

22.04 PUBLIC OPEN SPACE CONTRIBUTION POLICY

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C229

This policy applies to all development and applications for subdivision that will make a public open space contribution.

22.04-1 Policy basis

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Public open space is highly valued within the City of Boroondara and fulfils a wide range of social, aesthetic and environmental functions. Overall, there is a diverse network of open space however it is not equally distributed across the municipality.

The *Boroondara Open Space Strategy* (2013) has identified gaps in the open space network where easy and safe access to open space is not available, or where open space upgrades are necessary as a result of existing or anticipated needs.

Public open space contributions from developers are one of a number of potential resources for the acquisition of land for public open space and the improvement of existing facilities on behalf of new populations. The contribution can be either land or cash at Council's discretion and is levied at the time land or buildings are subdivided.

A public open space land contribution may be sought where the site is either:

- in an area where a land contribution is sought on Map 1; or
- fits the selection criteria for public open space in Table 1 and the *Boroondara Open Space Strategy* (2013).

22.04-2 Objectives

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- To implement the *Boroondara Open Space Strategy* (2013).
- To identify when and where land contributions for public open space will be sought over cash contributions.
- To ensure that where appropriate, land suitable for public open space is set aside as part of the design of a development so that it can be transferred to or vested in Council, to satisfy the public open space contribution requirement.

22.04-3 Policy

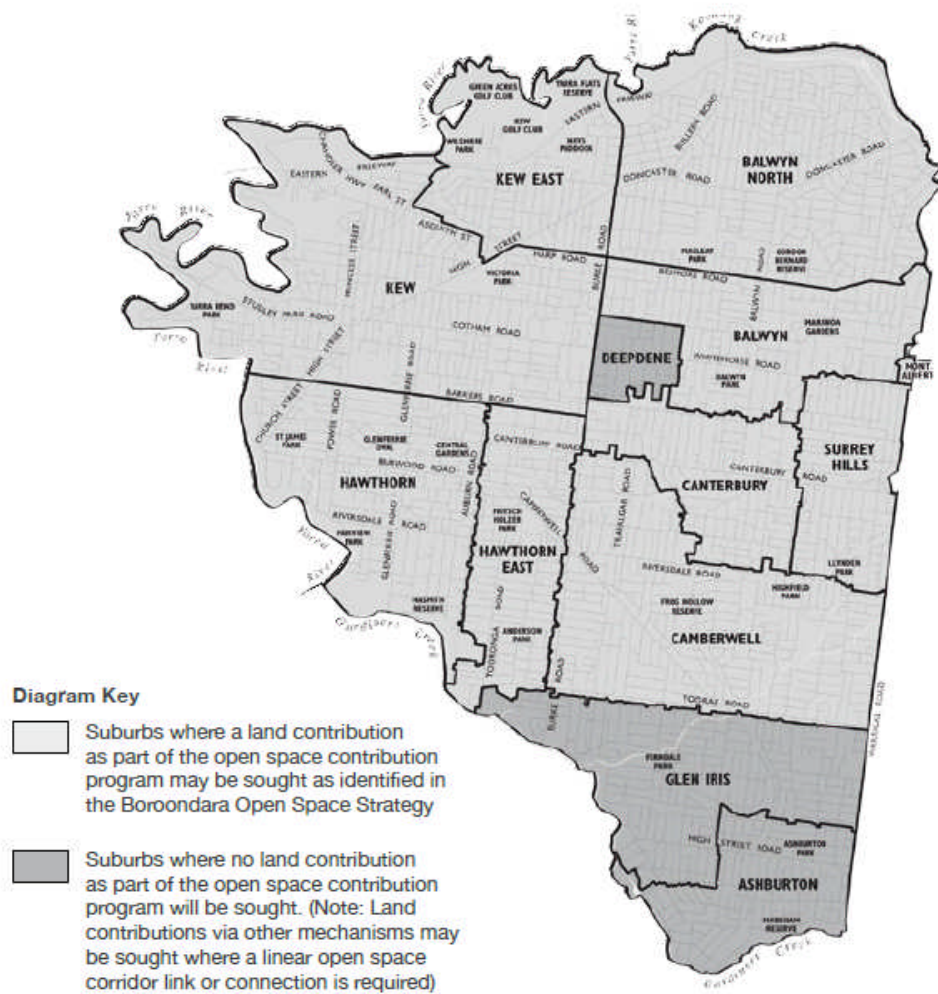
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Location

It is policy that:

- A 5% cash or land contribution is collected on all non-exempt subdivisions under the *Subdivision Act 1988*. This may be reduced at Council's discretion.
- Land contributions for public open space will generally be preferred over cash contributions within the areas identified in Map 1.
- Land contributions will be requested and accepted at Council's discretion, in accordance with the assessment criteria for suitability of land for open space and actions for the relevant precinct as identified in the *Boroondara Open Space Strategy* (2013).

Map 1: Boroondara Open Space Strategy, open space sub-precincts



Additional land area for open space in existing areas that are identified to be deficient in open space will be prioritised, based on:

- Being located in a gap area.
- In accordance with the assessment criteria for suitability of land for open space.
- Where access to open space that is beyond the specified safe and accessible walking distances, also requires the need to cross major roads or railways.
- Where there is no other ancillary open space (other than streets) available to the public as an alternative to public open space (eg. public school grounds).
- Where there is no accessible open space in adjoining municipalities within the specified walking distance.

Assessment criteria for suitability of land for open space

It is policy that:

- In locations where a land contribution is sought over a cash contribution, the following criteria be used to determine whether any part of the land in a development proposal is appropriate to be contributed to public open space. Land to be contributed should meet the criteria in Table 1.

Table 1: Assessment criteria for suitability of land for open space

Criteria	Description
Accessibility	Physical access into the site including the inherent topography, at ground level (not elevated as part of a building) and ability to make the site safe and accessible to people with limited mobility.
Adjoining land use (compatibility)	The adjoining land has a positive influence contributing to the recreational, ecological, social and cultural value of the open space, without private appropriation of public open space or excessive traffic, noise, light spill or overshadowing.
Amenity	Visual and passive amenity values relate to the influence open space has on the liveability of neighbourhoods, providing visual relief from built form, the break open space provides from noise levels associated with traffic and other urban land use activities and adequate levels of sunlight (a minimum of 3 hours of direct sunlight between 9am and 3pm during mid-winter and at least 5 hours of direct sunlight between 9am and 3pm on September 22).
Condition	The existing physical condition of the land which may have inherent issues such as contamination or weed infestation, which have significant financial or safety implications for Council if the land becomes public open space.
Ecological	Includes the site's existing biodiversity values and the site's potential to contribute to climate change adaptation. This includes the protection and enhancement of biodiversity values along with a site's contribution to existing or future habitat corridors, protection of mature canopy trees and other protection or construction of other natural features that may contribute to urban heat mitigation.
Equity	The Boroondara community should have reasonable access to public open space.
Financial	The cost to Council in obtaining, improving, managing and maintaining the land as open space.
Heritage character	Indigenous and non-Indigenous values that could be enhanced and protected in the open space including natural features such as large canopy trees. These values will also influence the future use and design of the open space.
Landscape character	Its contribution to the character and attractiveness of the neighbourhood.
Location/Linkages	The site's contribution to the wider open space network including forming open space corridor links. This includes consideration of the other strategic planning projects in Council for forecast expansion of the population, and where it is appropriate, to provide connections.
Ongoing maintenance and management	The Council can adequately resource the ongoing management and maintenance of the land.
Recreation	The potential for the site to accommodate a range of organised, unstructured and informal recreational uses. These can include organised sports, play, sitting, walking, jogging, cycling exercising, informal games, picnicing and dog walking.
Services/Easements	Extent of services and easements that would affect the development and use of the land as open space including water supply, power supply, roadways, overhead structures, flood mitigation and drainage.

Criteria	Description
Size	The minimum size for the site to meet its intended purpose, on its own or in combination with adjoining land. Refer to minimum size parcels for each type of open space as follows: Regional open space, unlimited Municipal open space, minimum three hectares Neighbourhood open space, minimum one hectare Local open space, minimum 0.26 hectare (up to 0.99 hectare) Small Local open space, minimum 0.03 hectares (up to 0.25 hectare), with a minimum width of 10 metres in at least one direction. Small Local Link space, with a minimum width of 5 metres.
Transport	The range of transport options for residents to easily access the site including proximity to public transport, linear shared trails, path links and major roads.
Visibility	The sites visual prominence to maximise its use and contribution to the broader community. Generally, land is preferred which has at least two access points and local roads to two sides.

Early consideration of land contributions

It is policy that:

- The design of a building on land where public open space will be required should accommodate the provision of public open space in a manner that meets the selection criteria for public open space.

Varying the 5% contribution

It is policy that:

- Varying the 5% contribution should have regard to:
 - The selection criteria for public open space.
 - The open space type and required land size.
 - The existing characteristics of the site including features to be retained.
 - The intensity of the proposed development and surrounding development.
 - The extent of the additional population and the anticipated demographics based on the development design.
 - Recommendations for the site and surrounding area contained in the *Boroondara Open Space Strategy* (2013).
 - Any other relevant strategic planning documents.

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Reference documents

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Boroondara Open Space Strategy (City of Boroondara, 2013)