

PLANNING POLICY No. 5

Open Space Infrastructure Contributions

1.0 Purpose

The purpose of this Planning Scheme Policy is to:

- specify standards for open space land contributions;
- determine the amount of contributions applicable to a development application and the options for the contribution where the contribution is provided in lieu of land; and
- link park areas to provide a comprehensive open space network.

Policy Intent and Application

The intent of this Policy is to specify the methodology for determining contributions for open space. To achieve this, a parkland contribution in the form of land, money or works, or a combination of these, will be required as a condition of any approval for:

- Reconfiguring a Lot (subdivision) application for residential, commercial or industrial land uses where an additional allotment(s) is (are) created;
- a material change of use for residential purposes, or any other purpose that generates a need for parkland.

The parkland is to be suitable for its intended use and provided with appropriate facilities ranging from a basic provision of water for park maintenance, power and lighting for safety; to more developed parkland with play equipment, seating, shelter, appropriate fencing and other amenities, providing a diversity of settings.

Where a contribution is required, as a condition of development approval, it will be in accordance with the relevant rates and criteria set out in this policy.

The Need for a Contribution for Parkland

A variety of development activities generate the need for public parkland, such as:

- open space for playing fields/recreation (active), neighbourhood parks and informal (passive) recreation needs in new or developing communities;
- casual relaxation park areas for workers and visitors in commercial areas;
- open space linkages in residential, industrial and commercial areas;



- increased residential densities in established areas creates the need for upgrading or enhancing existing parkland or additional parkland areas; and
- for visual amenity purposes as well as recreational purposes for workers and visitors in industrial areas; and
- creating open space linkages along waterways as identified in the Strategic Framework as well as between environmentally sensitive locations.

It is therefore reasonable to require a contribution towards parkland provision for specific types of development, and reasonable for developers who give rise to that need and who also benefit from the changes, to contribute to the provision of parkland.

Calculating Parkland Contributions

The amount of contribution required by this Policy is based on contributing 10% of the area of the developed site as parkland.

Contribution of land is not always possible or required by Council and therefore a contribution in lieu of land is to be provided. This may be by way of monetary contribution or works in parklands or a combination of all, equivalent to the value of the land contribution.

2.0 Requirement for a Contribution

A contribution for parkland is required:

- where approval is granted to reconfigure a lot for residential, commercial or industrial use, and additional allotments are created, it will be made a condition of approval;
- as a condition of any development permit or preliminary approval for material change of use or development of land for higher density residential purposes, unless it is established by the applicant, and agreed by Council, that no additional demand for parkland will result from the development, or that an appropriate contribution has previously been made.

Council will have regard to the intensification or change of use not involving a change of floor space when determining if an increase in parkland demand has resulted.

Nature of Contribution

In determining a contribution, Council may require:

- (a) an area of land for use as park; or
- (b) a monetary contribution to be paid to Council in lieu of the provision of land required in (a) above; or
- (c) capital works, including the development of recreational facilities, for the improvement of land for use as a park; or
- (d) any combination of (a), (b) or (c) above.



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When determining whether to accept land, a monetary contribution or capital works, Council shall have regard to:

- the size of the area proposed for a park;
- the existing park provision in the area;
- the possibility of connecting open space required with existing open space;
- previous contributions made to Council;
- the open space provisions contained within any detailed local plan within the planning scheme that may relate to the area in which the development is located; and
- the purpose of this Policy.

A monetary contribution in lieu of land may be required where:

- the area of a single park is likely to be less than 2,000m², including any contiguous parkland that has or is likely to result from the subdivision or development of adjoining land;
- where existing parkland is considered adequate in size or for contributions arising from subdivision, where parkland requirements are external to a development site;
- the land to be subdivided is in an existing local plan and does not contain any proposed open space.

The monetary contribution may be used to purchase land or improve facilities in existing parklands as may be determined by Council.

A works contribution may be accepted at Council's discretion where these works are to be:

- equal in value to the amount that would ordinarily apply in the case of a monetary contribution in lieu of land;
- carried out to the requirements of Council.

Where the value of the works exceeds the contribution required by the Council, no compensation or payment will be required of or made by the Council.

A combined contribution comprising land, money and works, or any part combination, may be accepted at the discretion of Council. A combined contribution will be made up of appropriate portions of the relevant types of contribution.

Where a previous contribution has been made in respect of land being developed, the amount of this contribution will be taken into account in calculating the contribution for any further development approval.

Payment of Contributions

Infrastructure development contributions for open space shall be paid as follows:

- in respect of a Reconfiguring a Lot, the payment shall be made prior to Council's endorsement of a Plan of survey; or



- in respect of a material change of use, the payment shall be made within 14 calendar days of any building approval granted to accommodate the use or prior to the commencement of the use, whichever occurs first.

Land shown as parkland will be transferred to the Crown.

3.0 Park Contribution Rates for Reconfiguring a Lot

Where land is proposed to be dedicated for park in accordance with this Policy, such land shall:

- comprise 10% of the land;
- comprise land that is suitable for park use (refer to section 5.0 of this Policy - Performance Criteria for Land Contributions);
- does not comprise land used to drain the subject land or carry flood waters across the subject land unless provision is made for an underground drainage system (land below the Q₁₀ flood level is to be dedicated as drainage reserve and does not count towards the parkland contribution);
- is higher than Q₁₀;
- be not less than 2000m² (for a Reconfiguring a Lot application);
- complement existing open space provisions (or other areas in the vicinity) and link other open space areas, where possible;
- be provided with a water supply connection point or points to enable future supply of water to the park;
- where required as part of a Reconfiguring a Lot, have suitable road frontage to be readily accessible to the proposed lots created;
- be readily accessible to local residents and other users; and
- be fenced to prevent vehicular access.

Council may require land to be dedicated for park in any reconfiguration, and be located so as to enlarge an adjoining park or to facilitate the development of a comprehensive park system in the locality. Where land is proposed to be reconfigured in stages, Council may require the total area of land for park to be dedicated as part of the first stage of subdivision.

Where Council is prepared to accept a monetary contribution in accordance with this Policy, such contribution shall:

- not exceed a value that is 10% of the unimproved capital value of land to be developed or the dollar amount specified in Schedule 1 of this policy per allotment, whichever is the greater;
- be expended by the Council towards:
 - the acquisition of land for park; or
 - the provision of works or recreation facilities for the improvement of existing parks

Where capital works including the provision of recreation facilities are proposed in accordance with this Policy, the value of such works shall in

the opinion of the Council, be equivalent to the relevant monetary contribution required in accordance with the section above.

Examples of the above information can be found in attached Schedule 3.

At its discretion, Council may require the dedication of park required pursuant to this Policy to be located abutting any existing river, creek or other watercourse which is adjacent or passes through any land proposed to be reconfigured. The minimum width of such park shall be 10 metres.

4.0 Park Contribution Rates for a Material Change of Use

The basis for a monetary contribution is the cost to Council of purchasing parkland and providing facilities in parkland or both of these. Therefore a contribution rate for a monetary contribution is required. The specified rate is attached in Schedule 2 as determined by Council for the type of Material Change of Use where a contribution is required. In any contribution, a credit will be given to each allotment within the site where the development is proposed, provided the allotment has an area of 200m² or greater. Therefore, a duplex provided on a site that includes only one (1) allotment pays the contribution amount for one (1) dwelling unit whereas if it were proposed on a site that had two (2) allotments, no contribution would be payable.



5.0 Performance Criteria for Land Contributions

Contributions are to address the following performance criteria:

SIZE AND SUITABILITY

- parkland is to be of suitable size, shape and topography
- of reasonable dimensions to accommodate the intended uses
- capable of being used for purposes intended and compatible with the existing and likely future adjoining uses
- comprise land that is a fair average of the type of land to be developed

Access and Visibility

- highly accessible to the local communities
- within 500m of any dwelling it is intended to serve
- not separated by physical barriers from its intended catchment, such as heavily trafficked roads
- visual connection from surrounding houses or uses to allow for natural community surveillance
- provide for safe and convenient bike and pedestrian access

Diversity of Settings

Existing district parks, large local parks and small local parks have been classified by the following recreational setting types;

- Formal Parks / Civic Gardens;
- Sportsgrounds / Courts;
- Local Suburban play parks;
- Waterside Parks;
- Urban Bushland; and
- Special Purpose.

All future open space networks (district, large local and small local parks) are to consider providing a range of settings and opportunities, reflective of the current classification of setting types. Each setting type defines a range of dominant recreation opportunities or experiences, and implies an appropriate range of features and facilities.

FLOODING AND WATERWAYS

- land subject to flooding will be considered unsuitable for active park areas, however, it may be considered for use in passive park areas

LAND UNSUITABLE FOR PARKLAND

- land likely to serve primarily as buffer to a transport corridor
- land affected by unreasonable hazards such as contaminated land and/or powerline easements
- areas of land less than 10 metres wide
- land affected by oil and gas supply easements
- land subject to flooding in a 1 in 10 ARI flood event



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SCHEDULE 1
PARK CONTRIBUTION RATES FOR RECONFIGURING A LOT
Valid for 2003/04 Financial Year

Infrastructure Contributions

<u>Area</u>	<u>Contribution Rate</u>
Whole of Rockhampton City	\$1,175 per additional allotment

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SCHEDULE 2
PARK CONTRIBUTION RATES FOR A MATERIAL CHANGE OF USE
Valid for 2003/04 Financial Year

Infrastructure Contributions

<u>Area</u>	<u>Contribution Rate</u>
Whole of Rockhampton City	\$1,175 per dwelling unit in a Duplex \$1,175 per dwelling unit in a Multi-Unit Dwelling



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SCHEDULE 3

PARK CONTRIBUTION EXAMPLES

Based on the 2002/03 Financial Year for contribution amounts

Example 1: Land

Area of land to be developed = 5 hectares

Area of land required to be provided for use as a park = 10% of 5
hectares

= 0.5 hectares

Example 2: Cash in Lieu

A

- Number of allotments = 50 lots
- Unimproved Capital Value of land = \$1,500,000

10% of Unimproved Capital of land to be developed = 10% of \$1,500,000
= \$150,000

10% of Unimproved Capital Value of land to
be developed divided by number of
allotments = \$150,000 / 50

= \$3,000 per additional
allotment

OR

B

\$1,000 per allotment = \$1,000 x 50
= \$50,000

In this instance, the monetary contribution in lieu of land for parks is \$150,000 (A), the greater value of A and B.

Example 3: Combination

Area of land required to be provided for use as a park = 0.5 hectares (see
Example 1)

Minimum area of parkland required as stated in this policy = 0.2 hectares

Outstanding parkland area = 0.3 hectares

Number of additional allotments = 51 (50 lots plus parkland)

Contribution required per allotment is the greater value of (A) and (B) in
Example 2.

Therefore, contribution per allotment is the Unimproved Capital Value of each
allotment which = \$3,000 (to be referred to as Z)



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Outstanding Requirement Converted to Cash as a contribution per created allotment:

Use the following formula

$$\frac{X - Y}{X} \times Z$$

Where;

X is the area of land required to be dedicated as parkland representing 10% of the site area;

Y is the area of land proposed to be dedicated as parkland that complies with this policy

And both values are in the same measurement unit, eg hectares or m².

Therefore;

$$\frac{0.5\text{ha} - 0.2\text{ha}}{0.5\text{ha}} \times \$3,000 = \$1,800 \text{ per created allotment}$$

$$\text{Park Contribution from reconfiguration} = \$1,800 \times 50$$

$$\text{TOTAL Cash in lieu contribution} = \$90,000$$

