Save Our Suburbs – original policy, 1999

Save Our Suburbs is an organisation devoted to protecting citizens from the destruction of their houses, their streets, and their environment.

Melbourne's suburbs provide some of the most desirable living conditions in the world, and a lifestyle which is quintessentially Australian. Changes will inevitably occur in these suburbs, but these changes must be managed for the benefit of the community. They must cater for the future, rather than for short term demographic pressures, political fads or speculative profits. And they must be brought about with full regard for the established rights and expectations of existing residents and property owners.

We have a positive vision. Melbourne should retain its incomparable suburban environments, but should incorporate within this fabric concentrations of higher density development, clustered around nodes of public transport and provided with retail outlets, job opportunities, and educational and cultural facilities.

The need for travel should be minimised. New residential development should be well designed in terms of its impact within the neighbourhood, the lifestyle it offers to its occupants, its energy performance, and its aesthetics. All suburban areas should be properly served by public transport and provided with parks and community and other facilities upon an equitable basis.

Decision-making should be in the hands of elected representatives responsive to the wishes of citizens, whether at a local, a state or a federal level.

A. GENERAL POLICIES

1 SOS seeks to preserve the amenity and rights of existing residents.

2 SOS seeks to preserve and enhance the character of Melbourne's suburbs.

3 SOS believes that there is a case for an increase in residential density in some areas.

4 SOS believes that medium and high density development should take place in properly chosen locations and in a coordinated fashion, rather than upon an unplanned and sporadic basis.

5 SOS believes that greater densities can and should be achieved without adversely affecting existing residents, and with better quality results than at present.

6 SOS believes that the urban expansion of Melbourne should be contained by means of direct government intervention to prevent the development of peripheral agricultural and other land.

7 SOS believes that all forms of development should bear the direct and indirect costs involved, so far as can be calculated, unless a subsidy is required in the public interest and for explicit reasons.

8 SOS believes that the whole of the planning system requires modification to meet the reasonable expectations of residents. (1) .

9 SOS believes that the State Government and the Minister for Planning should accept responsibility for the state of the planning system, and should rectify it as necessary.

10 SOS believes that the detailed planning of local areas should be the responsibility of democratically responsible local governments.

1 .This includes legislation, state policies, published guidelines, municipal strategic statements, planning scheme ordinances, overlays, neighbourhood character studies, the advertising of applications, the control of demolition, processing of applications at municipal level, hearings of the Victorian Civil and Administrative Tribunal, and interventions by the Minister.

B. RATIONAL PLANNING

1 Planning should proceed upon a rational, consistent and democratic basis, with full regard for the rights and reasonable expectations of property owners and occupiers. To this end SOS subscribes to the provisions of the **Charter for Planning (*Town & Country Planning Association, 1997*)**.

2 SOS seeks to influence policy in matters which relate to residential development and its effect upon amenity. (2)

3 Street and district planning should take precedence over individual site-based planning, but not in such a way as to ignore or override the character of an individual site and its surroundings, or to rationalise the elimination of local landmarks, however anomalous.

2 . In relation to other planning and environmental issues it defers as appropriate to the Town & Country Planning Association, Hands Off Our Parks, the National Trust, the Bicycle Institute of Victoria, Citizens Against Freeways, and other specialised bodies.

C. DEMOGRAPHY

1 SOS recognises and supports the need to limit the geographical spread of Melbourne. (3)

2 Government should indicate:
* what if any population growth is assumed or desired for Victoria, and the basis for this;
* whether this population is best directed to rural Victoria, country towns, new urban centres, or the metropolitan area;
* what strategies will be used to achieve these objectives.

3 Population targets should not be set for any area without regard for the densities already achieved within it. (4)

4 Population targets should not be set for any area such that their effect will be to reduce the variety of housing stock in that area. (5)

5 Municipalities should determine their own targets in consultation with the State Government, which may offer incentives to them by assisting in the procurement or amalgamation of residential development sites.

3 . It is recognised that some of the pressure for urban consolidation arises from legitimate concerns about the geographical spread of Melbourne.

4 . Some municipalities are already so developed as to leave little scope for further increase (as evidenced by the small amount of remaining detached housing).

5 . Increased densities that result in the elimination of detached housing are causing a reduction of choice in the housing market, contrary to the government's stated objectives.

D. METROPOLITAN FORM

1 Multi-unit development must be directed only into areas which are suited to it. (6) Better design will not solve the problem of development in inappropriate areas.

2 Policy should not be developed upon the assumption that there is a nexus between an increase in residential population in one area and a reduction elsewhere. (7)

3 The urban expansion of Melbourne should be contained, so far as necessary, by direct restrictions or controls upon the development of peripheral land. (8)

4 Residential development should take place in situations conducive to good planning and the maximisation of amenity. These situations should be determined in relation to availability of public transport, the capacity of the road system, the availability of community facilities, the availability of job opportunities and the capacity of infrastructure.

5 Priority should be given to the redevelopment of large vacant or under-used sites; to the development of dwelling units on top of existing shopping centres; and to the establishment of new nodes of the 'urban village' type.

6 . That is, the issue is fundamentally one of policy, not of design. Unsuitable areas would include those of high amenity or heritage values, existing parking and traffic stress, low access to public transport &c.

7 . The future population of Melbourne is not known, and it will be determined in part by the desirability and cost of the accommodation available. Increasing population in one area may well cause an increase elsewhere rather than a reduction. For example an increase of high income population in the CBD may create employment for more service providers, and thus also increase population elsewhere.

8 . It is unrealistic to address this by increasing development elsewhere, in the hope that this will have the desired effect.

E. EXISTING RESIDENTIAL AREAS

1 The property rights of existing residents must be respected. (9)

2 Where a majority of owners in a specified precinct desire height limits or other planning controls, these controls should be established and enforced by the planning system. (10)

3 Individual rights to amenity should not be reliant upon heritage controls. (11)

4 Any residential development guidelines should be responsive to local neighbourhood character and should aspire to a higher standard of amenity than has been achieved through the Good Design Guide. The existing guide should be comprehensively reviewed.

5 Policies incorporated in such guidelines should pay due regard to state or metropolitan objectives, and should not then be overridden on appeal in individual cases. (12)

9 . New development should not be permitted to infringe upon residential amenity unless those affected are compensated satisfactorily. Amenity includes all those aspects which make a site livable or attractive, such as convenience, accessibility to transport, access to light, views, and environmental quality generally.

10 . No new development should be permitted to destroy the quality of a precinct. However, this cannot be prevented by means solely of covenants or neighbourhood agreements, which bind only those who voluntarily enter into them.

11 . Heritage buildings and areas are important and should be defended, but these are evaluated by specialists and experts. They are entirely distinct from the concept of amenity, which it is the right of all residents to determine according to their own values and standards.

12 . A recent opinion given by the Administrative Appeals Tribunal (Australand Holdings Pty Ltd v City of Boroondara and Crow and Others, 1997/47741) has discounted the importance of 'neighbourhood character' as being only one of eleven elements in the Good Design Guide, and stressed 'the broader metropolitan benefits of urban consolidation'. It is unacceptable that an official tribunal should operate upon these simplistic premises, and it implies that all efforts at a local level to meet GDG criteria are wasted once the case reaches VCAT.

F. THE MARKET

1 The market should not be the sole or principal determinant of planning for residential development.

2 The present indirect subsidisation of residential development should cease. (13)

3 New residential development should bear the full costs involved unless the government determines that a subsidy is necessary for legitimate policy reasons. (14)

13 . This indirect subsidisation occurs in peripheral areas where development does not pay the true cost of new infrastructure. It also occurs in established areas where the cost of infrastructure is avoided by overburdening what exists, and where amenity mining penalises existing properties to benefit new development. It is true that forcing the edge to pay for infrastructure will increase pressure on the inner areas. But if developments in the inner areas are also forced to pay for the infrastructure, including increased public car parking provisions and road costs, contributing to more open space &c, the balance will be redressed.

14 . There may, for example, be a case for promoting decentralisation by subsidising residential development in specified rural locations.

G. RESPONSIBILITY OF THE STATE GOVERNMENT

1 The State Government must accept responsibility for the effective operation of the planning system, including the devolution of power to the local level. (15)

2 Local Government must have the primary role in planning at a local level.

3 Councils must be adequately resourced to respond to current planning needs. (16)

4 Local Government planning decisions must be made objectively and not subject to external interference. (17)

5 Chief executive officers must be placed entirely under the direction of their councillors. (18)

6 The occasions when the Minister may be properly intervene in planning decisions made by local government should be spelled out. (19)

15 . The planning system has been substantially remodelled by the present government, as have the structure, powers and incomes of municipalities, and their powers to control their own staff. If the planning outcomes of this process are unsatisfactory this is the responsibility of the government.

16 . Most councils reduced their planning staff to the bare bones as a consequence of rate capping. Amalgamation has created a new load, as the new councils have had to integrate disparate planning and administrative systems. The State Government has imposed a series of further demands by requiring all municipalities to conform to the Victorian Planning Provisions (VPP) style of planning scheme. This requires preparation of a great deal of strategic work in a very limited time frame with inadequate resources and often very inexperienced staff, or with staff who have not been long in the municipality (and thus lack the knowledge base upon which to make sound decisions). In relation to the tasks referred to in point 2, Councils have had to work within a time frame which many cannot meet effectively, or otherwise lose the power to protect their areas. They have therefore been obliged to proceed without adequate consideration or consultation. Councils should be given adequate time to do this job properly.

17 . The objectivity of council decisions has been subverted by their lack of control over the chief executive officers and by threats that the minister will call in decisions.

18 . CEOs are no longer truly servants of their councils. The Minister for Local Government (who currently is also the Minister for Planning) may forbid a council from appointing a new CEO or renewing the appointment of an existing CEO (§95B Local Government Act 1989). The CEO appoints the staff, including the planning staff at both strategic and statutory levels. These staff are not responsible to the elected councillors but to the CEO.

19 . The Minister continually deflects criticism by saying that the Councils make the decisions rather than he. The threat that he will call in cases has further forced councils into a pro-development stance. There should under normal circumstances be no intervention or threat of intervention by the Minister.

H. DEMOLITION CONTROL

1 Power over demolition should be returned to the councils. (20)

2 Demolition permits should be withheld until the proposed development is approved (in those cases where approval is required) and (whether the development requires approval or is of right) until sureties have been lodged for performance. (21)

20 . Private licensing of building surveyors under the Building Act 1993 has meant that demolitions are approved without local council knowledge by surveyors who have sometimes never seen the site. In relation to approvals generally it has resulted in inefficiency because the work is done by private surveyors or employees of councils distant from the site. This has occurred because the power over building permits (which includes demolition permits) in relation to properties in a particular municipality has been removed from the exclusive control of the council in which the property is located.

21 . Demolitions are occurring before any redevelopment has been approved, and creating bomb sites. Vegetation has been cleared, often needlessly, rendering that aspect of the site analysis nugatory. In general, cleared sites put pressure on councils to approve new developments on them. Developers frequently demolish ostensibly for a single dwelling, for which no permit is required, and then, when the demolition is complete, apply to build multiple units.

I. DEVELOPMENT SITES

1 The minimum size of site for multi-unit development should substantially exceed the size of the standard house site in the relevant area, and councils should specify minimum sizes for individual precincts rather than for a whole municipality. (22)

2 Minimum site sizes as in the previous point should not apply to developments of only one storey.

3 Minimum site sizes as above should not apply to developments of two or more storeys in cases where all the adjoining sites are already developed to those heights (that is all sites either directly abutting the subject site or fronting common streets or rights of way).

4 On undeveloped land on the urban periphery only urban village developments should be permitted.

22 . Multi-unit development is permitted on sites which are far too small for the purpose. There would be much less threat to individual houses in established areas, and much better standards of design could be achieved, if minimum site sizes were larger, probably varying from about 2000 down to a minimum of 800 square metres.

J. THE PLANNING SYSTEM

1 The Planning and Environment Act should be amended to define the role of advisory committees, which should be used only in relation to general policy matters, and not in relation to specific planning applications. (23)

2 Planning controls should be prescriptive, and be set aside only in special circumstances where a better result can be achieved on a performance basis. (24)

3 A system of mandatory enforcement by way of compulsory reinstatement of the affected buildings, works and vegetation, supplemented by a freeze on the development of the site for a specified period, and by punitive fines (or the forfeit of a lodged bond), should be introduced to deal with breaches of permit conditions. (25)

23 . An increasing amount of detailed planning policy and decision-making is now in the hands of panels and advisory committees. Whilst the former generally offer an opportunity for third party input or an open forum, the advisory committees, which have no formal process, do not necessarily do so. The Minister sets any brief he likes, appoints any members he likes, and even then ignores the decision if he doesn't like it, as in the case of the HMAS Lonsdale site, South Melbourne.

24 . State planning policies are currently supposed to be performance-based rather than prescriptive, and hence the Minister abhors definite controls such as height limits and setbacks. This has created uncertainty for all parties, and whether a particular development meets the relevant objectives is open to considerable debate. Community expectations that development would conform to established long-term principles have been confounded in cases involving overshadowing the Yarra, height limits in Parkville, South Melbourne and St Kilda Road, and the use of public land for commercial purposes. Developments have been proposed in areas where they would not previously have been permissible, resulting in community opposition, in cases like the St Helier site in Abbotsford, the Esplanade Hotel in St Kilda, and some sites previously owned by the government. Where particular prescriptive controls do not appear to achieve the best results it is better that they be modified to suit rather than arbitrarily waived.

25 . The enforcement of decisions (in those cases where they are favourable) is difficult and expensive. The available forms of enforcement are not used often, and are usually undertaken by councils only after a great deal of community complaint or publicity. Enforcement orders (¤ 114 PEA) and cancellation orders (¤ 87 PEA) can be sought by councils or individuals, but prosecutions in the magistrate's court can be brought only by councils. Enforcement orders and cancellation orders are discretionary, and consequently are rarely successful in the face of an application to legitimise a use or development, which is usually brought and heard at the same time as the prosecutorial order. An injunction is an alternative, but few individuals or councils are prepared to risk the costs involved in an action in the Supreme Court. Thus developers can breach conditions, such as destroying vegetation, reasonably safe in the knowledge that retribution is unlikely.

K. THE VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

1 The independence of the planning system from the Minister should be re-established. (26)

2 The interdisciplinary character of the Tribunal should be increased. So long as it is a body making planning decisions, and not merely considering legal points, it is essential that it include a full component of planners, architects and other related professionals.

4 Notices of decision by the responsible authority should state clearly (a) that an appeal does not incur any risk of damages, and (b) that costs would only under exceptional circumstances be awarded against an appellant. (27)

5 The periods allowed for lodging an appeal should be the same for applicants and objectors. (28)

6 Ten days prior to the hearing of an appeal the responsible authority must make available to all parties relevant planning background information including (a) zoning maps and controls, (b) council officer's report, (c) location plan, and (d) relevant council policies.

7 Plans relied upon by an applicant at a VCAT appeal must be the same as the plans which were the subject of the decision by the responsible authority, unless they are amended with the consent of all parties to the appeal, and re-advertised where other persons may be adversely affected.

8 Where a party to an appeal intends to rely upon expert evidence, a copy of that evidence must be provided to VCAT and to all parties ten days prior to the date of the appeal.

9 Adjournments should be granted only after taking into proper account the inconvenience and cost to the parties. (29)

26 . The Administrative Appeals Tribunal has been making decisions which result in poor design outcomes, and treating the Good Design Guide and VicCode 1 as prescriptions rather than as guides. The Victorian Civil and Administrative Tribunal has now replaced the AAT. The reappointment and length of tenure of members is at the Government's discretion. The appointment and transfer of members to the permanent panels for panel hearings, and their tenure, is at the discretion of the Minister. Thus there is both a stick and a carrot to encourage members to toe the ministerial line, whether or not that is the effect in any particular case.

27 . This is necessary to prevent such intimidatory tactics. In a recent case a resident appellant has been threatened by a developer with costs and damages due to the project being held up. The reality is that the tribunal has no power to award damages in such a case, and it does not normally award costs, though it might do so in the exceptional instance where a totally frivolous opposition has been mounted. The case in question was exceptional in that the threat was made in writing and followed by a formal application to the AAT. Commonly such threats are made verbally, or are merely implied.

28 . Currently an applicant has sixty days in which to appeal against a decision, and an objector only twenty-one days. This is totally inequitable, given that it is applicant who is seeking to change the status quo; who commonly stands to make money from the process; and who is likely to be better funded and professionally advised.

29 . Adjournments should not be granted merely to suit the convenience of applicants, given that it is resident objectors who have commonly had to disrupt their lives and take time off work to attend.

L. DEVELOPMENT APPLICATIONS

1 With a view to minimising conflict, preliminary discussions should be held between neighbouring residents and the applicant as a prerequisite to submitting an application.

2 Application fees should reflect the true cost of dealing with all the planning processes at a percentage of the value of the application and/or at an hourly rate. (30)

3 A planning application should include a statement that the documents are to be available for inspection and copying by any person with a bona fide interest in the application. (31)

4 At the time notices are affixed to the property, the application material and scale drawings should be sent by registered mail to owners of opposite and abutting properties.

5 The application material and drawings should be available for inspection at the offices of the responsible authority, and copying facilities made available.

6 All residents within 200 metres should be notified by mail of an application.

7 The period for lodging objections should be twenty-eight days.

8 School and public holidays &c should be excluded from the objection period, and no advertising allowed during the council holiday period from approximately 15 December to 28 January each year.

9 Any amendments to the application should be notified to neighbouring owners, and the objection period started afresh, unless the adjoining owners have consented in writing to the amendments.

30 . Processing applications, especially those for multi-unit development, places considerable demands upon council resources, and at present ratepayers are subsidising developers.

31 . Some developers have claimed copyright in their drawings, and many councils have permitted residents only to inspect but not to copy plans, which puts them at a very great disadvantage.

M. DESIGN REQUIREMENTS

1 Any architectural drawings forming part of an application must be prepared and signed by an architect registered under the Architect's Registration Act, and that architect's name, with the date of construction, must appear on the completed project on a plaque of durable material visible and legible from the street alignment.

2 An application should include shadow diagrams for the winter solstice (22 June) as well as the equinox (22 September), and should take into account proposed landscaping.

3 The number of car parking spaces should at least equal the number of bedrooms or studios, and visitor parking be provided at the rate of one for every two units.

4 An application should include details of night lighting and of access for emergency vehicles &c.

5 An application should include provisions for screening areas in the development likely to cause acoustic invasion of neighbouring properties, especially rooftop or raised gardens, living areas and pools.

N. RESIDENTIAL DEVELOPMENT GUIDELINES

1 The Good Design Guide should be withdrawn or entirely redrafted, but there should continue to be rules relating to the issues covered by the guidelines.

2 Any code governing the design of new development should be prescriptive rather than subjective. That is, it should state clearly what is prohibited and what is permitted. (32) There may be a power to override prescriptive standards on a performance basis, but this should be used only in special circumstances, and overtly.

3 Any design code should be adapted to the nature of the individual areas affected. (33)

4 Variations in the design code should not be based upon the assumption that densities depend upon distance from the CBD. (34)

5 The design code should apply equally to all development in the relevant area, including single dwellings and high rise developments. (35)

6 Councils should have interim powers while local variations are being developed. (36)

7 The impact of any proposed development should be assessed upon the assumption that all neighbouring sites will be developed similarly. (37)

32 . It is currently stated (p.1: 3 of 3) that wherever possible an application should satisfy all the objectives, but that invariably a proposal will give a different weighting to each of the elements, and a responsible authority must exercise its judgement. But there is no guide to planning officers as to how to weigh these up, and no way for the public to find how a decision was reached. One factor is to be balanced against another. For example, impinging on neighbours' privacy by looking into their windows is undesirable, but it may be permitted if something else is achieved, such as preserving a number of trees on the site. This is quite irrational for four reasons. First, if the neighbours have a right to privacy (and we say they do) this cannot be affected by extrinsic factors: nothing happening elsewhere on the site can modify that right. Secondly, this arrangement places discretion over design issues into the hands of planning officers, who will not normally be qualified to exercise it. Thirdly, it means that improper factors can influence decisions, and certainly will be seen by the public as doing so. Fourthly, because the decisions are subjective, it means that there will always be grounds for appeal by one or more parties.

33 . It is illogical to apply a common standard across the diverse fabric of metropolitan Melbourne Recent statements by the Minister suggest that this is now beginning to be recognised, and that councils will be encouraged to make local variations, which was not previously the case. SOS of course welcomes this response to its concerns.

34 . The present guide varies permitted densities according to an arbitrary 7 kilometre radius drawn around the CBD. It has long since ceased to be the case that most of the population work in or regularly travel to the CBD, nor is the CBD anywhere near the demographic centre of Melbourne. Medium and high density development should now be concentrated at nodes of employment opportunity, retailing, accessibility to transport and support facilities. Variations in density should be entirely a matter for each council and the seven kilometre limit should be abolished.

35 . At present no permit is required for an as-of right dwelling, or where an existing single house is extended, and there is no protection against overlooking &c for the neighbours. The Good Design Guide doers not apply to high rise buildings. The provisions of the Good Design Guide (or a better replacement) should apply equally to all development in residential areas.

36 . Though a number of local variations are in preparation only one has been approved, and it is understood that a number of others have been rejected by the government for technical reasons. The tortuousness of the approval procedure, the limited applicability of the variation when approved, and the demand on time and resources, make it almost impossible for a variation to be prepared and put in place quickly. These variations will come in far too late to save many currently threatened sites, and while they are being prepared and approved pre-emptive development takes place. This can only be restrained if interim controls are applied.

37 . The Good Design Guide does not specifically address the aggregate effect of new developments, in which each successive one worsens parking, traffic and other aspects, and each one is taken as a precedent by the Council and the AAT, easing the way for the next. Nor is there any recognition of the fact that proposals for which permits have been granted, but which are yet to be built, will contribute even more to these problems.

O. SITE ANALYSES

1 Site analyses should be commissioned by the council upon receipt of an application and a fee to cover the cost. (38)

2 Where the data in a site analysis is subsequently found to have been substantially or wilfully incorrect, the permit should automatically be cancelled and the development of the site frozen. Where this occurs after the development is complete substantial penalties should apply.

3 A site analysis must be available to all interested parties, and applicants must be required to waive copyright to the extent that the material may be copied and circulated for purposes in connection with the application.

4 A site analysis should be dated, and be required to precede any demolition or destruction of vegetation, to show all existing structures, vegetation in general terms, and trees above a specified minimum girth or height.

5 A site analysis should take account of surrounding land to a distance of one hundred metres from the site boundaries. (39)

6 A site analysis should take account of secluded open space in abutting properties, and of windows and glazed doors to habitable rooms, bathrooms and other private areas of those properties, where overlooking may become an issue. (40)

38 . Site analyses should not be undertaken or commissioned by developers, because under such circumstances they can never be or be seen to be objective. An application might come from a developer, or from a vendor planning to sell the site for development. The analysis should remain on file and be accessible to any future owner or potential developer of the site in question.

39 . The current Amendment SR4 refers to 'surrounding area' ''surrounding buildings', 'surrounding properties', 'surrounding residents', and to 'nearby development', 'nearby properties and 'nearby public open space', but does not define these terms

40 . The current Amendment SR4 refers to 'secluded private open space and habitable room windows in nearby properties which have an outlook to the site, particularly those within 9 m of the site'. This does not deal with glazed doors, which often serve as windows; nor with bathrooms, which require privacy but are not defined as habitable rooms. Moreover it implies that overlooking beyond a nine metre distance is not a problem, which is unacceptable.

P. PROTECTIVE MEASURES

1 The responsible authority must have the power to impose simple planning controls where they are desired by a substantial majority of owners within the relevant precinct. (41)

2 Covenants between property owners may be used in addition to planning controls, but they do not substitute for planning protection because they are not feasible in most cases. (42)

3 Neighbourhood agreements are not a satisfactory substitute for covenants, because they may be terminated by the responsible authority with the Minister's consent. (43)

41 . This is a far more straightforward and a legitimately democratic procedure than the use of covenants or of neighbourhood agreements as now provided for.

42 . In most cases one or more of the following situations applies:
** one or more sites in the precinct have owners who wish to sell for development, or which are already in the hands of developers*
** one or more sites are owned by people who support controls but are reluctant to formally encumber their property (typically people thinking about the interests of their heirs)*
** some or all of the residents are not sufficiently confident or sophisticated to be willing to enter any sort of formal agreement.*

43 . The mechanism proposed in the government document "Making a Neighbourhood Agreement" is essentially an alternative to the existing power of owners to enter into mutual covenants. However in addition to being dependent upon the goodwill of the responsible authority, it suffers the same defects as covenants (summarised in the previous note), and current indications are that it is proving to be more expensive for the property owners involved.

Q. PUBLIC OPEN SPACE

1 The system of levying developments to contribute to the cost of providing parks should be continued and improved, and the funds lodged in separate trust accounts and subject to independent audit to ensure that they are used for the intended purpose within a reasonable time frame. (44)

44 .Unit developers have been levied up to 5% of development cost to enable councils to create open space. To ensure that the money is used for that purpose the system of separate audited accounts as used successfully in Sydney, should be established in Victoria.