

21.07 OPEN SPACE AND ENVIRONMENT

14/07/2016
C212

This Clause provides the local content to support Clause 11.03 (Open space), Clause 11.04-8 (River corridors), Clause 12.01 (Biodiversity), Clause 12.04 (Significant environments and landscapes) and Clause 13.02 (Floodplains) of the State Planning Policy Framework.

21.07-1 Open space

14/07/2016
C212

Key issues

- Acknowledging the City's low ratio of public open space compared to the metropolitan average and adjacent municipalities.
- Addressing the gaps and variations in distribution and quality of open space across the City.
- Addressing the additional demand on the public realm arising from increases in population, higher housing densities and the consequent reduction in public and private open space.
- Acknowledging the increased cost of property acquisition and the reduced affordability of providing additional green open space.
- Considering more creative and lateral means to supply quality open space experiences in the community.
- Managing the impact of private development in and beside public open space on the perceived and actual accessibility, usability and safety of the public space.

Objective

1. **To provide an equality of public open space quality and quantity across the municipality, sufficient to meet future needs and which improves the accessibility, safety and environmental sustainability of the open space system.**

Strategies

- 1.1 Seek opportunities to improve and extend the open space system, particularly in areas currently under-provisioned and with projected population increases, including having regard to the *City of Stonnington Public Realm Strategy 2010* and adopted Structure Plans and urban design frameworks.
- 1.2 Integrate the findings and recommendations of the *Public Realm Strategy 2010* into the preparation of structure plans, master plans, urban design frameworks and development contribution plans, as appropriate.
- 1.3 Provide for improved quality and diversity of open spaces in each suburb, including formal and informal, natural and urban spaces and places for contemplation.
- 1.4 Seek opportunities to increase regional open space links across the municipality and with adjoining municipalities, in particular along railway lines and waterways.
- 1.5 Seek opportunities to provide local links between public and private open space and through large private developments.
- 1.6 Protect the natural diversity of the green spaces and provide more habitat for indigenous flora and fauna.
- 1.7 Minimise alienation of public open space to private development.

- 1.8 Manage development in and beside public open space to ensure it is compatible with the values of the public space and makes a positive contribution to the accessibility, usability, safety, environmental values and amenity of the public space.
- 1.9 Seek contributions from new developments, at the time of subdivision, towards open space improvements in the locality and the region in line with the rate specified in the schedule to Clause 52.01 (Public Open Space Contributions and Subdivision).
- 1.10 Foster partnerships between Council and developers to provide open space as a component of large development applications.
- 1.11 Coordinate and integrate open space planning with planning for community and commercial services and facilities to deliver a quality public realm.

Implementation

The strategies in relation to open space will be implemented through the planning scheme by:

Policy guidelines

- When deciding on an application to develop or subdivide land, considering, as appropriate:
 - the requirements of the Schedule to Clause 52.01 (Public Open Space Contribution and Subdivision) and (as part of this consideration) whether to seek a contribution of land for public open space as part of a major new development where the responsible authority has identified a need for additional open space in the locality, by reference to the findings and recommendations of the *Public Realm Strategy 2010*, or any adopted structure plan, master plan, urban design framework or acquisition strategy.
- When deciding on an application to use or develop public open space, considering, as appropriate:
 - whether the proposed use is suitable and the scale of the development is compatible with the values of the public open space; and
 - whether the proposal will assist the ongoing maintenance and surveillance of the public realm.
- When deciding on an application to use or develop land adjoining a public open space, considering, as appropriate, the impact of the proposal on the public use, accessibility usability and safety of the public open space.

Application of zones, overlays and particular provisions

- Applying the Public Park and Recreation Zone to open space reserves and land used for public open space.
- Applying the Public Acquisition Overlay to land identified for addition to the open space system.
- Using the Schedule to Clause 52.01 to specify the amount of contribution for public open space for specified subdivisions.

Future strategic work

- Preparing a policy and strategy to guide the identification and acquisition of properties.
- Preparing and implementing a strategy for public open space contributions.

21.07-219/11/2015
C177**Biodiversity****Key issues**

- Acknowledging that Stonnington is heavily developed with significant biodiversity values already lost.
- Acknowledging the value of wetlands, habitat and vegetation areas to the enhancement of the diversity of opportunities available in the City's parks and gardens.
- Ensuring development is sensitive to its impact on natural areas and open space, to ensure that the ecological value of natural resources remains intact.

Objective

1. **To protect and enhance biodiversity and public amenity through enhancing the municipality's natural values.**

Strategies

- 1.1 Encourage planting to increase the natural diversity of the green spaces and to provide more habitat for indigenous flora and fauna.
- 1.2 Seek opportunities to create habitat corridors, using indigenous planting along railway lines, freeways and waterways, between larger parks, gardens and reserves with habitat values and beside defined biodiversity areas.
- 1.3 Create corridors between remnant indigenous vegetation and neighbouring municipalities.
- 1.4 Encourage new and replacement landscaping to have a balance of native and exotic landscaping, with a preference for indigenous planting in locations close to biodiversity areas.

Implementation

The strategies in relation to environmentally sustainable design will be implemented through the planning scheme by:

Policy guidelines

- Using the Environmentally Sustainable Development Policy (Clause 22.05) to ensure that best practice sustainable design is achieved in new development.

21.07-305/12/2013
C161**Significant trees and landscapes****Key issues**

- Protecting the environmental and landscape values of vulnerable and exposed land in private development along the edge of the Yarra River and Gardiners Creek.
- Acknowledging the importance of significant trees in both the public and private realm for their contribution to habitat and amenity.

Objective

- 1 **To protect significant trees and the landscape and environmental values of the Yarra River edge and escarpment and Gardiners Creek.**

Strategies

- 1.1 Ensure development and vegetation removal in the sensitive Yarra River and Gardiners Creek environs area has minimal impact on the defined landscape and environmental values.

- 1.2 Protect significant trees on private property to ensure overall quality and amenity of public and borrowed space.
- 1.3 Seek opportunities to increase and replace significant trees.
- 1.4 Minimise the visual intrusion of buildings beside waterways to protect the visual amenity of the waterway and associated trails and green spaces.

Implementation

The strategies in relation to significant trees and landscapes will be implemented through the planning scheme by:

Application of zones, overlays and particular provisions

- Applying the Significant Landscape Overlay to the Yarra River frontage.

Future strategic work

- Reviewing and adding to the register of significant trees and gardens and encouraging their retention.

21.07-4
05/12/2013
C161

Flooding

Key issues

- Identifying all areas affected by overland flows.
- Avoiding inappropriate use and development of land affected by flooding and overland flows.
- Managing the Yarra River and Gardiners Creek floodplains to maintain the ecological values of these waterways and to lessen the risks of inundation.
- Acknowledging the increasing levels of development with increased hard surface and increased runoff.
- Responding appropriately to the increase in the number and intensity of rainfall events.

Objective

1. **To identify areas within the municipality which are liable to flooding damage, so as to take into account the health and safety of residents and flood protection of properties.**

Strategies

- 1.1 Ensure that the siting of buildings and floor levels takes into account the flood depths and overland flow paths for storms with an ARI of 1 in 100 years.
- 1.2 Ensure new development in flood-prone areas is protected from flooding and has safe access to and around the development.
- 1.3 Protect and improve the continuity of natural valleys and overland flow paths as identified in the Special Building Overlay.
- 1.4 Ensure adequate drainage measures are implemented for all new developments, including land not yet included in the Special Building Overlay or Land Subject to Inundation Overlay.

Implementation

The strategies in relation to flooding will be implemented through the planning scheme by:

Application of zones, overlays and particular provisions

- Applying the Land Subject to Inundation Overlay to flood prone areas along the Yarra River and Gardiners Creek.

- Applying the Special Building Overlay to land affected by inundation from the drainage system.

Future strategic work

- Undertaking further work to identify all land affected by overland flows in the planning scheme.

21.07-5

05/12/2013
C161

Potentially contaminated land

Key issues

- Identifying potentially contaminated land.
- Having sufficient information to satisfy Council that the land will be suitable for a sensitive use.

Objective

- 1. To ensure Council has sufficient information to permit a sensitive use on land that may be contaminated.**

Strategies

- 1.1 In the case of a rezoning of land which will permit a sensitive use for this first time, apply the Environmental Audit Overlay if the land is known to be contaminated or where there is a reasonable expectation that the land may be contaminated by a known prior use or prior industrial zoning, unless sufficient information is provided to satisfy Council that the land is safe for a sensitive use.
- 1.2 Ensure sufficient information is provided to satisfy Council that the land is safe prior to the commencement of a sensitive use.

Implementation

The strategies in relation to potentially contaminated land will be implemented through the planning scheme by:

Policy guidelines

- Requiring that an application must be accompanied by a certificate of environmental audit or current site assessment demonstrating that the site is suitable or can be made suitable for residential use and development.
- Requiring that any identified unsafe levels of soil contamination are removed or treated prior to the commencement of a sensitive use which may be affected by the contamination.

Application of zones, overlays and particular provisions

- Applying the Environmental Audit Overlay to potentially contaminated land.

Future strategic work

- Identifying sites in a Residential or Mixed Use Zone which are known to have a prior contaminating use and are not yet included in the Environmental Audit Overlay.