

## Amendment C280yara – Summary and Response to Submissions

The following Table provides a summary of submissions received to Amendment C280yara and officer's response to issues raised in the submission.

Summary of Individual Submissions and Officer's Response to inform Council's submission to Panel

Submission Number Interest Type of Submission	Summary of Submission	Response to inform Council's submission to Panel
<b>Submission 1</b>		
<b>Support</b>	Developers who increase the density of a city need to also make a serious contribution to increasing public open space, to cater for the additional population, and keep the city livable.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 2</b>		
<b>Support</b>	There's little enough public open space as it is, and these high density developments put significant pressure on existing public spaces.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 3</b>		
<b>Unknown</b>	The Vauclose could be a very creative open space for all, not just a short cut for speeding motorists.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 4</b>		
<b>Support</b>	Yes! Great idea.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 5</b>		
<b>Support</b>	This will contribute to facilitating good quality medium density housing in Yarra Council.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 6</b>		
<b>Support</b>	We are extremely impacted by ongoing developments that are poorly designed and planned to give developers maximum profits. In Keele St we have one small park in the corner of Keele and Gold St and we cannot even take our dog there. We deserve to have the types of green spaces enjoyed by residents in other parts of the municipality - particularly North Fitzroy and Clifton Hill.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 7</b>		
<b>Support</b>	We have seen how important open spaces are during covid 19, therefore it is crucial that we continue to grow the portfolio of well funded and equipped open spaces that support our community and native wildlife.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 8</b>		
<b>Support</b>	Support more accountability on developers to support the area they develop with this open space increase.	Noted <b>Recommended Position:</b> No change to Amendment

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<b>Submission 9</b>		
<b>Support</b>	I am in support of this Amendment.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 10</b>		
<b>Support</b>	Support for the proposed 10.1% of new developments to include public open space. A great initiative from the Yarra Council.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 11</b>		
<b>Support</b>	Supports the Amendment.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 12</b>		
<b>Support</b>	Supports the Amendment.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 13</b>		
<b>Support</b>	Yarra does not have enough public open space. The community needs open spaces.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 14</b>		
<b>Support</b>	Supports the Amendment.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 15</b>		
<b>Support</b>	Supports the Amendment. Property developers should make a 10.1% contribution.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 16</b>		
<b>Support</b>	Supports the Amendment, new development should pay as much as possible into development of quality public spaces.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 17</b>		
<b>Support</b>	All of the new infrastructure is making a small suburb rather cramped. We thrive due to our sense of community and public spaces need to be prioritized in order to continue the charm of this special place.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 18</b>		
<b>Support</b>	The 10.1% must go to creating new or improve existing open spaces and new spaces should be distributed equally throughout the relevant suburb to avoid clusters of open spaces.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 19</b>		

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<b>Support</b>	There are pockets of Yarra that do not have access to open space. The Amendment would add to the quality of life and encourage residents to stay within the City of Yarra.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 20</b>		
<b>Support</b>	Public space is incredibly important is what makes living in Yarra attractive.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 21</b>		
<b>Opposed</b>	<u>Open Space Levy rate increase</u>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 22</b>		
<b>Support</b>	Many changes to the urban landscape has had a negative impact on the vibrancy and community oriented vibe of the streets and spaces. Asking developers to contribute to the maintenance and character of the community they wish to build in seems like a fair exchange. The health of a community is amplified by the abundance of equitable and accessible public spaces.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 23</b>		
<b>Support</b>	it is important to protect and improve livability while our cities densify by ensuring we have the funding to increase the quality and quantity of open spaces.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 24</b>		
<b>Opposed</b>	<u>Open Space Levy rate increase</u>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p>

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	<u>Strategic justification for the increase</u>	<p>A key reason that the new Yarra public open space contribution rate is proposed to increase from 4.5 to 10.1 per cent is that there is a substantial level of residential and employment population growth forecast in the City of Yarra.</p> <p>For the period between 2016 and 2031, which is the time period for the data used in preparing the Strategy, the forecast population will increase by over 77,000 people, which represents a 41 per cent increase in the number of residents and a 47 per cent increase in the number of workers. The City of Yarra contains a mosaic of land uses and zones, with land that is available for more intensive redevelopment in all locations except for the heritage areas. However, even in the heritage areas there are newer buildings and redundant sites where redevelopment is occurring.</p> <p>The forecast population is planned to be accommodated in medium to high density urban development located across the municipality outside the heritage areas, including in areas that have little or no access to existing public open space. This will drive the need for an expanded open space network that will require Council to purchase new land area for public open space. As most of the larger strategic sites in the City of Yarra have already been redeveloped, the Council will not be able to rely on land contributions to create the new open spaces in all locations included in the Strategy.</p>
	<u>Need for provisions to offset the contributable amount where the particular circumstances justify it</u>	All applications for a planning permit are considered on their own merits in light of the provisions of the planning scheme. The Amendment only proposes to change the rate specified in the Schedule to Clause 53.01. No changes are proposed to the provision of Clause 53.01, so the provisions to offset the contributable amount where the particular circumstances justify it are unchanged.
	<u>Lack of transitional provisions</u>	<p>Transitional provisions are not common in planning scheme amendments. It is likely that the Amendment process will take over 12 months to run its course. In addition, on the basis that all applications for a planning permit are considered on their own merits in light of the provisions of the planning scheme and no change is proposed to the provision of the planning scheme other than the quantum of the open space levy rate, transitional provisions are unnecessary.</p> <p><b>Recommended Position:</b> No change to Amendment.</p>
<b>Submission 25</b>		
<b>Support</b>	Public space is precious and developers should take responsibility for the increase in population brought about by their developments. Cities are becoming more unbearable in hot weather- we need as many trees as possible to mitigate the effects of climate change.	<p>Noted</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 26</b>		
<b>Support</b>	Supports the Amendment.	<p>Noted</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 27</b>		
<b>Support</b>	The amount of open space is very low in some parts of Yarra, with so many apartment blocks and closely built houses. This will get worse with so many new developments. Open space is so important for physical and mental health - it is used for relaxation, exercise, shared activities among families and communities.	<p>Noted</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 28</b>		

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<b>Opposed</b>	<p><u>Open Space Levy rate increase</u></p> <p>The Amendment proposes an excessive rate and increase —more than double the current rate of 4.5%.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p>
	<p><u>Flat rate</u></p> <p>The municipal wide 'flat rate' is also contrary to most comparable municipalities within Metropolitan Melbourne.</p>	<p>The rate is uniform across the municipality providing consistency, policy neutrality and perceived equity.</p> <p>The single public open space contribution rate is considered to meet the equity principle because a uniform rate provides an even benchmark, with clarity and simplicity about what the rate will be. All subdivisions are treated equally, the principles of need, nexus, accountability and equity having been established in the setting of the rate.</p> <p>The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p>
	<p><u>Strategic justification</u></p> <p>The Amendment lacks sufficient justification for such a significant increase</p>	<p>A key reason that the new Yarra public open space contribution rate is proposed to increase from 4.5 to 10.1 per cent is that there is a substantial level of residential and employment population growth forecast in the City of Yarra.</p> <p>For the period between 2016 and 2031, which is the time period for the data used in preparing the Strategy, the forecast population will increase by over 77,000 people, which represents a 41 per cent increase in the number of residents and a 47 per cent increase in the number of workers. The City of Yarra contains a mosaic of land uses and zones, with land that is available for more intensive redevelopment in all locations except for the heritage areas. However, even in the heritage areas there are newer buildings and redundant sites where redevelopment is occurring.</p> <p>The forecast population is planned to be accommodated in medium to high density urban development located across the municipality outside the heritage areas, including in areas that have little or no access to existing public open space. This will drive the need for an expanded open space network that will require Council to purchase new land area for public open space. As most of the larger strategic sites in the City of Yarra have already been redeveloped, the Council will not be able to rely on land contributions to create the new open spaces in all locations included in the Strategy.</p>
	<p><u>Strategic redevelopment sites</u></p> <p>The Amendment also does not provide the opportunity to agree specific arrangements for strategic redevelopment sites or land within special purpose zones. Applying a 'one size fits all' rate is flawed and should not be supported.</p>	<p>The Amendment does not propose any changes to the Planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged.</p>
	<p><u>Transitional provisions</u></p> <p>The Amendment fails to include transitional provisions, raising issues of fairness and places an unreasonable burden on permit-holders actively looking to act on planning permits and deliver approved developments.</p>	<p>Transitional provisions are not common in planning scheme amendments. It is likely that the Amendment process will take over 12 months to run its course. In addition, on the basis that all applications for a planning permit are considered on their own merits in light of the provisions of the planning scheme and no change is proposed to the provision of the planning scheme other than the quantum of the open space levy rate, transitional provisions are unnecessary.</p> <p><b>Recommended Position:</b> No change to Amendment</p>

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<b>Submission 29</b>		
<b>Opposed</b>	<p><u>Outdated data</u></p> <p>Underpinning the need for public open space and the proposed contribution rate are population, housing and employment data for the City of Yarra. The YOSS is based on population forecasts over the next 15 years. However, this is clearly incorrect. The YOSS and proposed Clause 22.12 states that the open space needs assessment and directions are based on forecasts within the Yarra Housing Strategy and Yarra Spatial Economic and Employment Strategy. Both of these documents use data from the 2016 census, and subsequently the 15 years which the YOSS is based upon begins in 2016 (not 2020).</p> <p>It is unrealistic to not consider the impact of the COVID-19 Pandemic on where we work and population forecasts. Most professionals have and will continue to work from home to some extent, and international migration, including international students to Australia has been paused for nearly two years. It is important that the YOSS considers how these critical issues affect worker and resident population in the future for the City of Yarra.</p> <p><u>Existing Open Space</u></p> <p>It is unclear how Council has arrived at the lesser figure of 13.5% for public open space and unlike the more accurate calculation of 24% of land zoned for public open space, it is unclear what land is included within the 13.5%. This 24% presumably includes the largest regional public open space area within the inner eastern corridor, Yarra Bend Park, which is managed by Parks Victoria.</p> <p><u>Funding for Small Parks Only</u></p> <p>The Open Space Framework on page 6 of the YOSS identifies the different open spaces across the municipality. Diagram B indicates that most open space within the municipality is regional or city-wide open space. Therefore, the proposed contribution will only be going towards the upgrade or establishment of local and small neighbourhood parks.</p> <p><u>Inappropriate rate increase</u></p> <p>There is currently no municipality in Victoria that includes a Schedule to Clause 53.01 that requires a public open space contribution rate of 10.1% across the entire municipality. Some municipalities do require a 10% contribution or above, these rates are only applicable to site / precinct specific areas</p> <p><u>Housing affordability</u></p> <p>A proposed blanket 10.1% contribution rate is unjustifiable as it overlooks significant site specific contextual factors, such as easements and other site constraints that may affect</p>	<p>The Strategy and the Public Open Space Contributions report are based on the data available made at the time of compilation and assumes that the dwelling and employment forecasts will be met. We also understand that the timing may be extended due to COVID-19 and therefore development may occur beyond the initial timeframe. Likewise, development may occur at a faster rate over the forecast period.</p> <p>One of the most observable impacts of COVID-19 has been the significant use of open spaces, particularly in inner urban areas.</p> <p>The Strategy at page 2 outlines what is included as open space:</p> <p><i>Public open space in this Strategy includes areas which are managed by State Government agencies or their delegates located in the City of Yarra. This includes Yarra Bend Park and the Collingwood Children's Farm. Restricted open space is land that is only available for use on a membership or fee paying basis and examples include Burnley Golf Course and Richmond Union Bowls Club. Other public land including schools and streets complement the public open space network, however, other strategies and plans provide direction and guidance for these.</i></p> <p>Diagram B identifies gap areas in the open space network. The gap areas are locations where the community lack easy walkable access to any open space. Additional open space is required to address the gaps in the provision and diversity of open space with priorities given to gap areas where urban densities are forecast to increase. The opportunities to provide for new regional or city-wide open spaces are limited, however, ongoing improvements and upgrades of these open spaces are part of the Strategy.</p> <p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p>

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	yield of development. Without a clearer delineation between land and public open space cash contributions, this flat rate contribution may also lead to equity issues.	The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space <b>Recommended Position:</b> No change to Amendment
<b>Submission 30</b>		
<b>Support</b>	Supports the Amendment	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 31</b>		
<b>Opposed</b>	<p><u>Public open space under existing permits</u></p> <p>On the basis that the subject land has either met, or has Agreements in place, which satisfy the public open space contribution for the land and that the rate is set at 4.5%, are seek written confirmation from Council that the agreed public open space contribution rate is fixed at 4.5% and that no further public open space contribution will be required for the subject land.</p> <p>Reserves the right to submissions relating to the excessive nature of the public open space contribution proposed, that the municipal wide flat rate' is contrary to most comparable municipalities within Metropolitan Melbourne, and that the Amendment lacks sufficient justification for such a significant increase.</p>	The Amendment does not propose any changes to the Planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged as does the impact on existing permits or agreements.  <b>Recommended Position:</b> No change to Amendment
<b>Submission 32</b>		
<b>Opposed</b>	<p><u>Justification of rate increase</u></p> <p>The Amendment proposes an excessive rate, which is more than double the current rate of 4.5%, 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.</p> <p><u>Inclusion of non-residential uses</u></p> <p>The Amendment seeks to impose the obligation on <i>all</i> subdivisions, with no distinction between residential / commercial / industrial subdivisions, and no differentiation between suburbs or precincts.</p> <p>There is simply no evidence to suggest that the demand for open space generated by employment uses is equivalent to the demand from residential uses. The documents exhibited with the Amendment fail to provide sufficient analysis or justification for applying an equivalent rate to employment-related subdivisions.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p>Many of the areas in the City that are forecast to change are the former industrial and manufacturing areas. These areas are being redeveloped to mixed use precincts with a combination of residential, commercial and business use. Historically, the industrial areas did not have public open space. With the proposed changes, these areas are being redeveloped with increased building heights and a change to a predominantly office-based professional workforce. The surveys undertaken for this Strategy found that more than 80 per cent of workers visit public open space during the day. With increased numbers of people working and living in the former industrial precincts there is a need to provide new areas of public open space.</p>

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	<p><u>Bespoke arrangements for strategic redevelopment site</u></p> <p>The Amendment also fails to provide bespoke arrangements for strategic redevelopment sites or land within special purpose zones. Applying a 'one size fits all' rate is a fundamentally flawed approach, and one which should not be further considered.</p>	<p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged</p>
	<p><u>Housing affordability</u></p> <p>The flow-on effect of introducing such an exorbitant rate is that development costs are increased, which in turn undermines affordability for end users. Alternatively, it means that land which might otherwise have been developed sits dormant, and aspirations for housing density and diversity remain unachieved.</p>	<p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 33</b>		
<b>Opposed</b>	<p><u>Justification of rate increase</u></p> <p>The proposed increase to the public open space contribution proposed in the Amendment is an excessive and onerous tax on new development that is unjustifiable. It provides a disincentive for infill development in the City of Yarra, competing against the <i>Plan Melbourne</i> objective to encourage development in Melbourne's well-served established areas.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p>
	<p><u>Housing affordability</u></p> <p>his increased developer tax is likely to stall or cease new developments, at a time when the State is trying stimulate the construction sector to support the economy.</p>	<p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p>
	<p><u>Strategic justification</u></p> <p>Amendment C286 should be changed to ensure the required public open space contribution is determined through an evidence-based assessment of open space needs within the municipality, which considers locational need, type and scale of development, and is fair and equitable.</p>	<p>A key reason that the new Yarra public open space contribution rate is proposed to increase from 4.5 to 10.1 per cent is that there is a substantial level of residential and employment population growth forecast in the City of Yarra.</p> <p>For the period between 2016 and 2031, which is the time period for the data used in preparing the Strategy, the forecast population will increase by over 77,000 people, which represents a 41 per cent increase in the number of residents and a 47 per cent increase in the number of workers. The City of Yarra contains a mosaic of land uses and zones, with land that is available for more intensive redevelopment in all locations except for the heritage</p>



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		<p>areas. However, even in the heritage areas there are newer buildings and redundant sites where redevelopment is occurring.</p> <p>The forecast population is planned to be accommodated in medium to high density urban development located across the municipality outside the heritage areas, including in areas that have little or no access to existing public open space. This will drive the need for an expanded open space network that will require Council to purchase new land area for public open space. As most of the larger strategic sites in the City of Yarra have already been redeveloped, the Council will not be able to rely on land contributions to create the new open spaces in all locations included in the Strategy.</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 34</b>		
<b>Opposed</b>	<p><u>Housing affordability</u></p> <p>Modest off the plan purchasing concessions do remain to encourage purchasers to purchase off the plan and encourage new development. If apartment prices are driven up due to the public open space contribution being passed onto purchasers, this will disincentivise off the plan apartment purchases. This has the potential to result in stagnant development sites across Yarra if developers are unable to secure adequate pre-sales to commence construction.</p> <p>If the market does not accept the apartment price increases it will likely see purchasers turn to the established housing market for which stamp duty is applicable but open space contributions are not. There is again potential for this to impact the number of active development sites across Yarra, lower new apartments with open space payable and lower economic activity across the area.</p> <p>It is also very unlikely that land owners would accept a lower sale price for development sites if the open space increase is introduced. The land rate has been set by site acquisitions over recent times and no land owner will be open to selling for a lower rate than a comparable site.</p>	<p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 35</b>		
<b>Opposed</b>	<p><u>Existing permits and agreements</u></p> <p>Requests that the proposed Amendment be modified to apply a site specific contribution of 4.5% to the land in the Alphington Paper Mill Development Plan area (DPO11) in the proposed Schedule to Clause 53.10 Public Open Space Contribution and Subdivision. The proposed site specific contribution of 4.5% will recognise and acknowledge the agreed public open space contribution associated with the approved Alphington Paper Mill Development Plan 2016.</p>	<p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged as does the impact on existing permits or agreements.</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 36</b>		
<b>Opposed</b>	<p><u>Open Space Levy rate increase</u></p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p>

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		<p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p>
	<u>Strategic justification for the increase</u>	<p>A key reason that the new Yarra public open space contribution rate is proposed to increase from 4.5 to 10.1 per cent is that there is a substantial level of residential and employment population growth forecast in the City of Yarra.</p> <p>For the period between 2016 and 2031, which is the time period for the data used in preparing the Strategy, the forecast population will increase by over 77,000 people, which represents a 41 per cent increase in the number of residents and a 47 per cent increase in the number of workers. The City of Yarra contains a mosaic of land uses and zones, with land that is available for more intensive redevelopment in all locations except for the heritage areas. However, even in the heritage areas there are newer buildings and redundant sites where redevelopment is occurring.</p> <p>The forecast population is planned to be accommodated in medium to high density urban development located across the municipality outside the heritage areas, including in areas that have little or no access to existing public open space. This will drive the need for an expanded open space network that will require Council to purchase new land area for public open space. As most of the larger strategic sites in the City of Yarra have already been redeveloped, the Council will not be able to rely on land contributions to create the new open spaces in all locations included in the Strategy.</p>
	<u>Difficulties and inequities associated with providing land contributions over cash contributions t</u>	<p>All applications for a planning permit are considered on their own merits in light of the provisions of the planning scheme. The Amendment only proposes to change the rate specified in the Schedule to Clause 53.01. No changes are proposed to the provision of Clause 53.01, so the provisions to offset the contributable amount where the particular circumstances justify it are unchanged.</p>
	<u>Blanket rate</u>	<p>The rate is uniform across the municipality providing consistency, policy neutrality and perceived equity.</p> <p>The single public open space contribution rate is considered to meet the equity principle because a uniform rate provides an even benchmark, with clarity and simplicity about what the rate will be. All subdivisions are treated equally, the principles of need, nexus, accountability and equity having been established in the setting of the rate.</p> <p>The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 37</b>		
<b>Opposed</b>	<u>Uniform Rate</u> The Amendment proposes to impose a uniform contribution rate across the whole municipality which is inequitable. Fitzroy North is already very well served by open space and it is unreasonable to impose a high contribution requirement to offset public open space upgrades for other areas within the municipality that are poorly served by public open space and that require significant upgrades.	<p>The rate is uniform across the municipality providing consistency, policy neutrality and perceived equity.</p> <p>The single public open space contribution rate is considered to meet the equity principle because a uniform rate provides an even benchmark, with clarity and simplicity about what the rate will be. All subdivisions are treated equally, the principles of need, nexus, accountability and equity having been established in the setting of the rate.</p> <p>The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p>

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	<p><u>Size of increase</u> The size of the proposed increase and overall rate is excessive and unreasonable having regard to the current rate, the 5% rate provided for in the Subdivision Act 1988, contribution rates round in other inner city municipalities and those found in growth areas of Melbourne.</p> <p><u>Strategic Justification</u> There is a lack of strategic justification for the proposed rate, noting the Strategy's predicted demand for open space by workers and non-residential land uses. To that end, we note that the Strategy assesses demand for public space upgrades based on both residential and non-residential users and it attempts to apply a uniform contribution rate to both residential and non-residential subdivisions, both of which are unreasonable.</p> <p><u>Contribution offsets</u> The Amendment should make provisions for contribution offsets where there are particular circumstances that justify it.</p> <p><u>Transition provisions</u> There should be transitional provisions for subdivision of developments that have a planning permit for development in place prior to the Amendment being gazetted into the planning Scheme.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p>A key reason that the new Yarra public open space contribution rate is proposed to increase from 4.5 to 10.1 per cent is that there is a substantial level of residential and employment population growth forecast in the City of Yarra.</p> <p>For the period between 2016 and 2031, which is the time period for the data used in preparing the Strategy, the forecast population will increase by over 77,000 people, which represents a 41 per cent increase in the number of residents and a 47 per cent increase in the number of workers. The City of Yarra contains a mosaic of land uses and zones, with land that is available for more intensive redevelopment in all locations except for the heritage areas. However, even in the heritage areas there are newer buildings and redundant sites where redevelopment is occurring.</p> <p>The forecast population is planned to be accommodated in medium to high density urban development located across the municipality outside the heritage areas, including in areas that have little or no access to existing public open space. This will drive the need for an expanded open space network that will require Council to purchase new land area for public open space. As most of the larger strategic sites in the City of Yarra have already been redeveloped, the Council will not be able to rely on land contributions to create the new open spaces in all locations included in the Strategy.</p> <p>All applications for a planning permit are considered on their own merits in light of the provisions of the planning scheme. The Amendment only proposes to change the rate specified in the Schedule to Clause 53.01. No changes are proposed to the provision of Clause 53.01, so the provisions to offset the contributable amount where the particular circumstances justify it are unchanged.</p> <p>Transitional provisions are not common in planning scheme amendments. It is likely that the Amendment process will take over 12 months to run its course. In addition, on the basis that all applications for a planning permit are considered on their own merits in light of the provisions of the planning scheme and no change is proposed to the provision of the planning scheme other than the quantum of the open space levy rate, transitional provisions are unnecessary.</p> <p><b>Recommended Position:</b> No change to Amendment.</p>
<b>Submission 38</b>		
<b>Opposed</b>	<p><u>Rate increase is excessive</u> A comparison to other Councils with similar contextual characteristics reveals that a 10.1% contribution rate is exorbitant and unjustified.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p>

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		<p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p><b>Recommended Position:</b> No change to Amendment.</p>
<b>Submission 39</b>		
<b>Opposed</b>	<p><u>Justification of rate increase</u></p> <p>The Amendment proposes an excessive rate, which is more than double the current rate of 4.5%, 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.</p> <p><u>Inclusion of non-residential uses</u></p> <p>The Amendment seeks to impose the obligation on <i>all</i> subdivisions, with no distinction between residential / commercial / industrial subdivisions, and no differentiation between suburbs or precincts.</p> <p>There is simply no evidence to suggest that the demand for open space generated by employment uses is equivalent to the demand from residential uses. The documents exhibited with the Amendment fail to provide sufficient analysis or justification for applying an equivalent rate to employment-related subdivisions.</p> <p><u>Bespoke arrangements for strategic redevelopment site</u></p> <p>The Amendment also fails to provide bespoke arrangements for strategic redevelopment sites or land within special purpose zones. Applying a 'one size fits all' rate is a fundamentally flawed approach, and one which should not be further considered.</p> <p><u>Housing affordability</u></p> <p>The flow-on effect of introducing such an exorbitant rate is that development costs are increased, which in turn undermines affordability for end users. Alternatively, it means that land which might otherwise have been developed sits dormant, and aspirations for housing density and diversity remain unachieved.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p>Many of the areas in the City that are forecast to change are the former industrial and manufacturing areas. These areas are being redeveloped to mixed use precincts with a combination of residential, commercial and business use. Historically, the industrial areas did not have public open space. With the proposed changes, these areas are being redeveloped with increased building heights and a change to a predominantly office-based professional workforce. The surveys undertaken for this Strategy found that more than 80 per cent of workers visit public open space during the day. With increased numbers of people working and living in the former industrial precincts there is a need to provide new areas of public open space.</p> <p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged.</p> <p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 40</b>		

Submission Number Interest Type of Submission	Summary of Submission	Response to inform Council's submission to Panel
<b>Opposed</b>	<p><u>Justification of rate increase</u></p> <p>The Amendment proposes an excessive rate, which is more than double the current rate of 4.5%, 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.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p>
	<p><u>Inclusion of non-residential uses</u></p> <p>The Amendment seeks to impose the obligation on <i>all</i> subdivisions, with no distinction between residential / commercial / industrial subdivisions, and no differentiation between suburbs or precincts.</p> <p>There is no evidence to suggest that the demand for open space generated by employment uses is equivalent to the demand from residential uses. The documents exhibited with the Amendment fail to provide sufficient analysis or justification for applying an equivalent rate to employment-related subdivisions.</p>	<p>Many of the areas in the City that are forecast to change are the former industrial and manufacturing areas. These areas are being redeveloped to mixed use precincts with a combination of residential, commercial and business use. Historically, the industrial areas did not have public open space. With the proposed changes, these areas are being redeveloped with increased building heights and a change to a predominantly office-based professional workforce. The surveys undertaken for this Strategy found that more than 80 per cent of workers visit public open space during the day. With increased numbers of people working and living in the former industrial precincts there is a need to provide new areas of public open space.</p>
	<p><u>Bespoke arrangements for strategic redevelopment site</u></p> <p>The Amendment also fails to provide bespoke arrangements for strategic redevelopment sites or land within special purpose zones. Applying a 'one size fits all' rate is a fundamentally flawed approach, and one which should not be further considered.</p>	<p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged.</p>
	<p><u>Housing affordability</u></p> <p>The flow-on effect of introducing such an exorbitant rate is that development costs are increased, which in turn undermines affordability for end users. Alternatively, it means that land which might otherwise have been developed sits dormant, and aspirations for housing density and diversity remain unachieved.</p>	<p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 41</b>		
<b>Opposed</b>	<p><u>Justification of rate increase</u></p> <p>The Amendment proposes an excessive rate, which is more than double the current rate of 4.5%, 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.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many</p>

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		municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.
	<p><u>Inclusion of non-residential uses</u></p> <p>The Amendment seeks to impose the obligation on <i>all</i> subdivisions, with no distinction between residential / commercial / industrial subdivisions, and no differentiation between suburbs or precincts.</p> <p>There is simply no evidence to suggest that the demand for open space generated by employment uses is equivalent to the demand from residential uses. The documents exhibited with the Amendment fail to provide sufficient analysis or justification for applying an equivalent rate to employment-related subdivisions.</p>	<p>Many of the areas in the City that are forecast to change are the former industrial and manufacturing areas. These areas are being redeveloped to mixed use precincts with a combination of residential, commercial and business use. Historically, the industrial areas did not have public open space. With the proposed changes, these areas are being redeveloped with increased building heights and a change to a predominantly office-based professional workforce. The surveys undertaken for this Strategy found that more than 80 per cent of workers visit public open space during the day. With increased numbers of people working and living in the former industrial precincts there is a need to provide new areas of public open space.</p>
	<p><u>Bespoke arrangements for strategic redevelopment site</u></p> <p>The Amendment also fails to provide bespoke arrangements for strategic redevelopment sites or land within special purpose zones. Applying a 'one size fits all' rate is a fundamentally flawed approach, and one which should not be further considered.</p>	<p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged.</p>
	<p><u>Housing affordability</u></p> <p>The flow-on effect of introducing such an exorbitant rate is that development costs are increased, which in turn undermines affordability for end users. Alternatively, it means that land which might otherwise have been developed sits dormant, and aspirations for housing density and diversity remain unachieved.</p>	<p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 42</b>		
<b>Opposed</b>	<p><u>Existing permits and agreements</u></p> <p>Requests that the proposed Amendment be modified to apply a site specific contribution of 4.5% to the land in the Alphington Paper Mill Development Plan area (DPO11) in the proposed Schedule to Clause 53.10 Public Open Space Contribution and Subdivision. The proposed site specific contribution of 4.5% will recognise and acknowledge the agreed public open space contribution associated with the approved Alphington Paper Mill Development Plan 2016.</p>	<p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged as does the impact on existing permits or agreements.</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 43</b>		
<b>Opposed</b>	<p><u>Justification of rate increase</u></p> <p>The Amendment proposes an excessive rate, which is more than double the current rate of 4.5%, 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.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many</p>

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	<p><u>Inclusion of non-residential uses</u></p> <p>The Amendment seeks to impose the obligation on <i>all</i> subdivisions, with no distinction between residential / commercial / industrial subdivisions, and no differentiation between suburbs or precincts.</p> <p>There is simply no evidence to suggest that the demand for open space generated by employment uses is equivalent to the demand from residential uses. The documents exhibited with the Amendment fail to provide sufficient analysis or justification for applying an equivalent rate to employment-related subdivisions.</p> <p><u>Bespoke arrangements for strategic redevelopment site</u></p> <p>The Amendment also fails to provide bespoke arrangements for strategic redevelopment sites or land within special purpose zones. Applying a 'one size fits all' rate is a fundamentally flawed approach, and one which should not be further considered.</p> <p><u>Housing affordability</u></p> <p>The flow-on effect of introducing such an exorbitant rate is that development costs are increased, which in turn undermines affordability for end users. Alternatively, it means that land which might otherwise have been developed sits dormant, and aspirations for housing density and diversity remain unachieved.</p>	<p>municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p>Many of the areas in the City that are forecast to change are the former industrial and manufacturing areas. These areas are being redeveloped to mixed use precincts with a combination of residential, commercial and business use. Historically, the industrial areas did not have public open space. With the proposed changes, these areas are being redeveloped with increased building heights and a change to a predominantly office-based professional workforce. The surveys undertaken for this Strategy found that more than 80 per cent of workers visit public open space during the day. With increased numbers of people working and living in the former industrial precincts there is a need to provide new areas of public open space.</p> <p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged.</p> <p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 44</b>		
<b>Opposed</b>	<p><u>Strategic justification</u></p> <p>In the Panel Report for Amendment C148 to the Monash Planning Scheme dated 7 April 2020, the Panel considered an increase in Public Open Space Contributions from 5 per cent to 10 per cent. The Panel were critical of Council for not having an implementation plan which included the identification of precincts in which open space acquisitions are a priority with an indicative budget. It is submitted that this Amendment has the same shortcomings and more detailed work is required to properly consider the public open space contribution amount for each precinct.</p>	<p>A key reason that the new Yarra public open space contribution rate is proposed to increase from 4.5 to 10.1 per cent is that there is a substantial level of residential and employment population growth forecast in the City of Yarra.</p> <p>For the period between 2016 and 2031, which is the time period for the data used in preparing the Strategy, the forecast population will increase by over 77,000 people, which represents a 41 per cent increase in the number of residents and a 47 per cent increase in the number of workers. The City of Yarra contains a mosaic of land uses and zones, with land that is available for more intensive redevelopment in all locations except for the heritage areas. However, even in the heritage areas there are newer buildings and redundant sites where redevelopment is occurring.</p> <p>The forecast population is planned to be accommodated in medium to high density urban development located across the municipality outside the heritage areas, including in areas that have little or no access to existing public open space. This will drive the need for an expanded open space network that will require Council to purchase new land area for public open space. As most of the larger strategic sites in the City of Yarra have already been redeveloped, the Council will not be able to rely on land contributions to create the new open spaces in all locations included in the Strategy</p>

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	<p><u>Substantial and unprecedented increase</u></p> <p>The proposed public open space contribution of 10.1% far exceeds the rates currently being applied in other inner city municipalities, including Boroondara (a standard 5% under section 18 of the <i>Subdivision Act 1988</i>), Stonnington (5-8% - determined based on where the subdivision is located), Maribyrnong (5.7% for subdivisions of 10 lots or greater), Whitehorse (4%), Darebin (2-5% - determined based on the number of allotments proposed).</p> <p>It is submitted that the proposed 10.1% contribution is excessive and based on the analysis in the supporting documents to the Amendment, the public open space contribution for the Fairfield precinct should remain 4.5%.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 45</b>		
<b>Opposed</b>	<p><u>Justification of rate increase</u></p> <p>The Amendment proposes an excessive rate, which is more than double the current rate of 4.5%, 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.</p> <p><u>Inclusion of non-residential uses</u></p> <p>The Amendment seeks to impose the obligation on <i>all</i> subdivisions, with no distinction between residential / commercial / industrial subdivisions, and no differentiation between suburbs or precincts.</p> <p>There is simply no evidence to suggest that the demand for open space generated by employment uses is equivalent to the demand from residential uses. The documents exhibited with the Amendment fail to provide sufficient analysis or justification for applying an equivalent rate to employment-related subdivisions.</p> <p><u>Bespoke arrangements for strategic redevelopment site</u></p> <p>The Amendment also fails to provide bespoke arrangements for strategic redevelopment sites or land within special purpose zones. Applying a 'one size fits all' rate is a fundamentally flawed approach, and one which should not be further considered.</p> <p><u>Housing affordability</u></p> <p>The flow-on effect of introducing such an exorbitant rate is that development costs are increased, which in turn undermines affordability for end users. Alternatively, it means that land which might otherwise have been developed sits dormant, and aspirations for housing density and diversity remain unachieved.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p>Many of the areas in the City that are forecast to change are the former industrial and manufacturing areas. These areas are being redeveloped to mixed use precincts with a combination of residential, commercial and business use. Historically, the industrial areas did not have public open space. With the proposed changes, these areas are being redeveloped with increased building heights and a change to a predominantly office-based professional workforce. The surveys undertaken for this Strategy found that more than 80 per cent of workers visit public open space during the day. With increased numbers of people working and living in the former industrial precincts there is a need to provide new areas of public open space.</p> <p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged.</p> <p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development,</p>



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		<p>which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 46</b>		
<b>Opposed</b>	<p><u>Justification of rate increase</u></p> <p>The Amendment proposes an excessive rate, which is more than double the current rate of 4.5%, 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.</p> <p><u>Inclusion of non-residential uses</u></p> <p>The Amendment seeks to impose the obligation on <i>all</i> subdivisions, with no distinction between residential / commercial / industrial subdivisions, and no differentiation between suburbs or precincts.</p> <p>There is simply no evidence to suggest that the demand for open space generated by employment uses is equivalent to the demand from residential uses. The documents exhibited with the Amendment fail to provide sufficient analysis or justification for applying an equivalent rate to employment-related subdivisions.</p> <p><u>Bespoke arrangements for strategic redevelopment site</u></p> <p>The Amendment also fails to provide bespoke arrangements for strategic redevelopment sites or land within special purpose zones. Applying a 'one size fits all' rate is a fundamentally flawed approach, and one which should not be further considered.</p> <p><u>Housing affordability</u></p> <p>The flow-on effect of introducing such an exorbitant rate is that development costs are increased, which in turn undermines affordability for end users. Alternatively, it means that land which might otherwise have been developed sits dormant, and aspirations for housing density and diversity remain unachieved.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p>Many of the areas in the City that are forecast to change are the former industrial and manufacturing areas. These areas are being redeveloped to mixed use precincts with a combination of residential, commercial and business use. Historically, the industrial areas did not have public open space. With the proposed changes, these areas are being redeveloped with increased building heights and a change to a predominantly office-based professional workforce. The surveys undertaken for this Strategy found that more than 80 per cent of workers visit public open space during the day. With increased numbers of people working and living in the former industrial precincts there is a need to provide new areas of public open space.</p> <p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged.</p> <p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 47</b>		
<b>Opposed</b>	<p><u>Open Space Levy rate increase</u></p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space</p>

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	<p>The proposed contribution rate of 10.1% is excessive, noting the existing rate of 4.1%, the existing rate of 5% in the Subdivision Act 1988 and the contributions within other Councils in Metropolitan Melbourne.</p>	<p>contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p>
	<p><u>Existing open space</u> The City of Yarra is currently very well supplied with open spaces.</p>	<p>A key reason that the new Yarra public open space contribution rate is proposed to increase from 4.5 to 10.1 per cent is that there is a substantial level of residential and employment population growth forecast in the City of Yarra.</p> <p>For the period between 2016 and 2031, which is the time period for the data used in preparing the Strategy, the forecast population will increase by over 77,000 people, which represents a 41 per cent increase in the number of residents and a 47 per cent increase in the number of workers. The City of Yarra contains a mosaic of land uses and zones, with land that is available for more intensive redevelopment in all locations except for the heritage areas. However, even in the heritage areas there are newer buildings and redundant sites where redevelopment is occurring.</p> <p>The forecast population is planned to be accommodated in medium to high density urban development located across the municipality outside the heritage areas, including in areas that have little or no access to existing public open space. This will drive the need for an expanded open space network that will require Council to purchase new land area for public open space. As most of the larger strategic sites in the City of Yarra have already been redeveloped, the Council will not be able to rely on land contributions to create the new open spaces in all locations included in the Strategy</p>
	<p><u>Use of open space by workers</u> The Strategy includes reliance of demand for open space by workers to justify the rate, which is unreasonable and inequitable.</p>	<p>Many of the areas in the City that are forecast to change are the former industrial and manufacturing areas. These areas are being redeveloped to mixed use precincts with a combination of residential, commercial and business use. Historically, the industrial areas did not have public open space. With the proposed changes, these areas are being redeveloped with increased building heights and a change to a predominantly office-based professional workforce. The surveys undertaken for this Strategy found that more than 80 per cent of workers visit public open space during the day. With increased numbers of people working and living in the former industrial precincts there is a need to provide new areas of public open space.</p>
	<p><u>Strategic justification for the increase</u> The strategic justification for the increase is flawed.</p>	<p>A key reason that the new Yarra public open space contribution rate is proposed to increase from 4.5 to 10.1 per cent is that there is a substantial level of residential and employment population growth forecast in the City of Yarra.</p> <p>For the period between 2016 and 2031, which is the time period for the data used in preparing the Strategy, the forecast population will increase by over 77,000 people, which represents a 41 per cent increase in the number of residents and a 47 per cent increase in the number of workers. The City of Yarra contains a mosaic of land uses and zones, with land that is available for more intensive redevelopment in all locations except for the heritage areas. However, even in the heritage areas there are newer buildings and redundant sites where redevelopment is occurring.</p> <p>The forecast population is planned to be accommodated in medium to high density urban development located across the municipality outside the heritage areas, including in areas that have little or no access to existing public open space. This will drive the need for an expanded open space network that will require Council to purchase new land area for public open space. As most of the larger strategic sites in the City of Yarra have already been</p>

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		<p>redeveloped, the Council will not be able to rely on land contributions to create the new open spaces in all locations included in the Strategy.</p> <p>Transitional provisions are not common in planning scheme amendments. It is likely that the Amendment process will take over 12 months to run its course. In addition, on the basis that all applications for a planning permit are considered on their own merits in light of the provisions of the planning scheme and no change is proposed to the provision of the planning scheme other than the quantum of the open space levy rate, transitional provisions are unnecessary.</p> <p><b>Recommended Position:</b> No change to Amendment.</p>
<b>Submission 48</b>		
<b>Opposed</b>	<p><u>Justification of rate increase</u></p> <p>The Amendment proposes an excessive rate, which is more than double the current rate of 4.5%, 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.</p> <p><u>Inclusion of non-residential uses</u></p> <p>The Amendment seeks to impose the obligation on <i>all</i> subdivisions, with no distinction between residential / commercial / industrial subdivisions and no differentiation between suburbs or precincts.</p> <p>There is simply no evidence to suggest that the demand for open space generated by employment uses is equivalent to the demand from residential uses. The documents exhibited with the Amendment fail to provide sufficient analysis or justification for applying an equivalent rate to employment-related subdivisions.</p> <p><u>Bespoke arrangements for strategic redevelopment site</u></p> <p>The Amendment also fails to provide bespoke arrangements for strategic redevelopment sites or land within special purpose zones. Applying a 'one size fits all' rate is a fundamentally flawed approach, and one which should not be further considered.</p> <p><u>Housing affordability</u></p> <p>The flow-on effect of introducing such an exorbitant rate is that development costs are increased, which in turn undermines affordability for end users. Alternatively, it means that land which might otherwise have been developed sits dormant, and aspirations for housing density and diversity remain unachieved.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p>Many of the areas in the City that are forecast to change are the former industrial and manufacturing areas. These areas are being redeveloped to mixed use precincts with a combination of residential, commercial and business use. Historically, the industrial areas did not have public open space. With the proposed changes, these areas are being redeveloped with increased building heights and a change to a predominantly office-based professional workforce. The surveys undertaken for this Strategy found that more than 80 per cent of workers visit public open space during the day. With increased numbers of people working and living in the former industrial precincts there is a need to provide new areas of public open space.</p> <p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged.</p> <p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>

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<b>Submission 49</b>		
<b>Opposed</b>	<p><u>Strategic justification for the increase</u> The methodology and documentation which underpins the Amendment is flawed. It lacks strategic justification.</p> <p><u>Blanket rate</u> A blanket open space contribution for all land does not distinguish between different development typologies and concessions associated with the provision of affordable housing.</p> <p><u>Monash C148</u> The Amendment contains a clause similar to those identified by the Panel which considered Amendment C148 to the Monash Planning Scheme and lacks an implementation plan</p> <p><u>Housing affordability</u> The Amendment does not distinguish between different development typologies and concessions associated with the provision of affordable housing</p>	<p>A key reason that the new Yarra public open space contribution rate is proposed to increase from 4.5 to 10.1 per cent is that there is a substantial level of residential and employment population growth forecast in the City of Yarra.</p> <p>For the period between 2016 and 2031, which is the time period for the data used in preparing the Strategy, the forecast population will increase by over 77,000 people, which represents a 41 per cent increase in the number of residents and a 47 per cent increase in the number of workers. The City of Yarra contains a mosaic of land uses and zones, with land that is available for more intensive redevelopment in all locations except for the heritage areas. However, even in the heritage areas there are newer buildings and redundant sites where redevelopment is occurring.</p> <p>The forecast population is planned to be accommodated in medium to high density urban development located across the municipality outside the heritage areas, including in areas that have little or no access to existing public open space. This will drive the need for an expanded open space network that will require Council to purchase new land area for public open space. As most of the larger strategic sites in the City of Yarra have already been redeveloped, the Council will not be able to rely on land contributions to create the new open spaces in all locations included in the Strategy.</p> <p>The rate is uniform across the municipality providing consistency, policy neutrality and perceived equity.</p> <p>The single public open space contribution rate is considered to meet the equity principle because a uniform rate provides an even benchmark, with clarity and simplicity about what the rate will be. All subdivisions are treated equally, the principles of need, nexus, accountability and equity having been established in the setting of the rate.</p> <p>The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p>For the period between 2016 and 2031, which is the time period for the data used in preparing the Strategy, the forecast population will increase by over 77,000 people, which represents a 41 per cent increase in the number of residents and a 47 per cent increase in the number of workers. The City of Yarra contains a mosaic of land uses and zones, with land that is available for more intensive redevelopment in all locations except for the heritage areas. However, even in the heritage areas there are newer buildings and redundant sites where redevelopment is occurring.</p> <p>The forecast population is planned to be accommodated in medium to high density urban development located across the municipality outside the heritage areas, including in areas that have little or no access to existing public open space. This will drive the need for an expanded open space network that will require Council to purchase new land area for public open space. As most of the larger strategic sites in the City of Yarra have already been redeveloped, the Council will not be able to rely on land contributions to create the new open spaces in all locations included in the Strategy</p> <p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development,</p>

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		<p>which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 50</b>		
	<p><u>Open Space Levy rate increase</u> The excessive size of the proposed increase</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p>
	<p><u>Strategic justification for the increase</u> The lack of strategic justification for the proposed increase.</p>	<p>A key reason that the new Yarra public open space contribution rate is proposed to increase from 4.5 to 10.1 per cent is that there is a substantial level of residential and employment population growth forecast in the City of Yarra.</p> <p>For the period between 2016 and 2031, which is the time period for the data used in preparing the Strategy, the forecast population will increase by over 77,000 people, which represents a 41 per cent increase in the number of residents and a 47 per cent increase in the number of workers. The City of Yarra contains a mosaic of land uses and zones, with land that is available for more intensive redevelopment in all locations except for the heritage areas. However, even in the heritage areas there are newer buildings and redundant sites where redevelopment is occurring.</p> <p>The forecast population is planned to be accommodated in medium to high density urban development located across the municipality outside the heritage areas, including in areas that have little or no access to existing public open space. This will drive the need for an expanded open space network that will require Council to purchase new land area for public open space. As most of the larger strategic sites in the City of Yarra have already been redeveloped, the Council will not be able to rely on land contributions to create the new open spaces in all locations included in the Strategy.</p>
	<p><u>Blanket rate</u> The inequities associated with applying a blanket rate across the whole municipality.</p>	<p>The rate is uniform across the municipality providing consistency, policy neutrality and perceived equity.</p> <p>The single public open space contribution rate is considered to meet the equity principle because a uniform rate provides an even benchmark, with clarity and simplicity about what the rate will be. All subdivisions are treated equally, the principles of need, nexus, accountability and equity having been established in the setting of the rate.</p> <p>The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p>
	<p><u>Site considerations</u> The difficulties and inequities associated with providing land contributions over cash contributions on a site by site basis, as required in different areas of the municipality, including land contributions that meet the policy requirements.</p>	<p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged</p>

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	<p><u>Transitional provisions</u></p> <p>The inequities and unfairness associated with applying the proposed increased rate to approved developments and developments that are under construction, including in the absence of any transitional provisions.</p>	<p>Transitional provisions are not common in planning scheme amendments. It is likely that the Amendment process will take over 12 months to run its course. In addition, on the basis that all applications for a planning permit are considered on their own merits in light of the provisions of the planning scheme and no change is proposed to the provision of the planning scheme other than the quantum of the open space levy rate, transitional provisions are unnecessary.</p> <p><b>Recommended Position:</b> No change to Amendment.</p>
<b>Submission 51</b>		
<b>Opposed</b>	<p><u>Justification of rate increase</u></p> <p>The Amendment proposes an excessive rate, which is more than double the current rate of 4.5%, 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.</p> <p><u>Inclusion of non-residential uses</u></p> <p>The Amendment seeks to impose the obligation on <i>all</i> subdivisions, with no distinction between residential / commercial / industrial subdivisions, and no differentiation between suburbs or precincts.</p> <p>There is simply no evidence to suggest that the demand for open space generated by employment uses is equivalent to the demand from residential uses. The documents exhibited with the Amendment fail to provide sufficient analysis or justification for applying an equivalent rate to employment-related subdivisions.</p> <p><u>Bespoke arrangements for strategic redevelopment site</u></p> <p>The Amendment also fails to provide bespoke arrangements for strategic redevelopment sites or land within special purpose zones. Applying a 'one size fits all' rate is a fundamentally flawed approach, and one which should not be further considered.</p> <p><u>Housing affordability</u></p> <p>The flow-on effect of introducing such an exorbitant rate is that development costs are increased, which in turn undermines affordability for end users. Alternatively, it means that land which might otherwise have been developed sits dormant, and aspirations for housing density and diversity remain unachieved.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p>Many of the areas in the City that are forecast to change are the former industrial and manufacturing areas. These areas are being redeveloped to mixed use precincts with a combination of residential, commercial and business use. Historically, the industrial areas did not have public open space. With the proposed changes, these areas are being redeveloped with increased building heights and a change to a predominantly office-based professional workforce. The surveys undertaken for this Strategy found that more than 80 per cent of workers visit public open space during the day. With increased numbers of people working and living in the former industrial precincts there is a need to provide new areas of public open space.</p> <p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged.</p> <p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 52</b>		

Submission Number Interest Type of Submission	Summary of Submission	Response to inform Council's submission to Panel
<b>Opposed</b>	<p><u>Rate increase</u></p> <p>The Amendment proposes an excessive rate, which is more than double the current rate of 4.5%, 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.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p>
	<p><u>Inclusion of non-residential uses</u></p> <p>The Amendment seeks to impose the obligation on <i>all</i> subdivisions, with no distinction between residential / commercial / industrial subdivisions, and no differentiation between suburbs or precincts.</p> <p>There is simply no evidence to suggest that the demand for open space generated by employment uses is equivalent to the demand from residential uses. The documents exhibited with the Amendment fail to provide sufficient analysis or justification for applying an equivalent rate to employment-related subdivisions.</p>	<p>Many of the areas in the City that are forecast to change are the former industrial and manufacturing areas. These areas are being redeveloped to mixed use precincts with a combination of residential, commercial and business use. Historically, the industrial areas did not have public open space. With the proposed changes, these areas are being redeveloped with increased building heights and a change to a predominantly office-based professional workforce. The surveys undertaken for this Strategy found that more than 80 per cent of workers visit public open space during the day. With increased numbers of people working and living in the former industrial precincts there is a need to provide new areas of public open space.</p>
	<p><u>Arrangements for strategic redevelopment site</u></p> <p>The Amendment also fails to provide bespoke arrangements for strategic redevelopment sites or land within special purpose zones. Applying a 'one size fits all' rate is a fundamentally flawed approach, and one which should not be further considered.</p>	<p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged.</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 53</b>		
<b>Opposed</b>	<p><u>Rate increase</u></p> <p>The proposed rate and extent of the increase is excessive.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p>
	<p><u>Strategic justification for the increase</u></p> <p>The lack of strategic justification for the increase</p>	<p>A key reason that the new Yarra public open space contribution rate is proposed to increase from 4.5 to 10.1 per cent is that there is a substantial level of residential and employment population growth forecast in the City of Yarra.</p> <p>For the period between 2016 and 2031, which is the time period for the data used in preparing the Strategy, the forecast population will increase by over 77,000 people, which represents a 41 per cent increase in the number of residents and a 47 per cent increase in the number of workers. The City of Yarra contains a mosaic of land uses and zones, with land that is available for more intensive redevelopment in all locations except for the heritage</p>

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	<p>areas. However, even in the heritage areas there are newer buildings and redundant sites where redevelopment is occurring.</p> <p>The forecast population is planned to be accommodated in medium to high density urban development located across the municipality outside the heritage areas, including in areas that have little or no access to existing public open space . This will drive the need for an expanded open space network that will require Council to purchase new land area for public open space. As most of the larger strategic sites in the City of Yarra have already been redeveloped, the Council will not be able to rely on land contributions to create the new open spaces in all locations included in the Strategy.</p> <p><u>Flat rate</u> The municipal wide 'flat rate' is also contrary to most comparable municipalities within Metropolitan Melbourne.</p> <p><u>Need for provisions to offset the contributable amount where the particular circumstances justify it</u></p> <p><u>Lack of transitional provisions</u></p>	<p>The rate is uniform across the municipality providing consistency, policy neutrality and perceived equity.</p> <p>The single public open space contribution rate is considered to meet the equity principle because a uniform rate provides an even benchmark, with clarity and simplicity about what the rate will be. All subdivisions are treated equally, the principles of need, nexus, accountability and equity having been established in the setting of the rate.</p> <p>The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p>All applications for a planning permit are considered on their own merits in light of the provisions of the planning scheme. The Amendment only proposes to change the rate specified in the Schedule to Clause 53.01. No changes are proposed to the provision of Clause 53.01, so the provisions to offset the contributable amount where the particular circumstances justify it are unchanged.</p> <p>Transitional provisions are not common in planning scheme amendments. It is likely that the Amendment process will take over 12 months to run its course. In addition, on the basis that all applications for a planning permit are considered on their own merits in light of the provisions of the planning scheme and no change is proposed to the provision of the planning scheme other than the quantum of the open space levy rate, transitional provisions are unnecessary.</p> <p><b>Recommended Position:</b> No change to Amendment.</p>
<b>Submission 54</b>		
<b>Opposed</b>	<p><u>Outdated data</u> Underpinning the need for public open space and the proposed contribution rate are population, housing and employment data for the City of Yarra. The YOSS is based on population forecasts over the next 15 years. However, this is clearly incorrect. The YOSS and proposed Clause 22.12 states that the open space needs assessment and directions are based on forecasts within the Yarra Housing Strategy and Yarra Spatial Economic and Employment Strategy. Both of these documents use data from the 2016 census, and subsequently the 15 years which the YOSS is based upon begins in 2016 (not 2020).</p> <p>It is unrealistic to not consider the impact of the COVID-19 Pandemic on where we work and population forecasts. Most professionals have and will continue to work from home to some extent, and international migration, including international students to Australia has been paused for nearly two years. It is important that the YOSS considers how these critical issues affect worker and resident population in the future for the City of Yarra.</p> <p><u>Existing Open Space</u></p>	<p>The Strategy and the Public Open Space Contributions report are based on the data available made at the time of compilation and assumes that the dwelling and employment forecasts will be met. We also understand that the timing may be extended due to COVID-19 and therefore development may occur beyond the initial timeframe. Likewise, development may occur at a faster rate over the forecast period.</p> <p>One of the most observable impacts of COVID-19 has been the significant use of open spaces, particularly in inner urban areas.</p> <p>The Strategy at page 2 outlines what is included as open space:</p>



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	<p>It is unclear how Council has arrived at the lesser figure of 13.5% for public open space and unlike the more accurate calculation of 24% of land zoned for public open space, it is unclear what land is included within the 13.5%. This 24% presumably includes the largest regional public open space area within the inner eastern corridor, Yarra Bend Park, which is managed by Parks Victoria.</p> <p><u>Funding for Small Parks Only</u> The Open Space Framework on page 6 of the YOSS identifies the different open spaces across the municipality. Diagram B indicates that most open space within the municipality is regional or city-wide open space. Therefore, the proposed contribution will only be going towards the upgrade or establishment of local and small neighbourhood parks.</p> <p><u>Inappropriate rate increase</u> There is currently no municipality in Victoria that includes a Schedule to Clause 53.01 that requires a public open space contribution rate of 10.1% across the entire municipality. Some municipalities do require a 10% contribution or above, these rates are only applicable to site / precinct specific areas</p> <p><u>Housing affordability</u> A proposed blanket 10.1% contribution rate is unjustifiable as it overlooks significant site specific contextual factors, such as easements and other site constraints that may affect yield of development. Without a clearer delineation between land and public open space cash contributions, this flat rate contribution may also lead to equity issues.</p>	<p><i>Public open space in this Strategy includes areas which are managed by State Government agencies or their delegates located in the City of Yarra. This includes Yarra Bend Park and the Collingwood Children's Farm. Restricted open space is land that is only available for use on a membership or fee paying basis and examples include Burnley Golf Course and Richmond Union Bowls Club. Other public land including schools and streets complement the public open space network, however, other strategies and plans provide direction and guidance for these.</i></p> <p>Diagram B identifies gap areas in the open space network. The gap areas are locations where the community lack easy walkable access to any open space. Additional open space is required to address the gaps in the provision and diversity of open space with priorities given to gap areas where urban densities are forecast to increase. The opportunities to provide for new regional or city-wide open spaces are limited, however, ongoing improvements and upgrades of these open spaces are part of the Strategy.</p> <p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 55</b>		
<b>Opposed</b>	<p><u>Outdated data</u> Underpinning the need for public open space and the proposed contribution rate are population, housing and employment data for the City of Yarra. The YOSS is based on population forecasts over the next 15 years. However, this is clearly incorrect. The YOSS and proposed Clause 22.12 states that the open space needs assessment and directions are based on forecasts within the Yarra Housing Strategy and Yarra Spatial Economic and Employment Strategy. Both of these documents use data from the 2016 census, and subsequently the 15 years which the YOSS is based upon begins in 2016 (not 2020).</p>	<p>The Strategy and the Public Open Space Contributions report are based on the data available made at the time of compilation and assumes that the dwelling and employment forecasts will be met. We also understand that the timing may be extended due to COVID-19 and therefore development may occur beyond the initial timeframe. Likewise, development may occur at a faster rate over the forecast period.</p> <p>One of the most observable impacts of COVID-19 has been the significant use of open spaces, particularly in inner urban areas.</p>

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	<p>It is unrealistic to not consider the impact of the COVID-19 Pandemic on where we work and population forecasts. Most professionals have and will continue to work from home to some extent, and international migration, including international students to Australia has been paused for nearly two years. It is important that the YOSS considers how these critical issues affect worker and resident population in the future for the City of Yarra.</p> <p><u>Existing Open Space</u> It is unclear how Council has arrived at the lesser figure of 13.5% for public open space and unlike the more accurate calculation of 24% of land zoned for public open space, it is unclear what land is included within the 13.5%. This 24% presumably includes the largest regional public open space area within the inner eastern corridor, Yarra Bend Park, which is managed by Parks Victoria.</p> <p><u>Funding for Small Parks Only</u> The Open Space Framework on page 6 of the YOSS identifies the different open spaces across the municipality. Diagram B indicates that most open space within the municipality is regional or city-wide open space. Therefore, the proposed contribution will only be going towards the upgrade or establishment of local and small neighbourhood parks.</p> <p><u>Inappropriate rate increase</u> There is currently no municipality in Victoria that includes a Schedule to Clause 53.01 that requires a public open space contribution rate of 10.1% across the entire municipality. Some municipalities do require a 10% contribution or above, these rates are only applicable to site / precinct specific areas</p> <p><u>Housing affordability</u> A proposed blanket 10.1% contribution rate is unjustifiable as it overlooks significant site specific contextual factors, such as easements and other site constraints that may affect yield of development. Without a clearer delineation between land and public open space cash contributions, this flat rate contribution may also lead to equity issues.</p>	<p>The Strategy at page 2 outlines what is included as open space: <i>Public open space in this Strategy includes areas which are managed by State Government agencies or their delegates located in the City of Yarra. This includes Yarra Bend Park and the Collingwood Children's Farm. Restricted open space is land that is only available for use on a membership or fee paying basis and examples include Burnley Golf Course and Richmond Union Bowls Club. Other public land including schools and streets complement the public open space network, however, other strategies and plans provide direction and guidance for these.</i></p> <p>Diagram B identifies gap areas in the open space network. The gap areas are locations where the community lack easy walkable access to any open space. Additional open space is required to address the gaps in the provision and diversity of open space with priorities given to gap areas where urban densities are forecast to increase. The opportunities to provide for new regional or city-wide open spaces are limited, however, ongoing improvements and upgrades of these open spaces are part of the Strategy.</p> <p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 56</b>		
<b>Opposed</b>	<u>Justification of rate increase</u>	The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate.

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	<p>The Amendment proposes an excessive rate, which is more than double the current rate of 4.5%, 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.</p>	<p>This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p>
	<p><u>Inclusion of non-residential uses</u></p> <p>The Amendment seeks to impose the obligation on <i>all</i> subdivisions, with no distinction between residential / commercial / industrial subdivisions, and no differentiation between suburbs or precincts.</p> <p>There is simply no evidence to suggest that the demand for open space generated by employment uses is equivalent to the demand from residential uses. The documents exhibited with the Amendment fail to provide sufficient analysis or justification for applying an equivalent rate to employment-related subdivisions.</p>	<p>Many of the areas in the City that are forecast to change are the former industrial and manufacturing areas. These areas are being redeveloped to mixed use precincts with a combination of residential, commercial and business use. Historically, the industrial areas did not have public open space. With the proposed changes, these areas are being redeveloped with increased building heights and a change to a predominantly office-based professional workforce. The surveys undertaken for this Strategy found that more than 80 per cent of workers visit public open space during the day. With increased numbers of people working and living in the former industrial precincts there is a need to provide new areas of public open space.</p>
	<p><u>Bespoke arrangements for strategic redevelopment site</u></p> <p>The Amendment also fails to provide bespoke arrangements for strategic redevelopment sites or land within special purpose zones. Applying a 'one size fits all' rate is a fundamentally flawed approach, and one which should not be further considered.</p>	<p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged.</p>
	<p><u>Housing affordability</u></p> <p>The flow-on effect of introducing such an exorbitant rate is that development costs are increased, which in turn undermines affordability for end users. Alternatively, it means that land which might otherwise have been developed sits dormant, and aspirations for housing density and diversity remain unachieved.</p>	<p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 57</b>		
<b>Opposed</b>	<p><u>Justification of rate increase</u></p> <p>The Amendment proposes an excessive rate, which is more than double the current rate of 4.5%, 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.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p>

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	<p><u>Inclusion of non-residential uses</u></p> <p>The Amendment seeks to impose the obligation on <i>all</i> subdivisions, with no distinction between residential / commercial / industrial subdivisions, and no differentiation between suburbs or precincts.</p> <p>There is simply no evidence to suggest that the demand for open space generated by employment uses is equivalent to the demand from residential uses. The documents exhibited with the Amendment fail to provide sufficient analysis or justification for applying an equivalent rate to employment-related subdivisions.</p> <p><u>Bespoke arrangements for strategic redevelopment site</u></p> <p>The Amendment also fails to provide bespoke arrangements for strategic redevelopment sites or land within special purpose zones. Applying a 'one size fits all' rate is a fundamentally flawed approach, and one which should not be further considered.</p> <p><u>Housing affordability</u></p> <p>The flow-on effect of introducing such an exorbitant rate is that development costs are increased, which in turn undermines affordability for end users. Alternatively, it means that land which might otherwise have been developed sits dormant, and aspirations for housing density and diversity remain unachieved.</p>	<p>Many of the areas in the City that are forecast to change are the former industrial and manufacturing areas. These areas are being redeveloped to mixed use precincts with a combination of residential, commercial and business use. Historically, the industrial areas did not have public open space. With the proposed changes, these areas are being redeveloped with increased building heights and a change to a predominantly office-based professional workforce. The surveys undertaken for this Strategy found that more than 80 per cent of workers visit public open space during the day. With increased numbers of people working and living in the former industrial precincts there is a need to provide new areas of public open space.</p> <p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged.</p> <p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 58</b>		
<b>Opposed</b>	<p><u>Public open space under existing controls</u></p> <p>Submits that the public open space area as defined in DPO16 and designed through the Fitzroy Gasworks Development Plan is an acceptable outcome for this significant site and no additional monetary value in addition to this land contribution is required to be made.</p> <p>Requested that land bound by DPO16 Fitzroy Gasworks be exempt from the requirements of Amendment C286yara Public Open Space Contributions and wording similar to Amendment C238yara be applied to this effect.</p>	<p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged as does the impact on existing permits or agreements.</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 59</b>		
<b>Unknown</b>	Allocation of plots at Collingwood Children's Farm has been left and not allocated to the Community! There are many vacant plots being left to grow weeds.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 60</b>		
<b>Support</b>	Developers and subdividers should be held to a higher account and should have to provide a higher contribution.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 61</b>		

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<b>Support</b>	More public open space is essential for a better quality of life.	Noted <b>Recommended Position:</b> No change to Amendment
<b>Submission 52</b>		
<b>Opposed</b>	<p><u>Justification of rate increase</u> The Amendment proposes an excessive rate, which is more than double the current rate of 4.5%, 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.</p> <p><u>Inclusion of non-residential uses</u> The Amendment seeks to impose the obligation on <i>all</i> subdivisions, with no distinction between residential / commercial / industrial subdivisions, and no differentiation between suburbs or precincts. There is simply no evidence to suggest that the demand for open space generated by employment uses is equivalent to the demand from residential uses. The documents exhibited with the Amendment fail to provide sufficient analysis or justification for applying an equivalent rate to employment-related subdivisions.</p> <p><u>Bespoke arrangements for strategic redevelopment site</u> The Amendment also fails to provide bespoke arrangements for strategic redevelopment sites or land within special purpose zones. Applying a 'one size fits all' rate is a fundamentally flawed approach, and one which should not be further considered.</p> <p><u>Housing affordability</u> The flow-on effect of introducing such an exorbitant rate is that development costs are increased, which in turn undermines affordability for end users. Alternatively, it means that land which might otherwise have been developed sits dormant, and aspirations for housing density and diversity remain unachieved.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p>Many of the areas in the City that are forecast to change are the former industrial and manufacturing areas. These areas are being redeveloped to mixed use precincts with a combination of residential, commercial and business use. Historically, the industrial areas did not have public open space. With the proposed changes, these areas are being redeveloped with increased building heights and a change to a predominantly office-based professional workforce. The surveys undertaken for this Strategy found that more than 80 per cent of workers visit public open space during the day. With increased numbers of people working and living in the former industrial precincts there is a need to provide new areas of public open space.</p> <p>The Amendment does not propose any changes to the planning scheme other than an increase in the public open space contribution rate and a revised Open Space Policy at Clause 22.12. Consequently, any ability to agree specific arrangements for strategic redevelopment sites or land within special purpose zones remains unchanged.</p> <p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 63</b>		
<b>Opposed</b>	<p><u>Population rise</u> Would like to understand the currency of the 41% population increase between 2016 and 2031 in the context of both the COVID-19 Pandemic and the projections of the transport modelling to 2036 on Melbourne's population growth in the context of increasing the</p>	<p>The Strategy and the Public Open Space Contributions report are based on the data available made at the time of compilation and assumes that the dwelling and employment forecasts will be met. We also understand that the timing may be extended due to COVID-19 and therefore development may occur beyond the initial timeframe. Likewise, development may occur at a faster rate over the forecast period.</p>

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	<p>existing public open space contribution rate. Submitter would like to understand the currency of the 41% population increase between 2016 and 2031 in the context of both the COVID-19 Pandemic and the projections of the transport modelling to 2036 on Melbourne's population growth in the context of increasing the existing public open space contribution rate.</p> <p><u>Need and Nexus Principles</u></p> <p>The setting of public open space rates through Clause 53.01 of the planning scheme should be cognisant of section 18 of the Subdivision Act 1988. Specifically, the submitter considers that given Council has proposed this Amendment, at a minimum it should be justified or tested against the 'need' and 'nexus' principles for public open space contribution</p> <p><u>Housing affordability</u></p> <p>Indicative case studies sourced by NHFIC 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 4.5% to 10.1% in the City of Yarra would contribute to the cumulative impact of this ultimate charge and would be eroding housing affordability in the City of Yarra.</p> <p>Undermining urban consolidation</p> <p>The proposed Amendment raises implications for achieving urban consolidation and reducing the housing affordability problem in inner Melbourne. Is concerned that excessive open space contribution rates will increase land development costs and be a cost disadvantage for the more intensive redevelopment of existing urban areas. This is inconsistent with State and Local Planning Policy for urban consolidation and the provision of housing that is affordable.</p>	<p>One of the most observable impacts of COVID-19 has been the significant use of open spaces, particularly in inner urban areas.</p> <p>The rate is uniform across the municipality providing consistency, policy neutrality and perceived equity.</p> <p>The single public open space contribution rate is considered to meet the equity principle because a uniform rate provides an even benchmark, with clarity and simplicity about what the rate will be. All subdivisions are treated equally, the principles of need, nexus, accountability and equity having been established in the setting of the rate.</p> <p>The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.</p> <p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p> <p>A key reason that the new Yarra public open space contribution rate is proposed to increase from 4.5 to 10.1 per cent is that there is a substantial level of residential and employment population growth forecast in the City of Yarra.</p> <p>For the period between 2016 and 2031, which is the time period for the data used in preparing the Strategy, the forecast population will increase by over 77,000 people, which represents a 41 per cent increase in the number of residents and a 47 per cent increase in the number of workers. The City of Yarra contains a mosaic of land uses and zones, with land that is available for more intensive redevelopment in all locations except for the heritage areas. However, even in the heritage areas there are newer buildings and redundant sites where redevelopment is occurring.</p> <p>The forecast population is planned to be accommodated in medium to high density urban development located across the municipality outside the heritage areas, including in areas that have little or no access to existing public open space. This will drive the need for an expanded open space network that will require Council to purchase new land area for public open space. As most of the larger strategic sites in the City of Yarra have already been redeveloped, the Council will not be able to rely on land contributions to create the new open spaces in all locations included in the Strategy.</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 64</b>		
	<u>Flat rate</u>	The rate is uniform across the municipality providing consistency, policy neutrality and perceived equity.

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	The Amendment introduces as municipal wide 'flat rate,' it is contrary to most comparable municipalities within Metropolitan Melbourne	The single public open space contribution rate is considered to meet the equity principle because a uniform rate provides an even benchmark, with clarity and simplicity about what the rate will be. All subdivisions are treated equally, the principles of need, nexus, accountability and equity having been established in the setting of the rate.  The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause 53.01 in the Glen Eira, Melbourne, Moonee Valley, Maribyrnong, Whitehorse and Yarra Planning Schemes.
	<u>Rate Increase</u> The Amendment proposes an increase that is more than double the current rate of 4.5%. The size of the proposed increase is excessive and there is a lack of sufficient strategic justification for such a significant increase.	The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.  The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause
	<u>Contributable amount</u> The Amendment fails to identify any circumstances that may require special considerations and there is a need for provisions to offset the contributable amount where the particular circumstances justify it	All applications for a planning permit are considered on their own merits in light of the provisions of the planning scheme. The Amendment only proposes to change the rate specified in the Schedule to Clause 53.01. No changes are proposed to the provision of Clause 53.01, so the provisions to offset the contributable amount where the particular circumstances justify it are unchanged.
	<u>Transitional provisions</u> The Amendment, if approved, would result in a significant increase in development costs, which in turn undermines the feasibility of current projects. As such, the Amendment should include transitional provisions for any applications lodged with the Council prior to any Amendment being gazetted.	Transitional provisions are not common in planning scheme amendments. It is likely that the Amendment process will take over 12 months to run its course. In addition, on the basis that all applications for a planning permit are considered on their own merits in light of the provisions of the planning scheme and no change is proposed to the provision of the planning scheme other than the quantum of the open space levy rate, transitional provisions are unnecessary.  <b>Recommended Position:</b> No change to Amendment
<b>Submission 65</b>		
	<u>Clause 53.01</u> Clause 53.01 should recognise that not every subdivision is for development purposes and the Clause should provide an opportunity for flexibility for either applicants or councils. Without a degree of flexibility, unforeseen implications, such as a relatively simple boundary re-alignment between neighbours* requiring payment of a levy or stifling of innovation in design when a requirement cannot be varied in individual or exceptional circumstances even if all parties were to agree.  The proposed Schedule to Clause 53.01 removes any ability for Council to assess an application on its merits and take into consideration how a particular development may have addressed the objectives of the open space Strategy. It includes no consideration of the current and proposed land use and existing title configuration or how that may impact on the need generated for open space. We are particularly concerned that there will be no provision for consideration of existing land parcels, where for instance a re-subdivision of four existing lots into an equal or lesser number of lots may occur but	All applications for a planning permit are considered on their own merits in light of the provisions of the planning scheme. The Amendment only proposes to change the rate specified in the Schedule to Clause 53.01. No changes are proposed to the provision of Clause 53.01, so the flexibility to review requirements where the particular circumstances justify it are unchanged.  <b>Recommended Position:</b> No change to Amendment

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	would be subject to a mandatory open space contribution, when the re-subdivision may not create any need for additional open space.	
<b>Submission 66</b>		
	<p>Rate increase</p> <p>Opposes the very large increase proposed, more than double the current rate. The high cost of housing is a major problem in Yarra and this proposal puts an unfair burden on people wanting to live here.</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause.</p> <p><b>Recommended Position:</b> No change to Amendment</p>
<b>Submission 67</b>		
<b>Opposed</b>	<p><u>Outdated data</u></p> <p>Underpinning the need for public open space and the proposed contribution rate are population, housing and employment data for the City of Yarra. The YOSS is based on population forecasts over the next 15 years. However, this is clearly incorrect. The YOSS and proposed Clause 22.12 states that the open space needs assessment and directions are based on forecasts within the Yarra Housing Strategy and Yarra Spatial Economic and Employment Strategy. Both of these documents use data from the 2016 census, and subsequently the 15 years which the YOSS is based upon begins in 2016 (not 2020).</p> <p>It is unrealistic to not consider the impact of the COVID-19 Pandemic on where we work and population forecasts. Most professionals have and will continue to work from home to some extent, and international migration, including international students to Australia has been paused for nearly two years. It is important that the YOSS considers how these critical issues affect worker and resident population in the future for the City of Yarra.</p> <p><u>Existing Open Space</u></p> <p>It is unclear how Council has arrived at the lesser figure of 13.5% for public open space and unlike the more accurate calculation of 24% of land zoned for public open space, it is unclear what land is included within the 13.5%. This 24% presumably includes the largest regional public open space area within the inner eastern corridor, Yarra Bend Park, which is managed by Parks Victoria.</p> <p><u>Funding for Small Parks Only</u></p> <p>The Open Space Framework on page 6 of the YOSS identifies the different open spaces across the municipality. Diagram B indicates that most open space within the municipality is regional or city-wide open space. Therefore, the proposed contribution will only be going towards the upgrade or establishment of local and small neighbourhood parks.</p>	<p>The Strategy and the Public Open Space Contributions report are based on the data available made at the time of compilation and assumes that the dwelling and employment forecasts will be met. We also understand that the timing may be extended due to COVID-19 and therefore development may occur beyond the initial timeframe. Likewise, development may occur at a faster rate over the forecast period.</p> <p>One of the most observable impacts of COVID-19h has been the significant use of open spaces, particularly in inner urban areas.</p> <p>The Strategy at page 2 outlines what is included as open space:</p> <p><i>Public open space in this Strategy includes areas which are managed by State Government agencies or their delegates located in the City of Yarra. This includes Yarra Bend Park and the Collingwood Children's Farm. Restricted open space is land that is only available for use on a membership or fee paying basis and examples include Burnley Golf Course and Richmond Union Bowls Club. Other public land including schools and streets complement the public open space network, however, other strategies and plans provide direction and guidance for these.</i></p> <p>Diagram B identifies gap areas in the open space network. The gap areas are locations where the community lack easy walkable access to any open space. Additional open space is required to address the gaps in the provision and diversity of open space with priorities given to gap areas where urban densities are forecast to increase. The opportunities to provide for new regional or city-wide open spaces are limited, however, ongoing improvements and upgrades of these open spaces are part of the Strategy.</p>



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	<p><u>Inappropriate rate increase</u></p> <p>There is currently no municipality in Victoria that includes a Schedule to Clause 53.01 that requires a public open space contribution rate of 10.1% across the entire municipality. Some municipalities do require a 10% contribution or above, these rates are only applicable to site / precinct specific areas</p>	<p>The size of the increase is based on the demand for improvements to existing open space and new open space identified in the Yarra Open Space Strategy 2020. Preparation of the Strategy included a review of funding mechanisms to support the implementation of the Strategy, including the public open space contribution rate. This resulted in a recommendation that Council should increase the municipal wide public open space contribution rate from 4.5 per cent to 10.1 per cent and expand the rate to cover both residential and non-residential development.</p> <p>The quantum of the open space levy has been calculated as detailed in the Public Open Space Contributions (December 2020) report. The method has previously been used to calculate the contribution rate for many municipal open space strategies, including the rate/s that are now included in the schedules to Clause</p>
	<p><u>Housing affordability</u></p> <p>A proposed blanket 10.1% contribution rate is unjustifiable as it overlooks significant site specific contextual factors, such as easements and other site constraints that may affect yield of development. Without a clearer delineation between land and public open space cash contributions, this flat rate contribution may also lead to equity issues.</p>	<p>Housing affordability is impacted by many things, for example the significant growth expected in the City of Yarra may impact affordability if demand is high and supply restricted.</p> <p>The City of Yarra Open Space Strategy aims to provide an equitable and consistent basis for the financial and land contributions of developers and government to provide open space and make open space improvements.</p> <p>The local community including residents and workers should have reasonable access to public open space. This includes physical access, visual access and economic equity of access. It is reasonable that new development, which creates the need for additional or improved open space should contribute the cost of providing that open space</p> <p><b>Recommended Position:</b> No change to Amendment</p>