

Attachment 1 – Summary of issues raised by Panel and response

No	Panel comment/finding/direction	Page	Panel Category	Theme	Action	Response
1	The absence of an implementation plan as part of the MOSS is a significant shortcoming in arriving at an appropriate open space levy rate.	ii	Finding	Implementation Plan	Change required	An implementation plan outlining future land acquisition and improvements costs based on forecast population growth and density has been prepared.
2	The Panel accepts that, with a growing population there may be a need to increase the amount of the open space levy and the MOSS goes some way to justifying that need. However, the amount of the increase in the open space levy and the increase in its scope was not justified by the information presented to the Panel.	ii	Finding	Contribution rate increase.	Justification required.	An implementation plan has been prepared as the basis for the recalculation of the proposed open space contribution rate. This alternate methodology addresses the Panel's concerns about how the proposed rate was calculated.
3	An implementation plan should be developed to inform the change in the open space levy rate sufficient to meet the municipality's open space needs. The key actions for each precinct in the MOSS go some way to this, however more detail on each of the implementation tasks, responsibilities, cost estimates and priorities need to be included.	ii	Rec	Implementation Plan	Change required	An implementation plan has been prepared as the basis for the recalculation of the proposed open space contribution rate.
4	More analysis and justification is needed to apply the same open space levy rate to residential and non-residential subdivisions.	ii	Finding	Contribution rate increase.	Justification required.	This has been included in the implementation plan that highlights the VPA Framework plan for the Monash Cluster and the need for open space for workers. This explanation will also be included in amendment documentation.

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5	There is a lack of clarity and consistency in the use and meaning of community open space	ii	Finding	Terminology	Better definition	Community open space is open space owned/managed by Council within 400 metres of a dwelling. This has been clarified in the MOSS. It is a means of classifying the primary role of the open space. As the implementation plan focuses on population increase and their needs the definition has no bearing on the open space contribution.
6	The identification of public open space gaps in Monash should be clarified. The Panel considers that the use of 'Monash community open space' as the primary measurable is too narrow and does not take into account open space in adjacent municipalities or regional open space. For example, this leads to an incongruous situation where dwellings abutting Jells Park are identified as being in an open space gap.	ii	Rec	Terminology	Change required	Open space in adjoining municipalities has been taken into consideration and has resulted in minor changes in the mapping of the gap areas. Spaces such as Jells Park are acknowledged in the revised Monash Open Space Strategy. No dwellings adjacent to Jells Park were identified as being in an open space gap.
6.5	The lack of an implementation plan which nominates precincts in which land acquisition will be sought, in addition to open space projects and works with cost estimates, is a shortcoming in the MOSS. An implementation plan should be prepared, whether part of the MOSS or a separate document.	ii	Finding	Implementation Plan	Change required	An implementation plan has been prepared as the basis for the recalculation of the proposed open space contribution rate and will remain a separate document. It is not intended to be a blueprint for acquisitions or actions, rather a demonstration of the quantum of open space and improvements required for

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						the municipality's residents over the next 15 years.
7	The exclusion of regional open space and open space outside the municipality overstates the areas within the municipality that are not within 400 metres of open space.	ii	Finding	Strategy inputs	Change required	<p>A change will be made to the map for the north west corner of the Ashwood/Burwood Precinct. There is an error on Map 2 that shows the Glen Waverley Golf Course as a gap. This will be corrected.</p> <p>The remains the issue of the category of open space that is within 400 metres and it's suitability for community activities. These are examined on a precinct by precinct basis. There are no areas adjacent to Jells Park that are identified as a gap area. These areas have not been excluded in total. Rather they have been recognised for the different role they play in the provision of regional standard open space and sporting open space in particular.</p>
8	Map 1 of Clause 22.15 should be consistent with Map 2 of the MOSS, and terminology should be consistent within the MOSS and between the MOSS and the LPPF.	iii	Rec	Amendment - mapping	Change required	These changes have been made.

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9	Council's expenditure on open space is not a relevant consideration for the Panel.	iii	Finding	Relevance	Nil	Agree
10	Changes to the Schedule to Clause 53.01 to exempt open space required by Amendment 156 are not appropriate.	iii	Finding	Contribution rate increase.	Change required	Agree - related to submission by PMP site owners re double dipping on OS contributions.
11	Council can amend the contribution rate in the Schedule to Clause 53.01	iii	Finding	Contribution rate increase.	Nil	Agree. This is in response to a submitter questioning the change in contribution rate.
12	Whether a change in the rate is justified depends on the basis for calculating the new rate.	iii	Commend	Contribution rate increase.	Justification required.	An implementation plan that is based on the forecast population increase and the cost of meeting the forecast open space needs. This methodology forms the basis of the open space contribution rate.
13	The treatment of the whole municipality as a single planning unit is appropriate.	iii	Finding	Amendment	Nil	Justifies our approach
14	An inclusionary requirements approach is reasonable.	iii	Finding	Amendment	Nil	Justifies our approach
15	Applying the same rate to employment land is not justified.	iii	Finding	Contribution rate increase.	Justification required.	This has been included in the implementation plan that highlights the VPA Framework plan for the Monash Cluster and the need for open space for workers. This explanation will also be included in amendment documentation.
16	Council's standard of 30 metres square per person does not adequately support the calculation of a 10 per cent contribution rate.	iii	Finding	Amendment methodology	Change required	The 30m2 per person standard has been removed from the Monash Open Space Strategy. The assessment of open space contribution is now based on the Implementation Plan. The

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						implementation plan is based on the forecast population increase and forecast open space needs of that population. This forms the basis of the open space contribution rate.
17	An implementation plan which nominates precincts in which land acquisition will be sought and projects and works in open spaces with cost estimates is a more. appropriate basis for the calculation of a contribution rate	iii	Finding	Implementation Plan	Change required	The Implementation plan has been prepared. The implementation plan is based forecast population increase and forecast open space needs. This forms the basis of the open space contribution rate. The implementation plan assess future population and open space needs by precinct and provides estimates of cost associated with those improvements to arrive at a proposed open space rate.
18	Develop an implementation plan either as part of the Monash Open Space Strategy or as a separate document, which nominates precincts in which land acquisition will be sought and projects and works in open spaces with cost estimates.	iii	Rec 1a	Implementation Plan	Change required	The Implementation plan has been prepared as a separate document to the Monash Open Space Strategy. The implementation plan assesses future population and open space needs by precinct and provides estimates of cost associated with those improvements to arrive at a proposed open space rate.
PANEL RECOMMENDATIONS						
19	Use the implementation plan as the basis for the calculation of an open space levy rate in place of	iii	Rec 1b	Contribution rate increase.	Change required	All references to the 30m2 provision have been deleted and

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	the 30 square metre macro-provisioning standard.					replaced by the Implementation Plan. The implementation plan is based forecast population increase and forecast open space needs. This forms the basis of the open space contribution rate. The implementation plan assess future population and open space needs by precinct and provides estimates of cost associated with those improvements to arrive at a proposed open space rate.
20	Develop a detailed justification for the application of the same open space levy rate to residential and non-residential subdivisions.	iii	Rec 1c	Contribution rate increase.	Justification required.	This has been included in the implementation plan that highlights the VPA Framework plan for the Monash Cluster and the need for open space for workers. This explanation will also be included in amendment documentation.
21	Clarify the use and meaning of community open space in the Monash Open Space Strategy and Clause 22.15.	iii	Rec 1d	Terminology	Change required	There were inconsistencies in the language and maps in Amendment C148. This will be rectified in the future amendment by the use of the same terminology.
22	Review the areas designated as public open space gaps in Map 1 in Clause 22.15.		Rec 1e	Amendment mapping		Reviewed and updated.
23	Once this work is complete the Amendment should be re-exhibited.		Rec 2	Amendment		A new amendment is being prepared. Authorisation will be sought.

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24	The Panel will then reconvene to consider any submissions.		Rec 3	Amendment		Amendment lapsed. Panels advised it is likely same members will be appointed.
25	Alternatively, Council should abandon the Amendment.		Rec 4	Amendment		Amendment has lapsed.