

## **MONASH PLANNING SCHEME**

### **AMENDMENT C148**

#### **EXPLANATORY REPORT**

##### **Who is the planning authority?**

This Amendment has been prepared by the Monash City Council which is the planning authority for this amendment.

The Amendment has been made at the request of Monash City Council.

##### **Land affected by the Amendment**

The Amendment applies to the whole municipality.

##### **What the Amendment does**

The Amendment seeks to update the public open space contribution rates for all subdivisions.

The Amendment:

- Amends the Schedule to Clause 53.01 to require that all subdivision provides a public open space contribution at a rate of 10%.
- Introduces a new Local Planning Policy – Clause 22.15: Public Open Space Contributions Policy that sets out the guidance for the process on when, where and how a public open space contribution will be required, including whether in the form of cash in lieu, land or a combination of both.
- Replaces Clause 21.10 in the Municipal Strategic Statement with a new Clause 21.10.

##### **Strategic assessment of the Amendment**

##### **Why is the Amendment required?**

By 2028, an additional 14,057 people in Monash will increase the demand for public open space. Modest development and infill will continue in Monash suburbs, however, there are certain areas that will experience a higher levels of development, including within activity centres and residential and employment activity in the Monash National Employment and Innovation Cluster (MNEIC) and other employment areas. Population is expected to increase throughout the municipality with the greatest increases forecast in the suburbs of Oakleigh (18%), Oakleigh South (16%) and Clayton (15%).

The Amendment is required to better meet the public open space needs within the City of Monash of a growing population. The City of Monash's Open Space Strategy (MOSS) was adopted in October 2018. The MOSS identifies the public open space needs of existing and future residents of Monash, gaps in the provision of public open space and opportunities to address those gaps. Currently the amount, quality and accessibility of open space varies considerably across the suburbs of Monash.

A review of the potential funding mechanisms by the Monash City Council and SGS Planning & Economics has shown that the current sliding scale public open space contributions rates is inequitable and out of date. Currently a variable rate of public open space contributions is sought between 2 percent and a maximum of 5 percent, based on the number of lots proposed in a subdivision.

A contribution rate of 10 percent has been determined as necessary to deliver a reasonable standard of open space provision across the whole of Monash and is consistent with the provision of open space required in the planning for new housing in Melbourne's growth areas. This contribution rate reflects the need to ensure that all residents in the future have contributed to providing an appropriate level of public open space services and recognises a need of 30 square metres per person. In the absence of a state wide standard the determination of a benchmark of 30 square metres per person is based on an assessment of open space provision standards internationally, nationally and also other

examples from within Victoria (for example City of Wyndham and City of Frankston). This figure also recognises the current baseline of provision in Monash at 27 square metres per person and that there are existing inequalities across Monash suburbs that need to be addressed and improved.

The calculation of public open space contribution is founded on an inclusionary requirements approach. An inclusionary requirements approach does not burden development in under-supplied areas with greater costs for improving public open space. Instead it recognises that the entire municipality is a singular planning area for public open space, across which an acceptable standard of public open space services must be met to facilitate future works. Public open space has the same implications for usage and need regardless of whether it is commercial, residential or industrial land use.

### **How does the Amendment implement the objectives of planning in Victoria?**

The Amendment implements the objectives of planning in Victoria contained in Section 4 of the *Planning and Environment Act 1987*, in the following ways:

- Providing an equitable method to collect contributions for public open space based on the need created by the new development.
- Providing certainty and consistency as to the required public open space contributions.
- Providing public open space to meet the needs of the future population.

### **How does the Amendment address any environmental, social and economic effects?**

#### *Environmental Effects*

The Amendment provides the opportunity for new public open space and the ability to upgrade existing open space. Open space is aesthetically pleasing, it can minimise the impacts of climate change and increase opportunities for active travel. Open space can also include areas of high value vegetation that can be conserved and provide new open space links to improve habitat corridors.

#### *Social Effects*

The Amendment will provide a strong benefit for the community through the provision of new public open space and the upgrade of existing open space. Open space provides for a range of social and community benefits by increasing social interaction, improving physical and mental health and providing for sporting pursuits and recreation.

#### *Economic Effects*

The Amendment will result in more accurate financial resources to fund public open space projects. It will also provide certainty to developers allowing improved cost planning and a more equitable means of distributing costs.

### **Does the Amendment address relevant bushfire risk?**

The Amendment does not affect any areas of identified bushfire risks and has no implications.

### **Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The Amendment complies with the requirements of Ministerial Directions on the Form and Content of Planning Schemes.

The Amendment is effected by Ministerial Direction 9 Metropolitan Strategy. The amendment is consistent with this Ministerial Direction as it:

- Provides a greater understanding of public open space needs for the City of Monash.
- Increases the availability, usability and access to public open space.
- Provides opportunities for social interaction.
- Greens the urban environment.

- Mentally and physically improves the community's health.

**How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The Amendment supports the State Planning Policy Framework, in particular the following:

- Clause 12: Environmental Values, in particular the objective in Clause 12.05-2S for Landscapes which is *'to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.'* The amendment supports this objective by ensuring natural features are protected and enhanced.
- Clause 15: Built Environment, in particular the objective in Clause 15.01-3S for Subdivision Design, which aims to *'ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods'* and Clause 15.01-04S for Healthy Neighbourhoods, which aims to *'achieve neighbourhoods that foster healthy and active living and community wellbeing'*. The amendment supports these objectives by promoting a diversity of public open space to support future subdivision development that foster a healthy lifestyle and achieve community benefit from well-designed neighbourhoods.
- Clause 19: Community Infrastructure, in particular the objective in Clause 19.02-6S for Open Space, which aims to *'establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.'* The amendment supports this objective by seeking to protect and expand the public open space network to address the current and future gaps of provision.

**How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The Amendment supports Clause 21.10 of Monash's Municipal Strategic Statement which addresses open space. This includes the following objectives:

- To encourage the provision of a diverse and integrated network of public open space to meet the sporting, recreational, health and environmental needs and preferences of the community and enhance the image of Monash as a quality environment to live, work in and visit.
- To provide safe, appealing and accessible public open space that is within easy walking distance of the majority of all residents regardless of their age, gender, ethnicity or abilities.
- To provide opportunities for the community to pursue the development and enhancement of its recreational and sporting endeavours by improving the quality, diversity, functionality and inclusiveness of public open space services and facilities.
- To ensure that all new development and redevelopment in the municipality addresses the current and future needs of the public open space network.

The Amendment supports these objectives by:

- Addressing current and future gaps in the provision of public open space to support the needs of new residents.
- Ensuring that adequate public open space is provided for development, including sites that seek higher residential densities.
- Improving the diversity, functionality and inclusiveness of public open space facilities and landscape settings to meet the needs of the community.

**Does the Amendment make proper use of the Victoria Planning Provisions?**

The Schedule to Clause 53.01 is specifically provided in the Victorian Planning Provisions to allow Councils to establish open space contribution rates appropriate for their local circumstances. It is the most appropriate tool to guide decision making in determining where land and financial contributions should be sought.

**How does the Amendment address the views of any relevant agency?**

The views of any relevant agency will be sought during the exhibition of the Amendment.

### **Does the Amendment address relevant requirements of the Transport Integration Act 2010?**

This Amendment does not have any significant impacts on the objectives and decision making principles set out in the Transport Integration Act 2010.

### **Resource and administrative costs**

The Amendment will not have a significant impact on the resource and administrative costs of the responsible authority as there is a process in place to gather public open space contributions under Clause 53.01 of the Monash Planning Scheme.

### **Where you may inspect this Amendment**

The Amendment is available for public inspection, free of charge, during office hours at the following places:

- City of Monash, Municipal Offices, 293 Springvale Road, Glen Waverley, 3150
- Documents are also available on Council's website: [www.monash.vic.gov.au](http://www.monash.vic.gov.au)

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).

### **Submissions**

Any person who may be affected by the Amendment [and/or planning permit] may make a submission to the planning authority. Submissions about the Amendment [and/or planning permit] must be received by Friday 2 August 2019.

A submission must be sent to: City of Monash, Municipal Offices, 293 Springvale Road, Glen Waverley, 3150

### **Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: 24 September 2019
- panel hearing: 22 October 2019