



From: noreply_shape@monash.vic.gov.au
Sent: Monday, 30 May 2022 1:16 PM
To: Strategic Planning
Subject: Form Submission

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Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb

[REDACTED]

Postcode

[REDACTED]

Telephone number

[REDACTED]

Submission comments

I support the proposed change to an across the board 10% levy as detailed in Amendment C169.

To view all of this form's submissions, visit

https://shape.monash.vic.gov.au/index.php/dashboard/reports/forms_new/data/292

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Suburb

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Postcode

[REDACTED]

Submission comments

While I welcome the goal of increasing/maintaining public open space, this proposal is very one-dimensional. Pretty much every recommendation is "Future development of social family recreation and parks should be prioritised" and "Create an off-road trail". The specific inclusion of "social family recreation" in Clause 21.10-3 appears to dominate the future strategy, particularly to the detriment of the objective "To provide a diverse and integrated network of open space".

In particular, as a dog owner, there is still no provision for a dedicated, properly fenced off-leash dog park anywhere in Monash. Like other owners, I need to drive to a different council area to find this. The best we have at the moment is access to sporting grounds when they are not in use for sport. These grounds are not fenced appropriately for this use, and there are potential conflicts with other users; as well as future changes to synthetic turf.

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Email address

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Postal address

[REDACTED]

Suburb



Postcode



Submission comments

i support these changes

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From: noreply_shape@monash.vic.gov.au
Sent: Wednesday, 1 June 2022 1:29 PM
To: Strategic Planning
Subject: Form Submission

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Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb

**Postcode****Submission comments**

We support - Amendment C169 to the Monash Planning Scheme. We believe current open space needs to be protected and we believe that opportunities for more open space and quality of open space is required to meet the growing demands created by population increase / urban density, environmental needs and changing recreation / demographic needs.

Hence we support the increase the open space contributions levy rate to 10% by amending the schedule to Clause 53.01 (Public Open Space Contributions and Subdivision) and the required changes to the Municipal Strategic Statement (MSS).

To view all of this form's submissions, visit

https://shape.monash.vic.gov.au/index.php/dashboard/reports/forms_new/data/292

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5 June 2022.

RE: Monash Planning Scheme Amendment C169

We support - Amendment C169 to the Monash Planning Scheme. We believe current open space needs to be protected and we believe that opportunities for more open space and quality of open space is required to meet the growing demands created by population increase / urban density, environmental needs and changing recreation / demographic needs.

Hence we support the increase the open space contributions levy rate to 10% by amending the schedule to Clause 53.01 (Public Open Space Contributions and Subdivision) and the required changes to the Municipal Strategic Statement (MSS).

However we feel the Draft 21.10 Open Space Policy could be further improved.

We feel that the Open Space Policy in the proposed form is lacking and some of the strategies are unclear in their intent. We believe that it can be strengthened by ensuring the policy aligns with and refers to the vision, goals and directions in Open Space for Everyone – Melbourne’s open space strategy 2021.

In general we would like to suggest the following:

- Reference is made to the importance on open space particularly green space and tree canopy for enhanced climate change resilience.
- More emphasis needs to be made on the importance of open space for healthier biodiversity and waterways
- More emphasis on provision of quality immersive open space
- The open space contributions should be available to actions that protect and optimise existing open space and grow the network within Monash.
- Reflect the importance of open space for nature conservation outcomes and protection and enhancement of remnant habitat; climate resilience outcomes; waterway health; and accessible diverse recreational provision across the network recognising play, informal and formal activities; and neighbourhood walkability and connection to green spaces.

In particular we would like to suggest the following regarding the current draft policy:

Overview:

- Should acknowledge that public open space provides community with “important” or “essential” ... benefits

Key issues:

- We believe the first dot point can be strengthened with addition of the following word - more vibrant “connected” communities.
- The second point should refer to open space “network” rather than areas and retain reference to “nature conservation”; and should refer to “recreation” infrastructure requirements. Or does this refer to other infrastructure (i.e. drainage and public utilities)
- Deleted point about environmental quality of nature open space areas should be retained but updated to reference Conservation Reserves and waterways and protection and enhancement through management and maintenance (i.e. Healthier biodiversity).
- As above – climate change is a key issue.

Objectives:

- The deleted objective about provision of safe and accessible open space within walking distance of residents should be retained. Must align with the concept of the 20 min neighbourhood.
- Third dot point should also refer to ... demands “and inappropriate development”

Strategies:

- First point is very unclear – what does this mean? Shouldn’t it be that the development doesn’t impact upon the visitor experience within the adjacent public open space?
- We believe there still should be a point about protection of significant natural areas from adjacent development. Maybe this could align with the point above.
- The points 5 & 6 about high residential density development and employment areas – may need strengthening – not only do these sites need to cater for the intended population and workers in these areas but they also need to strategically consider the incremental impact of development and increased population upon the existing open space network and residents.
- The second last point should say “must” have regard to protection...
- The last point should say “managed” and maintained to protect

Reference documents:

- As above need to reference Open Space for Everyone.
- Reference to the Urban Forest Strategy – Resilient Melbourne.
- Is there also a suitable reference to a Melbourne Water healthy waterway strategy given that most of the natural open space is in the blue-green corridors in Monash?

[REDACTED]

From: [REDACTED]
Sent: Friday, 3 June 2022 3:09 PM
To: Strategic Planning
Cc: [REDACTED]
Subject: Monash Planning Scheme Amendment C169 - Whitehorse City Council response
Attachments: Letter of response to the City of Monash - Monash Planning Scheme Amendment C169 - 3 June 2022.DOCX

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Dear Sean

Thank you for providing the Notice of Amendment C169 to the Monash Planning Scheme.

Please find attached Whitehorse City Council's response.

Should you require any further information regarding this matter please feel free to contact me.

With kind regards



[REDACTED]

City Planning and Development

[REDACTED]



Whitehorse City Council
379-397 Whitehorse Road
Nunawading VIC 3131
Locked Bag 2 Nunawading VIC 3131

Telephone: (03) 9262 6333
Fax: (03) 9262 6308
TTY: (03) 9262 6325
TIS: 131 540

customer.service@whitehorse.vic.gov.au
www.whitehorse.vic.gov.au

ABN: 39549568822

3 June 2022

Record no. 22/148537

[REDACTED]
Manager, Strategic Planning & Economic Development
City of Monash
PO Box 1
GLEN WAVERLEY 3150
strategicplanning@monash.vic.gov.au

Dear Sean

Monash Planning Scheme Amendment C169

Thank you for providing formal Notice of Amendment C169 to the Monash Planning Scheme.

Officers have reviewed the amendment documents and have no objection to the proposed planning scheme changes. Whitehorse City Council would welcome any further updates on this Amendment as they become available.

For any further information regarding this matter please contact me on [REDACTED].

Yours sincerely

[REDACTED]

[REDACTED]
[REDACTED]

Daniel Borton

From: [REDACTED]
Sent: Sunday, 5 June 2022 12:05 PM
To: Strategic Planning
Subject: Response to Amendment C169 - to the Monash Planning Scheme - public open space contribution
Attachments: Amendment C169mona to the Monash Planning Scheme.pdf

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Response to Amendment C169

To whom it may confer,

I would like to express my objection and serious concern with the proposed increase in costs proposed in Amendment C169.

The increase is extremely unreasonable and would result in making development less viable. Ultimately this would lead to less housing or cost sifting pushed onto the purchaser. This would do nothing to achieve improved housing affordability or increase the level of housing stock, nor a diversity of housing. I express these concern as a resident in the area and someone who wants to see diversity in housing options.

If an increase is required I would suggest, as a maximum, doubling the current 2% charge to 4%. A jump to 10% for any size of townhouse development would be unreasonable. However, you may want to consider an adjustment for large scale 'apartment style' projects.

Regards

[REDACTED]

From: [REDACTED]
Sent: Tuesday, 7 June 2022 4:04 PM
To: Strategic Planning
Cc: EPA Strategic Planning
Subject: Amendment C169mona

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OFFICIAL

To Whom it May Concern,

We understand that the Amendment seeks to:

- Amend the schedule to Clause 53.01 to change the rate of public open space contribution for a dwelling to 10% (flat rate); and
- Increase the existing contribution for other subdivision from 5% to 10%.

Associated with this, Council are seeking to:

- Introduce a new local planning policy which will provide the process for when, where and how public open space contribution will be required;
- Amend Clause 21.10 to the MSS to provide guidance on the development of an open space network for the community; and
- Introduce, update, or delete nine reference documents.

On this basis, EPA considers that this Amendment will not, as a result of rezoning of land or changes to planning controls, result in

- use or development of potentially contaminated land and / or trigger the requirements of MD1 ;
- use or development of land that could result in water, noise, air or land pollution impacts on the environment, amenity or human health;
- use or development of land within a buffer or separation distance for industry, including as set out in the Recommended Separation Distances for Industrial Residual Air Emissions – Guideline – EPA Publication 1518; or
- use or development of land within a buffer or separation distance for an industry engaged in materials recycling, refuse disposal, transfer station (waste and resource recovery facility).

We expect, as with our earlier advice dated 27 October 2017, that where necessary –

- consideration is given to the need to comply with Ministerial Direction 1 Potentially Contaminated Land; and/or
- consider the proximity of any existing closed landfills or existing industry which may give rise to risks of harm to amenity and human health.

We do not wish to receive any further correspondence. We do not wish to be heard.

If our assessment is not aligned with your view of the environmental risk, or if the proposal is subsequently amended, please contact EPA Strategic Planning at [REDACTED]

Kind regards
[REDACTED]



 From 1 July 2021, Victoria has new laws to prevent harm from pollution and waste. [LEARN MORE](#)

 Proud sponsor  Premier's Sustainability Awards 2022

EPA acknowledges Aboriginal people as the first peoples and Traditional custodians of the land and water on which we live, work and depend. We pay respect to Aboriginal Elders past and present and recognise the continuing connection to, and aspirations for Country.



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From: noreply_shape@monash.vic.gov.au
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Postal address

[REDACTED]

Suburb

[REDACTED]

Postcode

[REDACTED]

Telephone number

[REDACTED]

Submission comments

I understand and agree the Council's good intention to ensure our community continues to be a great place to live and work. However, a suddenly huge increase of the open space contributions levy rate to 10% will dramatically impact the new developments and housing price in the area which will be not good for the growing population and affordability for young people.

I still support this change, however, in a mild way. I suggest the increase should be according to the number of lot subdivisions. For example, 3 lot subdivisions for 3%, 4 lot subdivisions for 4%, 5 lot subdivisions for 5%, so on and so forth until 10 or more lot subdivision for 10%. In this way, it would help the Council funds to expand the quantity of open space in Monash, and improve the quality of existing open space enabling it to be used by more people, and also help to stabilize the small development such as 3-4 townhouses, to meet the requirement of increase of the population and affordability of young people.

Please feel free to contact me and I am happy to have some further discussion.

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Preferred contact method

Email

Email address



Postal address



Suburb



Postcode



Submission comments

I completely object this proposal. This will affect the whole Monash area future developments!

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Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb

[REDACTED]

Postcode

[REDACTED]

Telephone number

[REDACTED]

Submission comments

Open space contribution is way to high. this is stopping development in the area.

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Last Name

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Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb



Postcode



Submission comments

rediculous rate for open space contribution. we want our community have better housing. Are you council will be building better housing for us?

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[Redacted]

Preferred contact method

Email

Email address

[Redacted]

Postal address

[Redacted]

Suburb



Postcode



Telephone number



Submission comments

open space contributions levy rate 10% is too high to support development.
community need better housing.

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Email address

[REDACTED]

Postal address

[REDACTED]

Suburb

[REDACTED]

Postcode

[REDACTED]

Telephone number

[REDACTED]

Submission comments

I am hoping this region can be more active. Raising the open space contribution will only block the new incoming opportunities. It is not about earning. It's about the atmosphere .

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[REDACTED]

Postal address

[REDACTED]

Suburb

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Postcode

[REDACTED]

Telephone number

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Submission comments

I agree with this amendment

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[Redacted]

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Submission comments

I support the increased developer contribution to be put towards open space investment in Monash.

The changes should also promote or incentivise the retention of existing canopy trees to help with urban cooling.

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Submission comments

I wholeheartedly support an increased open space contributions levy, to expand the public open space within Monash. I would hope that the council would ensure that funds thus collected are equitably distributed, with a focus on improving public open space in the immediate area (if a large open land parcel is to be swallowed up by development, e.g. 1 Beryl Ave Oakleigh South; old quarry site, Huntingdale Rd Oakleigh South) - and with a focus on improving access in the southwest corner of Monash which is the worst served for public open space according to your own report.

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[REDACTED]

From: [REDACTED]
Sent: Thursday, 16 June 2022 5:16 PM
To: Strategic Planning
Subject: Amendment C169

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I write in support of Amendment C169.

We must have more open space for adults and most importantly our children. I had a house on either side of my property but now have 3 large town houses either side. They have no area for children to play and very little outdoor area to even sit. No wonder children sit inside on screens what else is there to do. Please stop over crowding Monash I do like to see trees and grass areas not concrete jungles.

[REDACTED]

Sent from my Galaxy

From: noreply_shape@monash.vic.gov.au
Sent: Thursday, 16 June 2022 9:08 PM
To: Strategic Planning
Subject: Form Submission

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Suburb


Postcode**Submission comments**

I support increasing the levy on redevelopment for reinvestment in public open space. However I note that the wording on having public open space within comfortable walking distance has been struck out. And that upgrading existing space - presumably through sporting infrastructure - rather than offsetting permeable surface and vegetation losses by purchasing additional spaces - is an option.

In my area of Clayton, the M-City hinterland, gardens and canopy trees are being moonscaped for townhouses and apartments and there's the loss of associated environmental services. The only public open space within comfortable walking distance is the tiny Cambro Rd pocket park.

I urge you to reconsider the equity of access to public open spaces and environmental services by retaining the "within comfortable walking distance" recommendation and by mandating the offsetting of permeable surface and canopy losses through facilitating the requisition of new public open spaces in Clayton. This would involve creating and maintaining a geographic information system and database of building and impermeable surface footprints, and existing canopy. A Register of significant trees would assist.

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[REDACTED]

From: [REDACTED]
Sent: Thursday, 16 June 2022 5:51 PM
To: Strategic Planning
Subject: Amendment C169

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I write in support of Amendment C169. Green space is so important, for recreation, the environment and to keep Monash an attractive area to live.
Developers need to be held accountable for helping to provide green space. So many developments are removing all vegetation and replacing them with very little.

[REDACTED]

Sent on the go with Vodafone

[REDACTED]

From: [REDACTED]
Sent: Thursday, 16 June 2022 9:32 PM
To: Strategic Planning
Subject: Amendment C169

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I write in support of Amendment C169.

It is well recognised that green spaces contribute hugely to the mental and physical well being of people. They also make areas more attractive so people want to live there.

Parties increasing the density of building and population for profit should contribute a fair share of profits to help preserve, maintain and increase green spaces in those areas.

Regards

[REDACTED]

From: noreply_shape@monash.vic.gov.au
Sent: Thursday, 16 June 2022 11:36 PM
To: Strategic Planning
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Postcode

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[REDACTED]

From: [REDACTED]
Sent: Friday, 17 June 2022 6:48 PM
To: Strategic Planning
Cc: Dr Josh Fergeus
Subject: Amendment C169

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I write in support of Amendment C169.

Monash Council has amended it's development requirements to ensure new developments include some personal open space. This is fabulous but it can not replace sufficient public open space for ALL residents in developments approved over the last decades.

It might seem unreasonable to ask developers and new developments to pay extra but in fact it is perfectly reasonable because they are spending monies to subdivide land which increases the number of people living on set land sizes. They benefit financially by doing this but they are possibly not Monash rate payers and leave a legacy of more people and less open space per capita to be enjoyed.

Council have a responsibility to maintain amenity for all residents and/or ratepayers and this amendment enables Council to be able to fund this for all current and future residents and/or ratepayers. Well done!

I give my support to this amendment - C169.

[REDACTED]

Sent from my iPad

[REDACTED]

From: [REDACTED]
Sent: Saturday, 18 June 2022 8:26 PM
To: Strategic Planning
Subject: Amendment C169

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To Whom It May Concern,

I write in support of Amendment C169. Diminishing open spaces in Monash would be a travesty!

Kind regards,

[REDACTED]

Sent from my iPad

From: noreply_shape@monash.vic.gov.au
Sent: Sunday, 19 June 2022 11:24 AM
To: Strategic Planning
Subject: Form Submission

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Email address

[REDACTED]

Postal address

[REDACTED]

Suburb

[REDACTED]

Postcode

[REDACTED]

Telephone number

[REDACTED]

Submission comments

I strongly support this submission. I hate seeing what developers are doing with our tree cover and established gardens when they demolish houses to build multiple dwellings on properties. The entire plot is taken up with buildings and concrete with no space to plant anything to replace what was destroyed. If this proposal has the effect of ensuring that developers pay to alleviate some of their destruction, I'm all for it.

Cheers

[REDACTED]

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From: noreply_shape@monash.vic.gov.au
Sent: Sunday, 19 June 2022 8:35 PM
To: Strategic Planning
Subject: Form Submission

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Form Submission

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First Name

[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Postcode

[REDACTED]

Submission comments

The amendment is the bare minimum. Our city is becoming unliveable because of large developments and overcrowding. The only option, other than preventing the destruction of existing houses to be replaced with large buildings, flats and units, is to increase public open space. This is needed for physical and mental well being and to improve ground moisture levels, decrease microclimate change (we no longer get frosts in Monash so the local climate has changed). The cost of this mitigation strategy must be borne by those who make the profits: the developers. The levy should be based on the overall cost of the property at the time of sale (i.e. in a way that does not allow the amount paid to be reduced by basing it on 'profit' which can be manipulated).

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From: [REDACTED]
Sent: Monday, 20 June 2022 3:08 AM
To: Strategic Planning
Subject: Amendment C169

Importance: High

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I write in support of Amendment C169.

Amendment C169 to the Monash Planning Scheme proposes to:

- **Increase the open space contributions levy rate to 10% by amending the schedule to Clause 53.01 (Public Open Space Contributions and Subdivision),**
- **Introduce a new local policy for open space, and**
- **Make associated changes to the Municipal Strategic Statement (MSS).**

I strongly support Councillor Josh Fergus proposes amendment C169. This is a long overdue measure requiring developers of large projects to contribute to our “Garden City” by contributing more of their profits to securing and upgrading public green open space for the benefit of the increased number of people living in Monash as a result of their development.

From: noreply_shape@monash.vic.gov.au
Sent: Monday, 20 June 2022 4:56 PM
To: Strategic Planning
Subject: Form Submission

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First Name

[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb

[REDACTED]

Postcode

[REDACTED]

Telephone number

[REDACTED]

Submission comments

I wholeheartedly support this amendment.

The loss of both tree canopy and open green space throughout the city of Monash has been increasing rapidly as higher density developments continue to grow.

If nothing else, the pandemic has shown us all the importance of open space for recreation, play, contemplation, social connectedness and exercise.

And the science categorically points towards green space as protection against urban heating, and as positive contributor to clean air and biodiversity.

To view all of this form's submissions, visit

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From: noreply_shape@monash.vic.gov.au
Sent: Tuesday, 21 June 2022 3:11 AM
To: Strategic Planning
Subject: Form Submission

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Form Submission

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First Name

[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb

[REDACTED]

Postcode

[REDACTED]

Telephone number

[REDACTED]

Submission comments

Dear City of Monash,

I've been a resident of our local council since 2013. When I first moved here, I was dismayed at how few and short the existing trees are within the council area. Having seen significant improvement in the canopy cover and investment in parklands as well as walkways and bike paths, our council has become more livable. I frequently travel across our council area to visit friends and family. I'd like to see more investment in the livability of our council, and collaboration with Monash University and other large local institutions as well as the Suburban Rail Loop teams to create urban farms and gardens, as well as planting fruit trees on sidewalks with council providing a supporting role to neighbourhoods and helping establish neighbourhood associations where we can collectively manage the fruit to avoid clean up costs.

Considering the exorbitant fruit and vegetable prices we have an opportunity to create something incredible and world-leading here. Monash has some of the lowest rates in the state, and any revenue source to fund these initiatives in a strategic and well thought out manner should be considered.

In my area in Maragaret Street we have tried this, but without council support we are unlikely to succeed due to cost of living and various other pressures. Now more than ever we need a coherent strategy with funding to integrate community engagement, community development, community resilience as well as growth of native and exotic biodiversity as well as urban and suburban food forests. We

partially supply ourselves and our community with fresh fruit and vegetables grown on our properties, and this has incredibly positive effects on everyone's mental and physical health.

Many of my friends are in deep strife, struggling to feed themselves, particularly students in the suburbs neighbouring Monash University. Initiatives of this kind would not only help those most in need, but also those who feel socially isolated and people who wish to learn how plants grow, so that they can take those skills elsewhere in life.

We can build incredible tightknit communities in our council, replicating the best of the most successful pioneers of this around the world, reducing financial and legal risks for councils in the process.

The amendment to the public open space contribution rate would help secure this, and allow council to develop a model for other councils to replicate.

I also implore council to cooperate with local corporate and community groups and individual neighbourhoods to make a vision of this kind come true. Lets make the change we want to see in the world as a whole.

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To: Strategic Planning
Subject: Form Submission

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Form Submission

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First Name

[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb


Postcode
Telephone number
Submission comments

I am a local resident and ratepayer living in Monash. My response to the proposal is that we certainly do need to increase capacity to provide public open space as our suburbs inevitably increase in density. The suburban rail loop is also likely to encourage increased development and density along the route over coming decades.

Ready access to public space and contact with nature are vital for community well being in my view. It is also important to maintain habitat for wildlife to the greatest extent possible at a time when many species are under increasing threat from increased human activity and from climate change. The reduction in the number and size of urban gardens means there is less habitat for wildlife. We can do much to maintain biodiversity within our cities and suburbs and we should do what we can to maintain our shared natural heritage.

Looking through the material provided the proposal seems well integrated with likely growth scenarios and state and council planning strategies. It is also clear some areas of Monash are not as well served as others and deserve better local access to public space. I would hope those shortfalls can be addressed. The question is who should pay for that? In my view it makes sense to lift the contribution placed upon multi dwelling developments by extending existing provisions to match the scale and pace of development.

As a resident and rate payer I support the amendment and in particular the increase in the open space contribution levy. Will developers have a different view,

no doubt, but as a resident I certainly support the responsible approach to long term planning reflected in the amendment.



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From: noreply_shape@monash.vic.gov.au
Sent: Tuesday, 21 June 2022 7:03 PM
To: Strategic Planning
Subject: Form Submission

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Form Submission

There has been a submission of the form through your Shape Monash website.

First Name

[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb

[REDACTED]

Postcode

[REDACTED]

Telephone number

[REDACTED]

Submission comments

Dear Council,

I think this amendment to bring about an increase in the amount and the quality of open space in Monash is an excellent idea.

Open space is critical to quality of life, and quality of life is critical to both physical and mental health. If we don't have quality of life, what is the point of anything else?

However, it is a shame that while population growth is forecast at 22% by 2036, public space will only grow by 4.9%. This is a very large and very worrying discrepancy. Once again, if we don't have a good quality of life, then what is the point of life?

So, I would strongly encourage Council to alter the amendment such that public space grows at the same rate as the population, or at least by half the projected population growth, i.e., 11% in this instance. Otherwise we risk experiencing a slow but steady and inevitable decrease in quality of life, an attendant increase in physical and mental health issues, and overcrowding in our public spaces.

Yours Sincerely,

[REDACTED]

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From: noreply_shape@monash.vic.gov.au
Sent: Wednesday, 22 June 2022 9:05 AM
To: Strategic Planning
Subject: Form Submission

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Form Submission

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First Name

[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb

[REDACTED]

Postcode

[REDACTED]

Telephone number

[REDACTED]

Submission comments

We need our open spaces, but increasing the levy contributions is not warranted.
No!

To view all of this form's submissions, visit

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From: noreply_shape@monash.vic.gov.au
Sent: Friday, 24 June 2022 9:18 AM
To: Strategic Planning
Subject: Form Submission

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Form Submission

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First Name

[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb



Postcode



Telephone number



Submission comments

Please see submission attached.

Thankyou for your consideration.

Upload submission or a supporting document

- [1700D Submission to C169 24 June 2022.pdf](#)

To view all of this form's submissions, visit

https://shape.monash.vic.gov.au/index.php/dashboard/reports/forms_new/data/292

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20 June 2022

Strategic Planning Team
Monash City Council
PO Box 1,
GLEN WAVERLEY
VIC 3150

Dear Strategic Planning Team,

[REDACTED] – BIG HOUSING BUILD PROJECT RE: AMENDMENT C169 SUBMISSION

1. INTRODUCTION

Mulgrave Living Pty Ltd writes in relation to our site at [REDACTED]

This submission is filed in **opposition** to Amendment C169 to the Monash Planning Scheme which seeks to increase the public open space contribution under Clause 53.01, to 10%.

Whilst we acknowledge the important role the public open space plays, we have several concerns about the amendment and make the following submissions on a without prejudice basis, and reserve our rights to make further submissions during the amendment process.

2. BACKGROUND

The site affords a planning permit [REDACTED] for *the construction of a multi-level residential development of up to four storeys and associated townhouses of up to three storeys and altered access to a Road Zone Category 1.*

More recently, the project has been awarded funding under Victoria's Big Housing Build, with the apartment component, comprising 72 dwellings, to provide for much needed social housing. Approval under Clause 52.20 has been provided, as of 22 June 2022.

Construction is set to commence in September 2022.

3. ECONOMIC IMPACT ON SOCIAL HOUSING

Amendment C169 (the Amendment) seeks to increase the rate of the Public Open Space (POS) Contributions following the subdivision of this land from 5% to 10%. The Amendment does not include any transitional provisions and, if eventually approved, would apply to developments that are undergoing construction or have already received a planning permit for development. In essence, it would significantly impact our social housing development at the subject site.

Whilst we acknowledge the need to deliver appropriate open space provision across the whole of Monash for a growing population, the Amendment does not address the economic impact on the development feasibility of social housing projects that have been invested in on the basis of the current contribution rate. In our case, the imposition of an additional 5% levy on the land value will undermine

the economic viability of the project with no government funding covering the POS contribution. The POS contribution is in addition to the significant fees and levies already required to deliver the project, such as planning application fees, building permit levy, cladding rectification levy, POS contribution and infrastructure upgrade costs, and in addition to the rapidly rising construction costs.

We consider the Amendment proposes an excessive rate, which is more double the current rate of 2-5%, and as a municipal wide 'flat rate', is contrary to most comparable municipalities within Metropolitan Melbourne. The Amendment lacks sufficient justification for such a significant increase and fails to distinguish between different types of subdivision or between suburbs or precincts and their respective POS needs. Applying a 'one size fits all' rate is a fundamentally flawed approach, and one which should not be further considered.

Whilst we consider the Amendment requires significant reconsideration, we would request that at a minimum, the Amendment excludes subdivisions that are associated with a development approved under Clause 52.20 of the Planning Scheme, or that transitional provisions are applied for development approved before the gazettal date of the Amendment.

4. CONCLUSION

The Amendment seeks to impose the obligation on all subdivisions with no distinction between private and social housing developments, or the broader economic ramifications on development with such a significant increase.

Should you have any questions, please contact us to discuss.

Kind regards,

[Redacted Signature]

[Redacted Name]
Development Manager

[Redacted Contact Info]

[Redacted Contact Info]

Aultun Group
1297A Nepean Hwy
Cheltenham VIC3192

in f @

aultungroup.com.au

[Redacted]

[Redacted]

24 June 2022

The Executive Officers in regard to Amendment C169
Monash City Council
PO Box 1
Glen Waverley 3150

MONASH CITY COUNCIL	
File / Folder:	
YES / NO	27 JUN 2022
Doc #	
Action Officer:	Copy To:

Dear Sir/Madam

Re: Monash Planning Scheme Amendment C169

The [Redacted] support the recent letter sent to you by [Redacted] regarding a response to Amendment C169 to the Monash Planning Scheme.

[Redacted] re-iterate the text within that letter as follows:

We believe current open space needs to be protected and we believe that opportunities for more open space and improved quality of open space is required to meet the growing demands created by (a) population increase and urban density; (b) the need to protect environmental values and, (c) to reflect changing recreation and demographic needs.

Hence, we support the increase of the open space contributions levy rate to 10% by amending the schedule to Clause 53.01 (Public Open Space Contributions and Subdivision) and the required changes to the Municipal Strategic Statement (MSS).

However, we feel the draft 21.10 Open Space Policy could be further improved.

We feel that the Open Space Policy in the proposed form is lacking and some of the strategies are unclear in their intent. We believe that it can be strengthened by ensuring the policy aligns with and refers to the vision, goals and directions in Open Space for Everyone – Melbourne’s Open Space Strategy 2021.

In general we would like to suggest the following:

- Reference is made to the importance of open space particularly green space and tree canopy for enhanced climate change resilience;
- More emphasis needs to be made on the importance of open space for healthier biodiversity and waterways;

- More emphasis placed on the provision of quality immersive open space;
- The open space contributions should be available to actions that protect and optimise existing open space and grow the network within Monash;
- Reflect the importance of open space for nature conservation outcomes and protection and enhancement of remnant habitat; climate resilience outcomes; waterway health; and accessible diverse recreational provision across the network recognising play, informal and formal activities; and neighbourhood walkability and connection to green spaces.

In particular we would like to suggest the following regarding the current draft policy:

Overview:

- Should acknowledge that public open space provides community with "important" or "essential" ... benefits

Key issues:

- We believe the first dot point can be strengthened with addition of the following word - more vibrant "connected" communities.
- The second point should refer to open space "network" rather than areas and retain reference to "nature conservation"; and should refer to "recreation" infrastructure requirements. Or does this refer to other infrastructure (i.e. drainage and public utilities)?
- Deleted point about environmental quality of nature open space areas should be retained but updated to reference Conservation Reserves and waterways, and protection and enhancement through management and maintenance (i.e. healthier biodiversity).
- As above – climate change is a key issue.

Objectives:

- The deleted objective about provision of safe and accessible open space within walking distance of residents should be retained. Must align with the concept of the 20 min neighbourhood.
- Third dot point should also refer to ... demands "and inappropriate development"

Strategies:

- First point is very unclear – what does this mean? Shouldn't it be that the development doesn't impact upon the visitor experience within the adjacent public open space?
- We believe there still should be a point about protection of significant natural areas from adjacent development. Maybe this could align with the point above.
- The points 5 & 6 about high residential density development and employment areas – may need strengthening – not only do these sites need to cater for the intended population and workers in these areas but they also need to strategically consider the incremental impact of development and increased population upon the existing open space network and residents.
- The second last point should say "must" have regard to protection...
- The last point should say "managed" and maintained to protect

Reference documents:

- "Open Space for Everyone".
- "Urban Forest Strategy – Resilient Melbourne".
- Is there also a suitable reference to a Melbourne Water healthy waterway strategy given that most of the natural open space is in the blue-green corridors in Monash?

Sincerely

[REDACTED]

[REDACTED]

Committee member on behalf of

[REDACTED]

[REDACTED]

From: [REDACTED]
To: mail@monash.vic.gov.au
Cc: [REDACTED]
Subject: Amendment C169 Open Space Contributions by Subdivision
Date: Wednesday, 29 June 2022 4:37:46 PM
Attachments: [Housing Industry Association - C169mona open space - June 2022 - FINAL.pdf](#)

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Dear Strategic Planning,
Please find attached a submission from the HIA on the above amendment. Our contact details are contained within for future updates from Council.

Regards,

[REDACTED]
Senior Planning Advisor



Housing Industry Association Ltd
Level 4 Building 8
584 Swan Street
Bunlely VIC 3121

[REDACTED]
hia.com.au



Building 8, Level 4
584 Swan Street
Burnley VIC 3121
GPO Box 1614
Melbourne VIC 3001
Tel: (03) 9280 8200
Fax: (03) 9654 8168

29 June 2022

City of Monash
Civic Centre 293 Springvale Road
Glen Waverley VIC 3150
By email

Re: Amendment C169mona Open Space Contributions via Subdivision

HIA has reviewed the exhibited documents for amendment C169mona, which seeks to increase the public open space contribution via subdivision through the schedule to Clause 53.01 of the Monash Planning scheme to a municipal wide 10 per cent. We understand amendment C169mona is a re-exhibition of the Monash open space contributions amendment C148mona, in response to an interim Panel Report. HIA has noted the following detail in amendment C169mona:

- Deliver a municipal wide open space network with local parks within 400 metres of 95 per cent of dwellings (increasing from 85 per cent) and active open space within 1km of 95 per cent of dwellings.
- Targeted subdivision collections to 2036 are \$606 million, with average annual collections calculated at \$40.4 million. In 2020/21, Council collected \$11.1 million under its current sliding scale of 2-5 per cent for subdivisions of three or more lots.
- *“A figure greater than 10% may be sought by Council on a case-by-case basis for large rezone and redevelopment proposals that seek high residential densities.”* (Monash Open Space Strategy, November 2021 p. 32)

1. HIA objects to amendment C169mona for the reasons outlined in this submission.

Not proven under the ‘need’ and ‘nexus’ principles

2. HIA believes the setting of public open space rates through Clause 53.01 of the planning scheme should be tested against the ‘need’ and ‘nexus’ principles for public open space contributions at section 18(1A) of the Subdivision Act 1988.
3. Pursuant to s. 18(1A) *“the Council may only make a public open space requirement if it considers that, as a result of the subdivision, there will be a need for more open space, having regard to:*
 - a) *the existing and proposed use or development of the land;*
 - b) *any likelihood that existing open space will be more intensively used after than before the subdivision;*
 - c) *any existing or likely population density in the area of the subdivision and the effect of the subdivision on this;*

- d) *whether there are existing places of public resort or recreation in the neighbourhood of the subdivision, and the adequacy of these;*
 - e) *how much of the land in the subdivision is likely to be used for places of resort and recreation for lot owners;*
 - f) *any policies of the Council concerning the provision of places of public resort and recreation.”*
4. For example, HIA considers the demand and supply of public open space in ‘Clayton’ compared to ‘Ashwood’ is not equal yet subdivision of land into three or more lots in both areas requires a 10 per cent contribution in cash or land or combined. This does not account for accessibility and serviceability of existing local supply, volume of new demand or ratio of densification to demand.
 5. According to the August 2021 report *Development Contributions: How should we pay for new local infrastructure* by the National Housing Finance and Investment Corporation (NHFC), development contributions are increasingly being used for social infrastructure with no clear nexus to development, as opposed to local essential infrastructure.
 6. The NHFC report states *“If the scope of developer charges doesn’t have a clear nexus to the new housing development or costs aren’t apportioned appropriately between the beneficiaries of the local infrastructure, developer contributions ultimately can act like a tax and discourage development.”*

Erosion of housing affordability from development contribution escalation

7. Indicative case studies sourced by NHFC show that developer contributions can ultimately amount to between \$37,000 and \$77,000 per dwelling in Victoria, which is a substantial cost levied on a new home. Increasing the open space provision from a sliding scale of 2-5 per cent commensurate with incremental subdivision to a municipal wide 10 per cent for all subdivisions of 3 or more lots, is contributing to the cumulative impact of such charges that erode housing affordability.
8. *“Funding a much wider array of social infrastructure through developer contributions deliver broader community benefits but confer fewer clear, direct and immediate private benefits to new home buyers. This means developer contributions increasingly act like a tax on new housing, which can impede new housing supply and reduce housing affordability for buyers and renters”* (NHFC).
9. We also note Council’s intention for: *“A figure greater than 10 per cent may be sought by Council on a case-by-case basis for large rezone and redevelopment proposals that seek high residential densities.”* This discretionary power would set an undesirable precedent for uncapped public open space contributions in Monash. HIA notes such an outcome is not supported by Planning Panels Victoria in its interim Panel Report for C148mona.

Undermining urban consolidation policies

10. The proposed amendment raises implications for achieving urban consolidation and reducing the housing affordability problem in metropolitan Melbourne. HIA is concerned that excessive open space contribution rates increase land development costs and create a

cost disadvantage for urban infill redevelopment. This is inconsistent with Planning Policy Framework for urban consolidation and the provision of housing that is affordable.

11. *The post-pandemic commute study, November 2021* by Infrastructure Victoria says the legacy of working from home and flexibility to do so in future could have a big effect on the locational choices of people and businesses.
12. This may “reinforce already strong population growth in the outer suburbs, new growth areas, and peri-urban rural areas around Melbourne”, which goes against ‘Plan Melbourne’ the report says. It recommends a “re-doubling of efforts” to facilitate development in established suburbs.
13. Implementation of proposed amendment C169mona as a \$606 million development contributions scheme, is contributing to the cumulative impact of rising housing costs in Monash, and is therefore considered to be an aggressive counter measure to encouraging strategically supported urban consolidation.

Not consistent with Section 18 of the Subdivision Act 1988

14. HIA objects to setting a public open space contribution rate above the maximum 5 per cent pursuant to sections 18(1)(a)-(c) of the Subdivision Act 1988 (noting there is no maximum set under the Planning and Environment Act, 1987). We note the current sliding scale of 2-5 per cent (shown in the *track change* excerpt below) is commensurate with incremental subdivision and a more equitable model consistent with the Subdivision Act. The below *track change* highlights the quantum of change sought for open space contributions by subdivision under amendment C169mona, with a target of \$606 million to 2036.

1.0

Subdivision and public open space contribution

10/09/2021 - [redacted]
C169mona Proposed C169mona

Type or location of subdivision		Amount of contribution for public open space
Dwellings:	3 lots	2%
	4 lots	3%
	5 lots	4%
	6 or more lots	5%
Land shown as GDZ2 on the planning scheme maps (PMP Printing Precinct Comprehensive Development Plan, June 2024) All land		10%
Other		5%

Legacy contribution land makes to capital works spending

15. Open space contributions greater than 5 per cent are considered to be an unjust financial imposition on applicants in light of the legacy contribution that land makes to capital works spending via historical rate collections.
16. Land has been taxed by councils for decades with a significant proportion (typically one third) of this revenue being dedicated to capital works spending. Therefore increasing the open space contribution from a sliding scale of 2-5 per cent commensurate with

incremental subdivision, to a municipal wide 10 per cent for all subdivisions of 3 or more lots, is creating an excessive charge for open space in addition to traditional rate collections.

17. We note Council's comment: *"For example, if a 5 per cent contribution rate were to be applied, Council would need to fund the 50 per cent shortfall in open space costs in order to deliver open space services at the desired standard."*

Borrowing is another way to secure open space funding

18. The NHIFC report indicates *"aversion to debt"* by councils is one of a few factors putting more pressure on the development contribution system to raise revenue. On 6 September 2021, the Victorian Government via Acting Minister for Local Government Mary-Anne Thomas announced the new *Local Council Lending Framework*, giving councils access to lower interest rates financed through the Treasury Corporation of Victoria (TCV).
19. Under the lending framework councils will be able to access borrowings from TCV for general working capital requirements, in addition to project-specific infrastructure investment purposes. *"Being able to borrow directly from the TCV will help councils to fund general working capital needs as well as project-specific infrastructure."*
20. Borrowing is another platform council can use to generate funding above the current maximum 5 per cent public open space contribution rate to purchase land for future provision of open space.

The Clause 53.01 methodology is no longer fit for purpose

21. In the opinion of a group of submitters and Planning Panels Victoria in amendment C286yara for open space contributions in the City of Yarra, those that subdivide are unfairly burdened with the responsibility to fund new open space projects.
22. In amendment C286yara the Panel stated: *"Subdivision is a useful but imperfect indicator of likely future populations; imperfect because not all larger developments will be subdivided." "It considers that given the nature of much commercial development, particularly in inner areas, the Clause 53.01 methodology used is no longer fit for purpose."*
23. In respect of the \$606 million open space contributions sought under amendment C169mona, subdivision transactions should not be relied on to fairly apportion new demand for open space.

Transitional provision

24. In the event there is to be any increase to the public open space contribution rate in the schedule to Clause 53.01 of the Monash Planning Scheme, a transitional provision should be applied. This is to protect existing permit applications, including those that provide an open space contribution of up to 5 per cent in land that have already been lodged and negotiated in good faith.

Public open space contribution register

25. Pursuant to section 18(5) of the Subdivision Act 1988, a public open space contribution on the land to be subdivided can only be made once. In many cases an open space contribution in land or cash has previously been made under a registered plan of subdivision, yet this record may not be easily identifiable.
26. Council should be required to make public a register of open space provision in cash or land dating back to 30 October 1989 (when the Subdivision Act 1988 commenced), so that previous contributions are definitive. At the time of writing this submission, the City of Melbourne maintains a register of open space contributions dating back to 1993 published on its web site.

HIA will watch with interest the progress of this amendment. Please do not hesitate to contact [REDACTED] [REDACTED] – Senior Planning Adviser on [REDACTED] should you require anything further.

Yours sincerely

HOUSING INDUSTRY ASSOCIATION LIMITED

[REDACTED]

[REDACTED]

Executive Director – Victoria

[REDACTED]

From: [REDACTED]
Sent: Monday, 27 June 2022 4:07 PM
To: Strategic Planning
Cc: [REDACTED]
Subject: Draft re Objection to C169 (Increase in public space requirement for subdivisions)

CAUTION: This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear [REDACTED]

I am a [REDACTED] The Trust is the registered owner of [REDACTED] and also [REDACTED]

In regards [REDACTED] we object to proposed Planning Scheme Amendment (insert Amendment C169 to the Monash Planning Scheme) based on the following concerns:

1. The lack of strategic justification for the proposed increase.
2. The excessive size of the proposed increase.
3. The inequities associated with applying a blanket rate across the whole municipality.

We request that the Council acknowledges receipt of this submission and trust that our concerns will be properly considered.

We would also like to be kept informed of the Council's consideration of our submission.

Best Regards

[REDACTED]

From: noreply_shape@monash.vic.gov.au
Sent: Tuesday, 28 June 2022 12:03 PM
To: Strategic Planning
Subject: Form Submission

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Form Submission

There has been a submission of the form through your Shape Monash website.

First Name

[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb

[REDACTED]

Postcode

[REDACTED]

Telephone number

[REDACTED]

Submission comments

I am a designer had multi jobs in monash area, I believe the open space contribution is necessary to help the council balance their budget, but increase to 10% would have high impacts. Developers should pass all the cost to the buyer and affect affordability. Also would impact highly on the 3-4 units development and possibly rule out most of them. I already heard some feedbacks from developer to stay away from monash due to this proposal. I strongly against this and hope council would re consider.

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From: noreply_shape@monash.vic.gov.au
Sent: Wednesday, 29 June 2022 10:20 AM
To: Strategic Planning
Subject: Form Submission

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Form Submission

There has been a submission of the form through your Shape Monash website.

First Name

[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb

[REDACTED]

Postcode

[REDACTED]

Telephone number

[REDACTED]

Submission comments

Please see attached written submission

Upload submission or a supporting document

- [Submission to C169mona.pdf](#)

To view all of this form's submissions, visit

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LEVEL 10
477 COLLINS STREET
MELBOURNE VIC 3000

URBIS.COM.AU
 Urbis Pty Ltd
 ABN 50 105 256 228

16 June 2022

Amendment C169mona
 Monash City Council
 PO Box 1
 Glen Waverley VIC 3150
 Via email: mail@monash.vic.gov.au

Dear Sir / Madam,

SUBMISSION TO PROPOSED AMENDMENT C169 - PUBLIC OPEN SPACE CONTRIBUTION

On behalf of our client, [REDACTED] Urbis has reviewed the exhibited Amendment C169mona in relation to our clients' landholding at [REDACTED]

The Amendment seeks to:

- amend the Schedule to Clause 53.01 to require that all subdivision provides a public open space contribution at a rate of 10%;
- introduce a new Local Planning Policy – Clause 22.15: Public Open Space Contributions Policy; and
- replace Clause 21.10 in the Municipal Strategic Statement with a new Clause 21.10.

We note that this Amendment effectively continues from Amendment C148mona, which following an interim Panel Report, lapsed in June 2021. The interim Panel Report recommended that Council do further work to justify the proposed Amendment. Council have carried out this further work and an updated version of the Monash Open Space Strategy (Nov 21) and Implementation Plan and Public Open Space Contribution Rate (Oct 21) have been prepared to support the new Amendment.

This submission outlines our client's concerns to Amendment C169 in its current form having regard to the following:

Strategic Justification of the Amendment

- Our client principal objection is to the quantum sought for public open space provision from between 2% and 5% to 10% across the whole municipality. This is an 100% increase (or more) which is considered excessive and would result in inequitable outcomes for all future subdivision parties. The costs will likely be passed onto future home buyers, therefore increasing housing affordability concerns within the municipality.
- We note that both the City of Darebin and City of Yarra are also seeking a 10% contribution for Public Open Space provision. However, Yarra has had an interim panel report supporting only

Submission to C169mona



7.5% contribution rate until more work is done to potentially support a rate higher than this. When Stonnington sought to increase the Public Open Space Contribution figure (approved in 2015), it had one of the lowest rates in Metropolitan Melbourne of public open space provision per capita at 20 sqm. Despite this, the maximum % required was changed to 8% (depending on which suburb the subdivision was located).

Specific Characteristics of our Client's Site

- Our client's landholding is a large urban renewal site that is already burdened with significant upfront costs associated with the remediation and ground improvement of the land, having regard to its former use as a quarry and landfill. The blanket 10% figure does not enable other costs associated with development to be considered as to what a reasonable public open space contribution should be. It is our view that strategic sites should be approached differently and require that the % amount be negotiated with Council to achieve an appropriate outcome for all. We do not consider seeking more than 10% on Strategic Development Sites is strategically justified.

Proposed new Local Policy Clause 22.15

- There is a disconnect from the classifications of open space provided in the Open Space Strategy and the limited criteria provided in Clause 22.15 for land that would be accepted as a Public Open Space Contribution under Clause 53.01. The Open Space Strategy defines Open Space to include Parks (no minimum size provided) and Off-road recreational trails. Whereas the proposed local policy seeks to ensure Public open space land contributions meet the following minimum standards:
 - *“Between 0.5 hectares and 1.0 hectares for a local level park, unless it adjoins an existing park.*
 - *1.0 hectares or greater for a district level park.*
 - *A minimum length and width of 70m.”*
- The Public Open Space Strategy clearly considers Off-road recreational trails as part of the open space provision of the municipality. However, the new Local Policy would discount the contribution of the new off-road shared path proposed through our client's site based on the minimum size requirements listed in the proposed Local Policy. This is despite the shared path being specifically mentioned in the Monash Open Space Strategy. The strategy states *“Any future redevelopment of the [redacted] will need to consider off road pedestrian access through the site to link [redacted].* Whilst our client does not object to the provision of an off-road link through the site, the provision of this land should contribute to the overall open space contribution for the site. Furthermore, Council have indicated it will not to take ownership of any land in the redevelopment of the site and therefore local residents will benefit from this new off-road shared path, without Council paying for it or maintaining it.
- It also seems unjust for Council to discount areas of open space based only on size, rather than quality of the open space and the cumulative benefit of several areas of open space within a development, providing open space that is accessible to residents within 200m of their house. This is particularly the case when considering our client's site which abuts two Council parks, the provision of another large area of public open space is not required. However, future residents and surrounding existing residents can benefit from smaller areas of open space which can provide a village square, play equipment, exercise equipment, BBQ facilities, etc. The proposed total of open space provided as part of the redevelopment of the land is expected to be over 1ha (excluding wetlands), which at approximately 16% of the site is a significant amount not to be counted



towards a public open space contribution. We further note that in the Implementation Plan document, Council has included land acquisition areas for new local parks that are under 0.5ha which is contrary to the proposed local policy criteria for land contributions.

We also note that our concept plan for [REDACTED] seeks to integrate with the surrounding park network with green edges to both [REDACTED] to the north and [REDACTED] to the south. This demonstrates that the proposed open spaces for [REDACTED] will be accessible in the future to existing residents surrounding the site.

- There needs to be additional flexibility in the wording of the proposed Clause 22.15 for land contributions to count towards the public open space contribution. It is considered unjust and unreasonable for large sites that cash contributions will be sought unless there is an identified gap in open space provision in the area and that new public open space meets the minimum space standards.
- On the basis that Council have indicated that they will not take on ownership of any land within the [REDACTED] it is submitted that the [REDACTED] site specifically exempted from the full amount of Public Open Space Contribution required in Clause 53.01. Instead, a quantum of publicly accessible open space provision be required under a Comprehensive Development Plan for the site.
- The proposed new local policy (Clause 22.15) states land contributions shall not be provided on encumbered land but also states that Council may accept encumbered land as additional land that can complement or improve the unencumbered public open space and public open space network. It is our view that the negotiated public open space contribution should also have regard to the availability of encumbered land, as an open space component of the development.

Having regard to the above, we submit that strategic redevelopment sites be exempt from the mandatory requirements of Clause 53.01 and considered on a site-by-site basis. Specifically, in relation to our client's site, the quantum of publicly accessible open space provision should be required under a Comprehensive Development Plan for the site, rather than a full cash contribution required under Clause 53.01. We also seek that encumbered land be included in the public open space contribution figure.

We welcome the opportunity to discuss this further with Council officer and we reserve the right to expand upon our submission.

If you have any questions please don't hesitate to contact me at [REDACTED]

Yours sincerely,

[REDACTED]

[REDACTED]

Daniel Borton

From: [REDACTED]
Sent: Monday, 4 July 2022 1:18 PM
To: Strategic Planning
Subject: Amendment C169

CAUTION: This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I write in support of Amendment C169. The developers take all vegetation from the block before construction and should pay to restore some back.

From: [REDACTED]
Sent: Monday, 4 July 2022 4:25 PM
To: Strategic Planning
Subject: C169 submission

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4 July 2022
Strategic Planning Coordinator
Monash City Council
By email only: strategic.planning@monash.vic.gov.au

Dear Sir/Madam,

Amendment C169 Monash Planning Scheme

I would like to make a submission in response to Amendment C169 to the Monash Planning Scheme ("Planning Scheme"). Amendment C169 proposes to amend the Planning Scheme to prescribe a public open space contribution of 10%.

I object to the changes proposed by Amendment C169 and submits:

1. The increased levy will impact upon the future development of the municipality.
2. The methodology and documentation which underpins the amendment is flawed. It lacks strategic justification.
3. the rate is too high and will impact on the success of the Monash National Employment and Innovation Cluster (NEIC)
4. a blanket open space contribution for all land is an inconsiderate policy/method. i.e. it does not distinguish between different development typologies and concessions associated with the provision of affordable housing.

5. The 10% Rate is much higher than other surrounding municipalities.

6. The outcome of this increase could only be a big damage to the affordability of first home buyers, as the developer will pass on the extra cost for sure.

For these reasons I request Council resolve to abandon its pursuits in respect of this amendment.

Yours faithfully

A large black rectangular redaction box covering the signature and name of the sender.

From: noreply_shape@monash.vic.gov.au
Sent: Tuesday, 5 July 2022 10:08 AM
To: Strategic Planning
Subject: Form Submission

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Form Submission

There has been a submission of the form through your Shape Monash website.

First Name

[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Submission comments

I would like to register my objection to C169.


This is my formal Submission.

The details set out in the COM documents fail to provide adequate details in the

implementation plan. On my first reading it sets out the WHAT COM wants to do, viz., 10% surcharge proposed.

The HOW is unclear and sketchy with little or no DETAILED implementation plans. The WHEN is not stated either. The WHY is on one level stated BUT is flawed because COM wants short term profits to implement its plan without giving details of WHERE the extra public space will be provided. It's open ended and there is wriggle room for COM to take from Sth Oakleigh and give to other areas using money gained from Sth Oakleigh to other sectors of COM like Mt Waverley? It seems akin to stealing from "poor" and giving it to the rich! A reverse Robin Hiis approach. So with more info and intent please register my objection to C169.

Thank you


BE, MEngSc,
FIEAust, CPEng(Ret), Former NER,
Former MIMechE, CEng(London)

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Sent: Tuesday, 5 July 2022 10:47 AM
To: Strategic Planning
Subject: Form Submission

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Form Submission

There has been a submission of the form through your Shape Monash website.

First Name

[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Telephone number

[REDACTED]

Submission comments

I am a local real estate agent and this will just kill the already struggling developers in the area what a crazy scheme for a council to even contemplate doing are the extra rates from these developments and current contributions not enough for you as a greedy council. Your clearly not spending the current money wisely let alone more. This will stop all future developments in Monash

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Sent: Wednesday, 6 July 2022 8:29 AM
To: Strategic Planning
Subject: Form Submission

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Form Submission

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First Name

[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb

[REDACTED]

Postcode

[REDACTED]

Telephone number

[REDACTED]

Submission comments

I'm object this proposal.

The owner of the property of [REDACTED]
[REDACTED]

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From: noreply_shape@monash.vic.gov.au
Sent: Thursday, 7 July 2022 12:36 AM
To: Strategic Planning
Subject: Form Submission

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Form Submission

There has been a submission of the form through your Shape Monash website.

First Name

[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb

**Postcode****Telephone number****Submission comments**

More open space for Oakleigh South please. If you are going to charge an 'Open Space Levy' and we pay. There is no provision.

Solution: Please purchase some of the Talbot Quarry to provide that space.

To view all of this form's submissions, visit

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From: noreply_shape@monash.vic.gov.au
Sent: Thursday, 7 July 2022 7:12 AM
To: Strategic Planning
Subject: Form Submission

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Form Submission

There has been a submission of the form through your Shape Monash website.

First Name

[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb

[REDACTED]

Postcode

[REDACTED]

Telephone number

[REDACTED]

Submission comments

I believe that Council would better manage open space in the area by ensuring that some or all of the undeveloped Talbot quarry site is developed into public open space.

To view all of this form's submissions, visit

https://shape.monash.vic.gov.au/index.php/dashboard/reports/forms_new/data/292

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[REDACTED]

From: [REDACTED]
Sent: Saturday, 9 July 2022 9:18 PM
To: Strategic Planning
Subject: Object response to Amendment C169 to the Monash Planning Scheme

CAUTION: This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

Amendment C169 Monash Planning Scheme

I would like to make a submission in response to Amendment C169 to the Monash Planning Scheme ("Planning Scheme"). Amendment C169 proposes to amend the Planning Scheme to prescribe a public open space contribution of 10%.

I object to the changes proposed by Amendment C169 and submits:

First of all, the 10% Rate is much higher than other surrounding municipalities and will likely to influence the success of the Monash National Employment and Innovation Cluster (NEIC), and the bad influence could lead to the future development of the municipality. The result of this increase can cause huge damage to the affordability of first home buyers, and the developer will continue to pass on the extra cost.

Secondly, the amendment's methodology and documentation is incomplete, a blanket open space contribution for all land is an inconsiderate policy/method. i.e. it does not distinguish between different development typologies and concessions associated with the provision of affordable housing. Therefore it lacks strategic justification.

For these reasons I request Council resolve to abandon its pursuits in respect of this amendment.

Yours faithfully

[REDACTED]
Home owner

From: noreply_shape@monash.vic.gov.au
Sent: Sunday, 10 July 2022 3:04 PM
To: Strategic Planning
Subject: Form Submission

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Form Submission

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First Name

[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb


Postcode**Submission comments**

If the council of Monash truly cares about adequate open space for the residents of our area, why won't you exercise your power through the S173 Agreement currently binding the Talbot Quarry to purchase all or part of the site for open space? I am objecting to this amendment on the basis that the former Talbot Quarry should be part of the plan to convert it to open space.

To view all of this form's submissions, visit

https://shape.monash.vic.gov.au/index.php/dashboard/reports/forms_new/data/292

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[REDACTED]

From: [REDACTED]
Sent: Sunday, 10 July 2022 6:21 PM
To: Strategic Planning; Mail @ Monash
Subject: Proposed Monash Planning Scheme Amendment C169
Attachments: [REDACTED] letter to Council regarding Amendment C169 dated 10 July 2022.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Sir/Madam,

Please find attached our submission regarding the above proposed Amendment.

Please address all future correspondence to this email address.

Should you have any queries, please do not hesitate to contact [REDACTED]

Kind regards,

[REDACTED]

Phone: [REDACTED]

Mobile: [REDACTED]

Email: [REDACTED]



Phone: 

Mobile: 

Email: 

10th July, 2022

The Manager,
Strategic Planning,
MONASH CITY COUNCIL

Via email: Strategic.planning@monash.vic.gov.au

Dear Sir/Madam,

PROPOSED MONASH PLANNING SCHEME AMENDMENT C169

We advise that we act on behalf of Angelo and Silvana Valente, who are part owners of the property at 23 Scotsburn Avenue Oakleigh South and Angelo Valente, as the owner of 29 Scotsburn Avenue Oakleigh South.

We are of the view that the documentation lodged with the Minister for Planning by Monash City Council in support of this amendment does not contain enough information and justification for the increase in the open area contribution fee as proposed.

There is nothing in the proposed documentation to be inserted into the Monash Planning Scheme via Amendment C169 that will give effect to any mandatory requirement for Council to purchase additional open space from the funds raised by this proposed increase in open area contribution fee on those suburbs of the municipality with the greatest need for additional public open space.

From our observations, since Monash City Council was formed from the former City of Waverley and part of the former City of Oakleigh, there has been a net decrease in the amount of open space areas in the former City of Oakleigh suburbs of the municipality, as compared to the former City of Waverley suburbs. The documentation lodged by the Monash City Council confirms that the suburbs with the greatest need for additional open space are mostly the suburbs in the former City of Oakleigh, but there is no corresponding document in this proposed Amendment that requires Monash City Council to invest this proposed increase in the open area contribution fee in these former City of Oakleigh suburbs.

We are of the view that the only justification for the increase in the open area contribution fee is that it is required in order to purchase additional public open areas in the former City of Oakleigh suburbs that are now part of Monash City Council. There is no need in our view to increase the rate to purchase additional open space in the former City of Waverley suburbs.

Accordingly unless the documentation lodged with this proposed Amendment C169 reflects this, we do not support the increase in the open area contribution rate.

We reserve the right to expand or add to this submission at the hearing of this matter before the Members of the Planning Panel in due course.

Should you have any queries, please do not hesitate to contact [REDACTED] of our office on [REDACTED]. Please address all correspondence to [REDACTED]

Yours faithfully,

[REDACTED]

per:

[REDACTED]

Civil Engineer
Draftsperson Architectural Building Design
Domestic Builder Unlimited

PE 0003403
DP-AD 1252
DB-U 16130

[REDACTED]

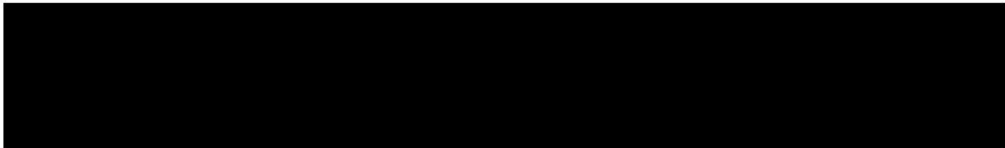
Daniel Borton

From: [Redacted]
Sent: Tuesday, 12 July 2022 8:03 AM
To: Strategic Planning
Subject: Submission to Amendment C169mona
Attachments: [Redacted] submission July 2022.pdf; [Redacted] submission July 2022.pdf; [Redacted] submission July 2022.pdf; [Redacted] submission July 2022.pdf

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Dear Dr. Andi Diamond

Please find attached four submissions to amendment C169mona on behalf of The Trust Company (Australia) Limited relating to the following properties:



Kind Regards

[Redacted Signature]

Long WALE Retail Asset Manager



[Redacted] charterhall.com.au

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---	--	---

We acknowledge and listen to the Traditional Owners of Country and pay our respects to all Elders as we walk and reflect together, towards reconciliation and a better future.

11 July 2022

Dr. Andi Diamond
Chief Executive Officer
City of Monash

By email: strategicplanning@monash.vic.gov.au

Dear Andi,

Submission to Amendment C169mona

[REDACTED]

This joint submission is made by The Trust Company (Australia) Ltd, being the registered proprietor of the land a [REDACTED] ("Subject Site"), as well as [REDACTED] being an interested party in the Subject Site and the Amendment C169mona ("Amendment").

Amendment proposes to increase the applicable Planning Scheme rate for public open space contributions to 10% from current 2% for three lots, 3% for four lots, 4% for five lots, 5% for 6 or more lots, 10% for land shown as CDZ2 on the Monash Planning Scheme Maps, and from 5% for other subdivisions. Updates to the Planning Policy Framework are also proposed.

We have sought advice in relation to the Amendment, and we object to the Amendment on the following grounds:

- The proposed 10.0% rate is excessive.
- There is a lack of strategic justification for the proposed increase.
- There are no provisions to offset the contributable amount where particular circumstances justify an offset.

We trust these grounds for objection will be properly considered, and our intention is to ventilate the issues at the forthcoming Panel Hearing.

We would also like to be kept informed of Council's consideration of the submissions.

Yours sincerely,

[REDACTED]

Asset Manager

Signed on behalf of The Trust Company (Australia) Ltd
per Letter of Delegated Authority dated 13 January 2022

11 July 2022

Dr. Andi Diamond
Chief Executive Officer
City of Monash

By email: strategicplanning@monash.vic.gov.au

Dear Andi,

Submission to Amendment C169mona

[REDACTED]

This joint submission is made by The Trust Company (Australia) Ltd, being the registered proprietor of the land at [REDACTED] ("Subject Site"), as well as [REDACTED] being an interested party in the Subject Site and the Amendment C169mona ("Amendment").

Amendment proposes to increase the applicable Planning Scheme rate for public open space contributions to 10% from current 2% for three lots, 3% for four lots, 4% for five lots, 5% for 6 or more lots, 10% for land shown as CDZ2 on the Monash Planning Scheme Maps, and from 5% for other subdivisions. Updates to the Planning Policy Framework are also proposed.

We have sought advice in relation to the Amendment, and we object to the Amendment on the following grounds:

- The proposed 10.0% rate is excessive.
- There is a lack of strategic justification for the proposed increase.
- There are no provisions to offset the contributable amount where particular circumstances justify an offset.

We trust these grounds for objection will be properly considered, and our intention is to ventilate the issues at the forthcoming Panel Hearing.

We would also like to be kept informed of Council's consideration of the submissions.

Yours sincerely

[REDACTED]

Asset Manager

Signed on behalf of The Trust Company (Australia) Ltd
per Letter of Delegated Authority dated 31 January 2022

11 July 2022

Dr. Andi Diamond
Chief Executive Officer
City of Monash

By email: strategicplanning@monash.vic.gov.au

Dear Andi,

Submission to Amendment C169mona

[REDACTED]

This joint submission is made by The Trust Company (Australia) Ltd, being the registered proprietor of the land at [REDACTED] ("Subject Site"), as well as [REDACTED] being an interested party in the Subject Site and the Amendment C169mona ("Amendment").

Amendment proposes to increase the applicable Planning Scheme rate for public open space contributions to 10% from current 2% for three lots, 3% for four lots, 4% for five lots, 5% for 6 or more lots, 10% for land shown as CDZ2 on the Monash Planning Scheme Maps, and from 5% for other subdivisions. Updates to the Planning Policy Framework are also proposed.

We have sought advice in relation to the Amendment, and we object to the Amendment on the following grounds:

- The proposed 10.0% rate is excessive.
- There is a lack of strategic justification for the proposed increase.
- There are no provisions to offset the contributable amount where particular circumstances justify an offset.

We trust these grounds for objection will be properly considered, and our intention is to ventilate the issues at the forthcoming Panel Hearing.

We would also like to be kept informed of Council's consideration of the submissions.

Yours sincerely,

[REDACTED]
Asset Manager

Signed on behalf of The Trust Company (Australia) Ltd
per Letter of Delegated Authority dated 31 January 2022

11 July 2022

Dr. Andi Diamond
Chief Executive Officer
City of Monash

Bieson Pty Ltd
ACN 110 465 168
Level 20, No.1 Martin Place
Sydney NSW 2000
GPO Box 2704 Sydney NSW 2001
T +61 2 8651 9000
F +61 2 9221 4655
www.charterhall.com.au

By email: strategicplanning@monash.vic.gov.au

Dear Andi,

Submission to Amendment C169mona

[REDACTED]

This joint submission is made by The Trust Company (Australia) Ltd, being the registered proprietor of the land at [REDACTED] ("Subject Site"), as well as [REDACTED] being an interested party in the Subject Site and the Amendment C169mona ("Amendment").

Amendment proposes to increase the applicable Planning Scheme rate for public open space contributions to 10% from current 2% for three lots, 3% for four lots, 4% for five lots, 5% for 6 or more lots, 10% for land shown as CDZ2 on the Monash Planning Scheme Maps, and from 5% for other subdivisions. Updates to the Planning Policy Framework are also proposed.

We have sought advice in relation to the Amendment, and we object to the Amendment on the following grounds:

- The proposed 10.0% rate is excessive.
- There is a lack of strategic justification for the proposed increase.
- There are no provisions to offset the contributable amount where particular circumstances justify an offset.

We trust these grounds for objection will be properly considered, and our intention is to ventilate the issues at the forthcoming Panel Hearing.

We would also like to be kept informed of Council's consideration of the submissions.

Yours sincerely,

[REDACTED]

[REDACTED]
Asset Manager
Signed on behalf of The Trust Company (Australia) Ltd
per Letter of Delegated Authority dated 13 January 2022

From: [REDACTED]
To: [Strategic Planning](#)
Subject: Monash Planning Scheme Amendment C169mona
Date: Tuesday, 12 July 2022 11:57:44 AM
Attachments: [20220712115810564.pdf](#)

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letter attached.

Regards,

[REDACTED]
National Property Manager - [REDACTED]



[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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11 July 2022

Dr. Andi Diamond
Chief Executive Officer
City of Monash

By email: strategicplanning@monash.vic.gov.au

Dear Andi,

Submission to Amendment C169mona

This joint submission is made by [REDACTED] being the registered proprietor of the land at [REDACTED] ("Subject Site"), as well as [REDACTED] being an interested party in the Subject Site and the Amendment C169mona ("Amendment").

Amendment proposes to increase the applicable Planning Scheme rate for public open space contributions to 10% from current 2% for three lots, 3% for four lots, 4% for five lots, 5% for 6 or more lots, 10% for land shown as CDZ2 on the Monash Planning Scheme Maps, and from 5% for other subdivisions. Updates to the Planning Policy Framework are also proposed.

We have sought advice in relation to the Amendment, and we object to the Amendment on the following grounds:

- The proposed 10.0% rate is excessive.
- There is a lack of strategic justification for the proposed increase.
- There are no provisions to offset the contributable amount where particular circumstances justify an offset.

We trust these grounds for objection will be properly considered, and our intention is to ventilate the issues at the forthcoming Panel Hearing.

We would also like to be kept informed of Council's consideration of the submissions.

Yours sincerely,

[REDACTED]

[REDACTED]

Daniel Borton

From: [REDACTED]
Sent: Tuesday, 12 July 2022 12:13 PM
To: Strategic Planning
Cc: [REDACTED]
Subject: AMENDMENT C169 TO THE MONASH PLANNING SCHEME - SUBMISSION
Attachments: Submission on Behalf of Salta Properties (West) PL.pdf

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Dear Sir/Madam,

We act for [REDACTED] in relation to its various landholdings within the City of Monash.

Please see **attached** correspondence containing [REDACTED] submission in respect of Amendment C169 to the Monash Planning Scheme.

Should you have any queries in respect of this correspondence, please contact the undersigned.

Yours faithfully

[REDACTED]

PLANNING & PROPERTY | **PARTNERS**
LAWYERS & CONSULTANTS

Planning & Property Partners Pty Ltd
13/1 Collins Street
Melbourne VIC 3000

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12 July 2022

Strategic Planning Coordinator
Monash City Council
PO Box 1
GLEN WAVERLEY 3150

By way of email: strategic.planning@monash.vic.gov.au

Dear Sir/Madam

**AMENDMENT C169 TO THE MONASH PLANNING SCHEME
SUBMISSION ON BEHALF OF [REDACTED]**

We act for [REDACTED] in relation to its various landholdings within the City of Monash.

[REDACTED]
[REDACTED] and nearby land located within Precinct [REDACTED].

Our client makes the following submission opposing Amendment C169 (**Amendment**) to the *Monash Planning Scheme* (**Scheme**).

Our client opposed the proposes amendments to Clauses 21.10 (Open Space) and 22.15 (Public Open Space Contributions Policy), as well as to the Schedule to Clause 53.01 (Public Open Space Contribution and Subdivision).

The Amendment proposes to require that all subdivisions within the municipality provide a Public Open Space Contribution (**POSC**) at a rate of 10%. The proposed POSC rate is excessive and inappropriate in its application. A blanket POSC rate for all land types in the municipality is manifestly inequitable and unfair. The proposed POSC rate of 10% represents an increase of between 100% and 500% for subdivisions in the municipality.

Our client notes that Amendment C148 previously sought a similar increase to the POSC under the Scheme and was not supported by a Planning Panel, including on the basis that there was insufficient justification for the blanket increase to the POSC rate. The current Amendment remains flawed in this regard.

The proposed Amendment would impose an unreasonable and unjustified cost to our client, hindering development in the municipality across residential, commercial and industrial land. Further, it is highly unusual for a POSC rate to apply across differing land-types without any acknowledgement of the differing demands created in respect of Municipal public open space.

For the foregoing reasons, the proposed Amendment should be abandoned.

Should you require any further clarification in respect of the matters set out in this submission please contact the undersigned on [REDACTED] (email – [REDACTED]) or [REDACTED] on [REDACTED] (email – [REDACTED]).

Yours faithfully

[REDACTED]

[REDACTED]

Planning & Property Partners Pty Ltd



Daniel Borton

From: [REDACTED]
Sent: Tuesday, 12 July 2022 1:04 PM
To: Strategic Planning
Cc: Ray Wright
Subject: Amendment C169

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I write in support of Amendment C169.

Hi,

I wish to support the proposed amendment C169 which Cr Josh Fergeus has been pushing for a number of years. Having lived in Mt Waverley for over 40 years, I am becoming increasingly concerned about the way redevelopments are changing the character of the area. Many of the new buildings are double storey with minimal garden area and consequent lack of significant bushes/trees, making for an increasingly harsh streetscape. In some areas, where a large number two storey buildings have proliferated on both sides of the street, the street has become like a canyon. In my area, overlooking the Scotchman's Creek basin, the view has been gradually changing from looking out over trees with the occasional building, to many more buildings with fewer trees. This also becomes apparent when walking around the area.

While it will not greatly affect me, it is imperative that something be done to address this trend and increase the amount of green spaces, so future residents of Monash can enjoy the same character we older residents have enjoyed. As it is the developers who are creating this situation by high density construction with limited recreation space, it is they who should be levied to help make up for the loss of green spaces and foliage.

Regards

[REDACTED]
Sent from [Mail](#) for Windows

From: noreply_shape@monash.vic.gov.au
Sent: Tuesday, 12 July 2022 1:50 PM
To: Strategic Planning
Subject: Form Submission

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[REDACTED]

Last Name

[REDACTED]

Preferred contact method

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Email address


[REDACTED]

Postal address

[REDACTED]

Suburb


Postcode
**Submission comments**

Council is yet again trying to obtain an amendment to the planning scheme which will allow it to charge 10% open area fee (based on the value of land) on every subdivision lodged with Monash Council. It states that it needs this money to purchase more open space. This is an argument that our group,  Oakleigh South could potentially agree with in principal, as we have maintained from the start the extraordinary opportunity presented by the former Talbot Quarry for a safe, economical and viable outcome of open space for residents of COM.

However, we view this as ruse being attempted by COM which will potentially result in significant costly litigation in the future and the fleecing of an opportunity from the community of Oakleigh South which has suffered long enough from this disgraceful former sand mine and unregulated rubbish tip containing asbestos train carriages and unknown contaminates unsafe for residential development, but logically suited for public open space (i.e. Karkarook Park).

Council has produced an implementation plan that says it will purchase land in certain areas which do not have open space within 400 metres, but there is no explanation of the WHEN & HOW it will put together blocks of land in order to make a park.

Page 42 of the implementation plan states that Oakleigh South needs more open space because:-

"Oakleigh South is a small suburb in the south west corner of Monash likely to experience the highest percentage level of growth, albeit off a small base. There are a number of infill redevelopment sites within the suburb likely to be developed with townhouses and some apartments, the largest being the former Talbot

Quarry."

The implementation plans does not state that the former Talbot quarry is to be purchased as open space, but rather it states that it will be developed with townhouses and apartments. We are again objecting to this amendment on the basis that the former Talbot quarry should be part of the plan to convert it to open space and that the implementation plan is not an actual "implementation plan" but a wish list with no substance.

COM appears to have a clear bias towards developing the Talbot Quarry, despite its HUGE environmental and geotechnical risks. (This risks a known casualty to the community resulting in environmental and future legal penalties to COM which would be passed on to rate payers). COM will have nowhere to hide in future litigation as it has been fully documented that this site is severely contaminated and not fit for human habitation, but well suited for parkland.

All property owners in COM should be up in arms about the cavalier approach COM seems determined to take given the severe environmental risks, and COM councillors and decision makers might be wise to think of the potential risks to their professional futures by their association with this site and the decisions they have made in association to it. Not a single person at this point can honestly say that they have not been warned of the geotechnical and environmental risks associated with this site.

With this amendment COM appears to be actively engaged in a conflict of interest while at the same time misleading its constituents in a known environmental and geotechnical game of Russian roulette.

If COM truly cares about adequate open space for the residents of our area, why won't it exercise its power through the S173 Agreement currently binding the Talbot Quarry to purchase all or part of the site for open space?

COM appears to be using this opportunity to sell out the residents of Oakleigh

South for profit, while planning to use the proceeds to purchase open space in other suburbs.

I categorically object to Amendment 169.

Cheers



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[REDACTED]

From: [REDACTED]
Sent: Tuesday, 12 July 2022 2:02 PM
To: Strategic Planning
Cc: [REDACTED]
Subject: Submission _C169 Amendment
Attachments: [REDACTED] _ C169 Amendment (12.07.22).pdf

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Dear Strategic Planning Coordinator,

Please find attached a submission on behalf of the [REDACTED] in regards to the C169 Amendment.

Thank you for this opportunity to provide feedback.

Kind regards

[REDACTED]

12th July 2022

Strategic Planning Coordinator
City of Monash,
PO Box 1, Glen Waverley
VIC 3150

RE: Submission – Amendment C169

I am writing on behalf of the [redacted] our members, to provide our feedback on Amendment C169.

Increased open space contributions levy rate to 10% by amending the schedule to Clause 53.01 (Public Open Space Contributions and Subdivision)

We are highly supportive of measures such as an increased open space contribution levy rate, that support expanding the quantity of open space within the Monash Council as well as improving the quality of existing open space.

Based on our local experience, there is a strong need for increased and well-planned open space. As an organisation, which goes back almost 40 years, we have seen Monash grow from a relatively open suburban environment with many undeveloped areas, and low population density, to a much more intensely developed urban environment. This population growth, urban infill and densification have led to a number of environmental stresses, including a decline in private gardens, increased demand for quality public open spaces, and a decline in habitat connectivity.

The past lockdowns have exacerbated this and clearly highlighted the insufficient open green space to meet community needs, with busy reserve pathways, crowded playgrounds, and escalating damage to valuable bushland areas in the municipality due to activities such as mountain bike riding because of a lack of appropriate green space for these activities. The Valley Reserve playground is highly popular, heavily used and one of only two regional playgrounds within Monash Council. More of these highly popular “regional playgrounds” would take pressure away from the over often-loved Valley Reserve Playground given its sensitive location.

Clause 21.10 – Open Space

We note that Clause 21.10 has been significantly altered and re-worded. However, we believe that in the process of this, the importance of open space for urban biodiversity and conservation, and the need for links between open space areas has not been sufficiently recognised as outlined below.

21.10-2 Key issues

The Key issues should also mention the need for open space to cater for urban biodiversity, wildlife corridors, and opportunities for the community to connect with nature and quiet contemplation. In particular, open-space needs to be carefully designed to balance the needs of urban biodiversity with other important open space purposes such as active recreation. Poor planning often results in unnecessary conflict between these open space uses.

We suggest changing:

- *Open space areas should provide for active and passive recreation, recreation trails, nature experiences as well as infrastructure requirements.*

To

- Open space areas should be thoughtfully planned to provide for urban biodiversity, active and passive recreation, recreational trails, nature experiences as well as infrastructure requirements.

21.10-3 Objectives, strategies and implementation

Objectives

We commend the Objective:

- *To protect and enhance all open space with identified environmental significance, significant natural landscape and heritage values from degradation as a result of community recreational demands.*

As expressed above, poorly planned use of open space and increased community recreational demands can lead to degradation of areas of environmental and cultural significance. However, we suggest that areas of environmental significance be protected from all manner of degradation where possible, and that the statement could be broadened as below.

- To protect and enhance all open space with identified environmental significance, significant natural landscape and heritage values, including their protection from degradation as a result of community recreational demands.

Strategies

We commend the strategy statements:

- *Ensure that public open space and recreation trails with a bushland or conservation role are carefully maintained to protect significant flora and fauna.*
- *The location of new public open space has regard to the protection of indigenous flora or fauna of significance, significant natural landscapes and heritage values.*

However, we believe it important to also include the following aspects:

- Design, enhance and acquire open space to promote linkages, wildlife corridors and habitat connectivity
- Protect open space areas with environmental and cultural significance from potential negative impacts of development on adjoining and nearby land.

- *Manage development in and beside public 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. (Taken from a Stonington Council document)*

The following statement is unclear/ambiguous:

- *Ensure that development on adjoining and nearby land is designed so that the amenity of future residents is not adversely affected by use of the open space.*

Should it be along the lines of:

- Plan and locate open space use so that the amenity of current and future residents is not adversely affected by use of the open space.

Thank you again for the opportunity to provide this response.

Kind regards

A black rectangular redaction box covering the signature area.A long black rectangular redaction box covering the contact information area.

From: [REDACTED]
Sent: Tuesday, 12 July 2022 3:06 PM
To: Strategic Planning
Cc: [REDACTED]
Subject: Monash Planning Scheme Amendment C169 - submission [PPP-Production.FID26249]
Attachments: 20220712 - Submission - Monash C169 - [REDACTED]

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Dear Strategic Planning Department,

Please find attached a submission on behalf of our client [REDACTED] in relation to proposed Amendment C169 to the Monash Planning Scheme.

Please do not hesitate to contact the undersigned as necessary in relation to this submission and amendment.

Yours faithfully,

[REDACTED]



P: [REDACTED]

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13/1 Collins Street,
Melbourne VIC 3000.

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12 July 2022

Attn: Strategic Planning Coordinator
Monash City Council
PO Box 1
GLEN WAVERLEY VIC 3150

By email to: strategic.planning@monash.vic.gov.au

Dear Strategic Planning,

AMENDMENT C169 TO THE MONASH PLANNING SCHEME – SUBMISSION

We act on behalf of [REDACTED] the owner of the land at [REDACTED] which forms part of the strategically defined [REDACTED] recently rezoned to the Comprehensive Development Zone, Schedule 2 ('CDZ2') through Amendment C156 to the Monash Planning Scheme ('Planning Scheme').

Amendment C169 ('Amendment') seeks to apply a 10% public open space contribution rate to all subdivision within the municipality of Monash.

The Amendment, unlike the existing Clause 53.01 Schedule, however, fails to provide bespoke arrangements for the PMP Printing Precinct and existing CDZ2 control in place. Through Amendment C156, comprehensive master planning has occurred for the PMP Printing Precinct including provision and identification of additional public open space areas, significant public realm upgrades, additional pocket parks and pedestrian connections. The Amendment fails to acknowledge such future open space contributions to be made for site's such as the PMP Printing Precinct, but rather the exhibited Clause 22.15 local policy seeks even more stating (emphasis added):

'There are also potential strategic redevelopment sites and urban renewal precincts where increased dwelling densities will place even higher demands on the open space network and contributions may need to be higher in these areas'

This is not only contrary and inconsistent with the blanketed 10% contribution rate proposed by the Amendment, but essentially seeks more contributions for sites such as the PMP Printing Precinct beyond the exhibited/existing rate. This raises serious concerns on Council's application of this policy, particularly against the 'Public Open Space Equalisation Provision' at Clause 3 of the CDZ2 control, creating uncertainty and likely resulting in lengthy decision making processes, VCAT hearings and additional time and costs.

For the foregoing reasons, our client submits that Amendment C169 in its current form be updated to acknowledge the recent work that has occurred through Amendment C156 on our client's land holding and specifically remove reference to any 'higher' contributions for such strategic redevelopment sites from the exhibited Clause 22.15 policy. Our client reserves the right to add to, vary or expand this submission if the Amendment progresses to a Council meeting or Planning Panel.

Please contact the undersigned on [REDACTED] should Council have any queries regarding this correspondence.

Yours faithfully,

[REDACTED]
[REDACTED]

Planning & Property Partners Pty Ltd



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Sent: Tuesday, 12 July 2022 5:43 PM
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Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb

Postcode

[REDACTED]

Telephone number

[REDACTED]

Submission comments

I would like to object to the proposal on the grounds that even if they collect money on these new developments, likely to be in the small pocket of Oakleigh South near my home there is no land available to purchase for the proposed 'open space' anywhere near us where it is most needed.

Monash Council needs to seriously look at purchasing the quarry and allocate this as the open space we already so desperately need!

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[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb


Postcode
**Submission comments**

I object to this amendment. I am particularly concerned by the statement in the Open Space Implementation Plan that Talbot Quarry will be redeveloped for residential use. This site is highly complex, with the majority of it being completely unsuitable for residential development. What it IS suitable for is community open space. As many have asked before, given Monash Council's commitment to increasing open space, why does COM not purchase this land to provide open space amenities and facilities for current and future residents of the area? This would also protect us from the hazardous works that continue to be proposed at the site.

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To: Strategic Planning
Subject: Form Submission

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First Name

[REDACTED]

Last Name

[REDACTED]

Preferred contact method

Email

Email address

[REDACTED]

Postal address

[REDACTED]

Suburb

Postcode

[REDACTED]

Telephone number

[REDACTED]

Submission comments

Since 2010 (just google earth my place.im the little oasis of forest!) 80% aprox of trees in my adjoining neighbours properties have been cut down...due to ddevelopments...in one case they cut a major gum which was the tallest in our neighbourhood...it was not even in the way....and now the owners have planted a gum tree in the same spot?! I am unlikely to see this gum tree grow to this height in my lifetime. Developers need an incentive to preserve/replace and if all else fails, to charge them for the replacement of these trees by the council...im all for the increased levy...

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[REDACTED]

From: [REDACTED]
Sent: Wednesday, 13 July 2022 10:05 AM
To: Strategic Planning
Subject: Planning Scheme Amendment C169mona (Public Open Space)
Attachments: [REDACTED] - Submission re c169mona Amendment (13 July 2022).pdf

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Dear Sir/Madam

Please see attached letter.

Kind regards

[REDACTED]



Strategic Planning Coordinator
 Monash City Council
 PO Box 1
 Glen Waverley Vic 3150
 Via email: strategic.planning@monash.vic.gov.au

13 July 2022

Dear Sir/Madam

Planning Scheme Amendment C169mona (Public Open Space)

are the owners of the land at (Subject Site) and reference is made to Planning Scheme Amendment C169mona (Amendment).

Current public open space contribution

The current public open space contribution rate is as follows:

Type or location of subdivision		Amount of contribution for public open space
Dwellings	3 lots	2%
	4 lots	3%
	5 lots	4%
	6 or more lots	5%
Land shown as CDZ2 on the planning scheme maps (MPM Printing Precinct Comprehensive Development Plan, June 2021)		10%
Other		5%

Proposed public open space contribution

The exhibited public open space rate is as follows:

Type or location of subdivision	Amount of contribution for public open space
All	10%

A new local policy associated with public open space and associated changes to the local planning policy framework also forms part of the Amendment.

Submission

In respect to the exhibited Amendment, please note the following:

- The Amendment does not include provisions to offset or exempt the contributable amount where the circumstances justify it.
- The proposed rate will have an unreasonable impact on the economic vitality of future / proposed developments.
- The Amendment material does not provide for adequate justification to support a 10% public open space rate.
- The proposed rate of 10% is excessive, especially for a large infill/opportunity site such as the subject site.

Conclusion

We thank Council for the ability to participate in this process, and we welcome further collaboration with Council officers.

Should you have any questions in relation to this submission, please do not hesitate to contact the undersigned.

Yours sincerely

[REDACTED]

[REDACTED]

M
E