



Merri-bek
City Council

Council Resolution Action Memo

Meeting Date: 12/11/2025

Report Heading / Item No. 7.3 **AMENDMENT C235MBEK - REVISED PUBLIC OPEN SPACE CONTRIBUTION RATE FOR THE PLANNING SCHEME - GATEWAY 2 (D25/484857)**

Confidential Status: Public

Department: Director Place and Environment

Further Report Required: No

Notes

7.3 AMENDMENT C235MBEK - REVISED PUBLIC OPEN SPACE CONTRIBUTION RATE FOR THE PLANNING SCHEME - GATEWAY 2

Executive summary

Merri-bek is growing, with its population forecast to increase by approximately 49,000 residents (a 28.5 per cent growth rate) between 2021 and 2036. Recent Victorian Government planning reforms are expected to facilitate further development and further increase population growth across the municipality. This growth will place greater demand on Council's existing public open space network.

Council's *Merri-bek Open Space Strategy* (MOSS) identifies the need for more high-quality, safe, and inclusive public open spaces to meet the needs of the growing community. A key implementation action of MOSS is to update the public open space contribution rate to ensure new development helps fund the creation and upgrades of open spaces across Merri-bek.

Amendment C235mbek (the Amendment), authorised by the Minister for Planning under delegation on 1 August 2025, proposes to introduce an updated city-wide public open space contribution rate of 8.68 per cent.

The updated rate is supported by detailed technical analysis demonstrating its strategic and economic justification. Incorporating the new rate into the Merri-bek Planning Scheme will ensure developers apply the updated rate at subdivision (for developments of more than two dwellings), providing essential funding to expand and improve Merri-bek's open space network.

The Amendment was publicly exhibited from 4 September to 13 October 2025, with seven submissions received. Two of these submissions raised concerns, and five supported the proposal or expressed no concerns.

Key themes in submissions were about housing impacts, changing the levy rate, analysis for the levy rate, planning permits, enabling open space, enabling community benefits, consistency with other councils, strategic alignment, specific sites, and transitional provisions. The themes for each submission are shown in Attachment 1.

This report recommends that Council consider all submissions received on Amendment C235mbek, refer them to an Independent Planning Panel appointed by the Minister for Planning, and endorse the proposed responses in Attachment 2 to form the basis of Council's submission.

A successful outcome for Amendment C235mbek will enable Council's ability to meet community expectations for the City's evolving open space network and its infrastructure.

Officer Recommendation

That Council:

1. Notes the significant impact of the open space reserve in facilitating the delivery of critical open spaces to meet the needs of a rapidly growing Merri-bek population.
2. Considers all submissions made on or before the last date of exhibition of Amendment C235mbek to the Merri-bek Planning Scheme (Amendment), relating to a revised public open space contribution rate, in accordance with section 22(1) of the *Planning and Environment Act 1987* (Vic) (Act).
3. Considers any late submissions received after the last date of exhibition but on or before the Council meeting date (12 November 2025), in accordance with section 22(2) of the Act.
4. In relation to all submissions which were considered by Council,
 - a) Using its powers as a Planning Authority under section 23 of Act, refers those submissions to an independent Planning Panel appointed by the Minister under Part 8 of the Act.
 - b) Requests that the Minister for Planning appoint an independent Planning Panel under Part 8 of the Act to consider all submissions received in relation to Amendment C235mbek.
5. Endorses the responses to submissions in Attachment 2 to this report to form the basis of Council's submission to the independent Planning Panel.
6. Authorises the Director, Place and Environment to:
 - a) Present submissions to the Planning Panel, adopting a position of advocacy for the Amendment, generally in accordance with this report and Attachment 2.
 - b) Make minor changes to Amendment C235mbek and to give direction on issues that arise during the future panel hearing in response to expert evidence, submissions, and the planning panel.

Resolution

Cr Pulford moved, Cr Bolton seconded -

That Council:

1. **Notes the significant impact of the open space reserve in facilitating the delivery of critical open spaces to meet the needs of a rapidly growing Merri-bek population.**
2. **Considers all submissions made on or before the last date of exhibition of Amendment C235mbek to the Merri-bek Planning Scheme (Amendment), relating to a revised public open space contribution rate, in accordance with section 22(1) of the Planning and Environment Act 1987 (Vic) (Act).**
3. **Considers any late submissions received after the last date of exhibition but on or before the Council meeting date (12 November 2025), in accordance with section 22(2) of the Act.**
4. **In relation to all submissions which were considered by Council,**
 - a) **Using its powers as a Planning Authority under section 23 of Act, refers those submissions to an independent Planning Panel appointed by the Minister under Part 8 of the Act.**
 - b) **Requests that the Minister for Planning appoint an independent Planning Panel under Part 8 of the Act to consider all submissions received in**

relation to Amendment C235mbek.

5. **Endorses the responses to submissions in Attachment 2 to this report to form the basis of Council's submission to the independent Planning Panel.**
6. **Authorises the Director, Place and Environment to:**
 - a) **Present submissions to the Planning Panel, adopting a position of advocacy for the Amendment, generally in accordance with this report and Attachment 2.**
 - b) **Make minor changes to Amendment C235mbek and to give direction on issues that arise during the future panel hearing in response to expert evidence, submissions, and the planning panel.**

8.12 pm *Cr Svensson returned to the meeting during the debate.*

8.17 pm *Cr Yildiz returned to the meeting during the debate.*

Carried