.9ha of flat turfed area. Δ	800m
District	✓	✓	✓	✓	✓	Principally provides for organised formal sport and recreation for multiple surrounding neighbourhoods. These are high amenity open spaces suitable for regular sporting events or festivals. They provide a significant visual break in the urban environment. District spaces should provide play opportunities for a wide age range (junior to teenager) and ensure that some appropriate, accessible play opportunities are provided for children with disabilities.	5-20 ha Sport >15ha A minimum provision of 4.8ha of flat turfed area to meet the needs of the sporting community, and maximise the financial viability and use of the sporting space. Δ There must be the provision for at least 2 senior AFL- size oval spaces within district open spaces. This requirement does not mean every sports space within the City will be oval sporting spaces but instead can be retrofitted to suit any sport into the future.	2kms
Regional	✓	✓	✓	✓	✓	The largest provision of open space in the community, they are the focal points for organised sport, recreation, conservation and environmental features. Serve not only residents of the City but the wider region. Provides both the highest quality of facilities and quantity in one space to cater for the most intensive usage of all spaces.	Size dependant on function. Sport >20 ha Δ	Majority of users will drive (serves the region)

* The provision of play spaces within local open space should only be considered where there is an identified gap in provision, otherwise play spaces should only be installed in neighbourhood, district and regional spaces. A neighbourhood level play space will create greater access for the wider community to use, allow for greater rationalisation of play spaces and save on maintenance and life cycle costs of play space equipment.

Δ The orientation of playing fields will be determined by the specific sporting code it is designed for. Refer to the City's *Landscape Design Guidelines* for further information.

◇ Refer to City's *Landscape Design Guidelines* for minimum dimension requirements.

Table 2: Community Building Hierarchy

Hierarchy	Description
Regional Community Building	<ul style="list-style-type: none"> • Size is variable and dependant on function; • Rarely built building - only a small number within the municipality; and • Long stay building.
District Community Building	<ul style="list-style-type: none"> • Services several neighbourhoods; • Within 10km or 20 minute commute; and • Typically a long stay building.
Neighbourhood Community Building	<ul style="list-style-type: none"> • Services surrounding community; • Within 800m or 10 minutes of safe walking distance; and • Typically, a short stay building.
Ancillary Building	<p>Ancillary buildings are those which are not assigned to a particular classification but instead are considered to be an embellishment within or adjoining an open space or community building. Ancillary buildings can enhance the quality of spaces and buildings by increasing the number of potential uses, for example a storage shed may allow an additional sports club to utilise a space, or a public toilet would support a long stay open space. Ancillary buildings can include:</p> <ul style="list-style-type: none"> • Public Toilets; • Storage Sheds; • Maintenance Sheds; and • Bin Storage.

Table 3: Community Building Function and Catchment

Core Functions of Community Buildings	Population Catchment	Description
Community Centre	<p>Neighbourhood Community Centre: 1: 5,000</p> <p>District Community Centre: 1: 15,000 – 25,000</p>	<p>The core infrastructure provision for a community is a multi-functional building to support the social, cultural, educational, and sporting activities of a neighbourhood or district.</p> <p>Community centres should be designed to offer operational flexibility and response to local needs.</p> <p>A district community centre serves multi neighbourhoods. It may be associated with a District-level sporting open space or part of a commercial/retail hub.</p>
Sporting Pavilion	1: Sporting Open Space	Sports pavilions are designed to facilitate organised sport and the core requirements of community sporting clubs. The focus on these buildings is the core sport being played by community members and should be aligned to the open space hierarchy, i.e. a district open sports space should have a district sized sports pavilion.
Arts and Cultural Infrastructure	1:150-000 – 250 000	A hub supporting community arts and cultural experiences that accommodates cultural development and provides rehearsal, workshop, performance and meeting space for the region's arts and cultural organisations as well as visiting performing arts companies. The focus of this building is on 'community' arts and cultural development, in conjunction with large and high quality visual and performance spaces.
Youth Facilities	<p>District Youth Centre 1: 20,000 – 50,000</p> <p>Regional Youth Centre 1: >50,000</p>	A building to provide a diverse range of services to young people (12 – 25 year olds). Their main services include drop-in, educational and recreational programs, events, school holiday activities, information, referral and advocacy. Youth centres should be co-located with another community function such as a community centre, library, and sports open space. At the regional level they should be co-located with a range of health and youth service providers. It is particularly important that youth centres are accessible via public transport or non-vehicular transport. They should be designed and fitted out to be comfortable and safe for young people.
Libraries and Place Service Hub	<p>District Library: 1:15,000 – 30, 000</p> <p>Regional Library: 1: 30,000-150,000</p>	Offers community and information services such as text and multi-media resources. Increasingly, libraries are being developed as nodes for community interaction and information sharing. A library could also include education related community office space, toy library, community gallery, and cafe. Should be located within Activity Centre and co-located with other community services. Provision can be made for a regional library which has a higher level of material and resourcing. It shares material with other branches and could be the home of mobile libraries.
Recreation Centre	1:250,000	Comprises only the 'dry' elements of a leisure centre. May potentially include health consultation and professional suites and function and meeting rooms.
Leisure Centre	<p>District: 1: 50,000 with 25m pool</p> <p>Regional: 1: 150,000 with 50m pool</p>	Includes a swimming pool, and sports and recreation facilities. The aquatic element should cater for formal swimming training, lessons and classes, recreation play, rehabilitation use. There is a move away from the traditional lap pool towards a combination of leisure and programmable pools. There is also a trend of co-locating health and fitness facilities with swimming pools to create multi-purpose leisure venues that facilitate improved financial performance. At the regional level, a leisure centre would incorporate the above but have a strong emphasis on swim schools, competitive swimming and imaginative aquatic play features.

4.6 Place Measures

In addition to the above benchmarks and criteria, Place Measures will be used, to ensure open space and community buildings are fit-for-purpose. Place measures include:

- a) Local knowledge;
- b) Community needs and wants;
- c) Location and geography, including functionality of land; and
- d) Local context.

5. THRESHOLDS OF PROVISION

Thresholds inform when the provision of infrastructure will occur and are important in ensuring that residents to a new growth area have access to a certain level of infrastructure. Therefore, the population threshold that indicates when construction begins must be clarified during the initial planning stages of a community. The timing for whole or part building construction should be based on the following broad thresholds:

- a) When 30 per cent of the forecast lots have been created in the catchment, local and neighbourhood level facilities will, at a minimum, be in the design phase; and
- b) When 50 per cent of the forecast lots have been created in the catchment, district facilities will, at a minimum, be in the design phase.

In some cases, facilities may be built in two stages; the first to serve the local catchment, and the second to serve the wider catchment. Thresholds of provision are therefore highly dependent on the building and catchment, however the threshold triggers need to be identified at structure planning stage to enable forward planning.

Thresholds in brown field areas will need to be adjusted to reflect the existing community, especially when considering the impacts of the City's Urban Housing Strategy (increased densification). Consideration should be given to the intention of the green field thresholds that a building will be available once sufficient population exists.

The City encourages the development of larger open spaces such as kick-about and playing fields as a priority in new development areas. These spaces will accommodate a number of uses and associated embellishments that smaller open spaces cannot provide, in particular providing a space for community activation through sporting and recreational groups.

6. CASH IN LIEU

Under the provisions of Section 153 of the Planning and Development Act 2005 (the Act) payment can be made by a landowner to a local government in lieu of all or part of the POS contribution and is commonly referred to as cash-in-lieu when permitted by the Commission. For example in some limited circumstances, the provision of an area of land for POS may be too small to be practical and it may be more appropriate for payment in lieu of POS, or a combination of payment and land.

As prescribed under Section 154 of the Planning and Development Act 2005, all monies received are to be paid into a separate account of the trust fund of the Local Government established under section 6.9 of the Local Government Act 1995 and used solely as prescribed under S154 (2) the Planning and Development Act 2005. Section 154 (2) stipulates that expenditure must be within the locality for which cash-in-lieu was paid, for example the purchasing of other land for parks, recreation grounds, open spaces or community buildings, repaying loans raised to purchase such land, or where approved by the Minister for Planning, for improving parks, recreation grounds or open spaces. With approval of the Commission (in a joint subdivision) where one owner (first owner) sets

aside a greater portion of land than another (second owner) the cash in lieu contribution of that second may be used to reimburse the first owner.

Where the approval of an application for subdivision (including green and strata titles) will result in the creation of three lots or more (or two additional lots if counting the existing lot), the City will recommend to the Western Australian Planning Commission that it impose a requirement for a cash-in-lieu contribution to be made in accordance with the valuation provisions outlined in the Planning and Development Act 2005. This requirement will be imposed on the basis of Clause 3.1.6 of the Commission's Development Control Policy 2.3, which allows for contributions to be collected for the creation of three lots or more in circumstances where a number of similarly characterised properties are likely to be subdivided in a locality and the resulting cumulative effect of more intensive development will generate the need for additional land for new open space/community purpose sites or improved open space (and embellishments) or community buildings.

7. MAINTENANCE BY THE DEVELOPER

Maintenance by the Developer of public open space installed by the Developer is for a minimum of 2 years.

The inclusion of certain items in an open space will require an extended maintenance period of 3 to 5 years. These items are detailed in the City's *Landscape Guidelines for Streetscapes and Public Open Space*.

8. NEW DEVELOPMENT AREAS

An appropriate balance for sporting, recreational, nature, kick-about and play purposes in new growth areas is required.

Water allocations for proposed public open spaces are to be identified during the structure planning process and the licence must be transferred to the City via the Department of Water at a time of open space handover following the agreed maintenance period.

In structural planning where restricted open space in excess of the creditable 2% is held in multiple ownership, the credit will be shared proportionality by each of the land owners, based on their proportionate gross subdivisible areas.

Where residential lots abut public open space, a footpath (or an alternative that encourages passive surveillance) is to be provided near the common boundary on the open space.

Document Control

Document Approvals:			
Version #	Council Adoption		
1.			
2.			
3.			
Document Responsibilities			
Custodian:	Manager Asset Planning	Custodian Unit:	Asset Planning
Document Management:			
Risk Rating:		Review Frequency:	Biennial
Next Review:		ECM Ref:	
Compliance Requirements:			
Legislation:	State Government Legislation, Policies and guidelines that apply to the provision of open space and community buildings		
Industry:			
Organisational:	Standards of Provision: Open Space and Community Buildings Landscape Guidelines for Streetscapes and Public Open Space Community Building Design Guidelines Community Building Specifications		
Strategic Community Plan:			