From: [redacted]
Sent: Thursday, 1 October 2026 9:31 AM
To: Strategic Planning <StrategicPlanning@merri-bek.vic.gov.au>
Subject: Merri-bek Amendment 235mbek

To the Strategic Planning Department,
Merri-Bek City Council

I am writing to formally object to proposed Planning Scheme Amendment C235mbek, which seeks to increase the Public Open Space Levy under Clause 53.01 of the Merri-Bek Council's Planning Scheme.

As a practicing licensed land surveyor working directly with landowners and developers within the municipality, I strongly believe this increase represents an anti-development policy that will severely impact the viability of local housing projects.

My objection is based on the following key grounds;

- - Cumulative Cost Pressures: Developing land within Merri-Bek is already complex and costly. Faced with escalating construction costs, rising holding costs, interest rates, and existing statutory fees, an over 50% increase in the Open Space Levy directly erodes thin margins, rendering many standard infill developments financially unviable.
- - Reduced Housing Supply and Affordability: Added development costs disincentivise the creation of new allotments. If projects become unfeasible, developers will either exit the municipality or pass the additional development cost onto end consumers. This directly contradicts state and local strategic planning goals aimed at increasing housing supply and affordability.
- - Disproportionate Burden on Small-Scale Developers: While large-scale developers may absorb or defer these costs, a flat 8.68% levy disproportionately penalises small to medium-sized local operators. These developers create essential middle-ring housing stock (such as 3-to-4 lot subdivisions) that the Banyule community heavily relies upon.

While the need for quality open space is acknowledged, funding it by penalising housing supply is counterproductive. Council should instead optimise its existing around 5% collection framework, leverage state infrastructure funding, or explore alternative value-capture mechanisms that do not threaten development feasibility.

I urge Council to abandon Amendment C235mbek and retain the current contribution rates.

Kind Regards,

[redacted]

Name: [redacted]
Email(2): [redacted]
Address(2): [redacted]
Phone number: [redacted]
Make a submission: Dear Merri-bek City Council,

I am writing as a resident of Hadfield to formally express my strong opposition to Amendment C235mbek and the proposed increase to the public open space contribution rate.

While I understand the importance of providing and maintaining public open spaces for our growing community, I believe increasing the financial burden on residential developments is the wrong approach, particularly during a time when Victoria is facing significant housing affordability and supply challenges.

1. Increasing Development Costs Will Discourage New Housing

Residential development is already becoming increasingly expensive and financially challenging. Rising construction costs, financing expenses, interest rates, consultant fees, infrastructure charges and regulatory requirements have placed enormous pressure on the feasibility of new housing projects.

Increasing the public open space contribution will add yet another substantial cost to developments, potentially making many projects financially unviable.

For smaller developments, such as dual occupancies and townhouse projects, even a relatively modest increase in costs can determine whether a project proceeds or is abandoned altogether.

If developing residential land becomes financially unattractive, landowners will simply choose not to develop. This will ultimately reduce the number of new homes being constructed across Merri-bek.

2. Victoria Needs More Housing, Not Additional Barriers

Victoria is experiencing significant housing affordability pressures, and governments at both state and local levels should be encouraging the construction of additional homes.

Suburbs such as Hadfield have opportunities to accommodate well-designed medium-density housing, particularly through the redevelopment of older residential properties on larger allotments.

These developments can provide more affordable housing alternatives for first-home buyers, young families, downsizers and people who wish to remain within established communities.

Introducing higher development contributions directly conflicts with the broader objective of increasing housing supply.

Rather than introducing additional financial barriers, Council should be working towards making appropriate residential development easier, more affordable and more achievable.

3. Additional Development Costs Are Ultimately Passed on to Homebuyers

An important consideration is that increased development costs do not simply disappear or remain with developers.

These costs are ultimately reflected in higher property prices, reduced project feasibility or fewer homes being delivered.

At a time when younger generations are already struggling to enter the property market, introducing additional levies risks making new housing even less affordable.

Council should carefully consider whether the proposed increase genuinely benefits the community if it also contributes to higher housing costs and reduced housing availability.

4. Smaller Developers and Ordinary Property Owners Will Be Disproportionately Affected

Not every residential development is undertaken by a large property developer.

Many small-scale developments are undertaken by ordinary homeowners, families and small investors who wish to make better use of their existing land.

In suburbs such as Hadfield, subdividing a larger property to construct an additional dwelling can provide much-needed housing while making efficient use of existing infrastructure.

Increasing the contribution rate may discourage these smaller projects, leaving development opportunities unrealised.

I believe Council should be supporting responsible small-scale development rather than introducing additional financial obstacles.

5. Reduced Development Could Also Reduce Economic Activity

Residential developments support local builders, tradespeople, building designers, engineers, surveyors, suppliers and numerous other small businesses.

If higher development costs result in fewer projects proceeding, the consequences will extend beyond individual landowners.

A reduction in residential development can mean fewer construction jobs, less spending within the local economy and fewer opportunities for local businesses.

It may also reduce the future rates revenue that Council could otherwise receive from additional dwellings.

Council should consider these wider economic impacts before imposing additional costs.

6. Public Open Space Funding Should Be Balanced Against Housing Affordability

I fully support the provision of quality parks, playgrounds and recreational spaces. However, the responsibility for funding these facilities should be balanced fairly against the need to encourage housing development.

Council should explore alternative funding arrangements, including prioritising existing budgets, seeking state government funding and considering more targeted contributions based on the actual infrastructure needs generated by development.

A higher contribution rate does not automatically guarantee better public open spaces, and Council should clearly demonstrate how the proposed increase will translate into measurable improvements for existing and future residents.

It is also important to recognise that new residential developments contribute to the community through increased housing supply, more efficient use of existing infrastructure and additional long-term council rates revenue.

7. Council Should Assess the Impact on Development Feasibility Before Proceeding

Before adopting this amendment, I believe Council should undertake and publicly release a comprehensive assessment of how the proposed contribution rate will affect residential

development feasibility.

This assessment should specifically examine dual occupancies, two-to-four-dwelling townhouse developments and small-scale subdivisions in suburbs such as Hadfield.

It should also consider the cumulative impact of existing planning requirements, construction costs, financing expenses and other government charges.

Without properly understanding these combined financial pressures, Council risks introducing a policy that discourages the very housing growth that Victoria urgently needs.

Conclusion

I strongly urge Merri-bek City Council to reconsider Amendment C235mbek and not proceed with the proposed increase to the public open space contribution rate in its current form.

At a time when Victoria desperately needs more homes, government policy should focus on encouraging responsible residential development, improving housing affordability and removing unnecessary financial barriers.

Increasing development costs will not solve the housing crisis. It risks discouraging investment, reducing housing supply and ultimately making homes more expensive for the people who need them.

As a Hadfield resident, I want to see our suburb continue to grow in a sustainable and positive way, with quality housing and public spaces that benefit the entire community.

However, achieving this requires a balanced approach that supports development rather than making it increasingly difficult and financially unviable.

I respectfully request that Council reject the proposed increase, retain a more reasonable contribution rate, or consider a lower or staged contribution structure for smaller residential developments.

Thank you for considering my submission.

[redacted]

Submission to

Merri-bek City Council-Amendment C235mbek

By [redacted]

29 October 2026

Acknowledgment of Country

[redacted] acknowledges the Traditional Owners of the land on which we work and the divers Aboriginal and Torres Strait Islander nations across Australia.

We pay our respects to Elders past and present and acknowledge their continuing connection to land, waters, and culture.

Executive Position

One of [redacted] key interests is supporting the provision and enhancement of public open space to meet the needs of Merri-bek's growing residential and employment population. We acknowledge the significant strategic and technical work undertaken to inform Amendment C235mbek, including the Merri-bek Open Space Strategy, the Mesh/Veris apportionment work and HillPDA's contributions analysis. We also recognise that the additional Westlink review documents contribute to the evidence base supporting the land acquisition contingency.

This submission does not suggest that the proposed 8.68% municipal-wide contribution rate is inappropriate. We acknowledge the detailed work Council has undertaken through the HillPDA, Mesh, Westlink and Veris reports to support the proposed rate. However, we request that Council provide a clearer summary of how project costs, land acquisition allowances and future population growth have been considered in calculating the final rate. This would help improve transparency, fairness and public confidence in the amendment.

Scope and amendment mechanism

The proposed amendment would replace the current public open space contribution rates of 2.5% to 6.8%, which vary across Merri-bek, with a single rate of 8.68% across the municipality. It would also include the HillPDA (2025) contributions schedule and Mesh (2025) apportionment methodology as background documents in the Merri-bek Planning Scheme. The supplementary exhibition does not change the proposed 8.68% rate but provides additional supporting information.

We acknowledge that public open space contributions are required under the Subdivision Act 1988. Our submission focuses on how the proposed rate has been calculated, how clearly the supporting information is presented and how the new rate would be implemented. Our intention is to support a fair, transparent and practical approach to public open space contributions.

What the supplementary evidence resolves and what should still be explained

The Interim Panel Report agreed that the general approach was appropriate and replicable and that strategic work and population forecasts had been used to support the approach, but wanted to see more clarity over project costings and the land cost contingency. To help in this regard Council has exhibited the HillPDA 2024 acquisition review, the Westlink 2026 review and the Veris project-list explanatory material.

HillPDA analysed 29 Merri-bek open space acquisitions in the last ten years (2012/13 to 2023/24) and determined an average uplift of around 27% compared to Capital Improved Value (CIV). To build up the evidence base, Westlink extended the number of acquisitions to include 102 across the 14 metropolitan councils, with 76 providing usable CIV comparisons. It said its purchase price was 39.1% higher on a dollar-weighted basis (29.5% on a simple mean and 24.5% on a median basis) without considering on-costs. Westlink considered the proposed 27% allowance – including on-costs – to be supportable.

We acknowledge these findings and the additional work undertaken by Council. To further improve clarity, we request that Council consider providing a brief explanation of how the 27% allowance has been applied to project costs and whether other cost allowances have been included in the calculations. This would help stakeholders better understand the proposed contribution rate.

Municipal-wide equity and development impacts

A uniform rate can increase predictability while avoiding complex suburb boundaries. However, the change is proportionally bigger in areas currently subject to the lowest rates. For example, the rise from 2.5% to 8.68% is 6.18 percentage points, while the increase from 6.8% is 1.88 percentage points. These comparisons show varying rate impacts, but not necessarily different total development feasibility results.

We would appreciate a concise municipal-wide equity statement that explains how population growth predictions, eligible project expenditures, and open space requirements support a uniform contribution rate rather than varying rates among municipalities. We also request that Council outline how its funding strategy will support equitable access to public open space, particularly in areas where access is currently limited. A representative sensitivity analysis of subdivision outcomes across different land values and development scales would help demonstrate the potential impacts of the proposed rate, without requiring Council to guarantee the feasibility of individual developments.

Transition, monitoring and accountability

The introduction of the proposed 8.68% public open space contribution rate may affect developments that are already planned, approved or awaiting a decision.

We request that Council clarify whether transitional provisions will apply to existing planning permits, pending applications and subdivision proposals submitted before the amendment comes into effect.

Clear transitional provisions would help provide certainty for property owners, developers and planning consultants, while supporting a fair and consistent implementation of the new contribution rate.

Council's 9 September 2026 report indicates that annual revenue could range from around $9 million to $15 million, based on the level of subdivision activity. We suggest that annual public reporting on the number of contributions received, amount of money spent on the project, works completed, project delivery delay, and any changes in scope or material changes should be reported. The projected revenue should be qualified as an estimate, rather than a definite funding source.

Conclusion

[redacted] thanks Merri-bek City Council for considering this submission and welcomes the opportunity to contribute to Amendment C235mbek.

Overall, we acknowledge the importance of improving public open space to meet the needs of Merri-bek's growing population. We also recognise the significant strategic and technical work undertaken by Council to support the proposed 8.68% municipal-wide public open space contribution rate.

However, we believe the amendment could be strengthened by providing greater clarity on the following matters:

- Project costs and calculations: A clearer explanation of how project costs, land acquisition allowances and growth-related demand contribute to the proposed rate.
- Transparency and accountability: Clear and accessible information on how contributions will be collected, allocated and used to deliver public open space projects.
- Fairness and development impacts: Further consideration of how the uniform 8.68% rate may affect different areas and development types across the municipality.
- Implementation and monitoring: Clear information on project priorities, delivery timeframes and how the contribution framework will be reviewed over time.

Addressing these matters would help strengthen public confidence, support fair contributions and improve the practical implementation of the amendment.

[redacted] requests to remain informed of the progress of Amendment C235mbek and any further opportunities to participate in the planning process.

Prepared by:

[redacted]
Planning Assistant
[redacted]

[redacted]

30 October 2026

Merri-bek City Council
Strategic Planning Unit

By email: strategicplanning@merri-bek.vic.gov.au

Dear Strategic Planning Unit,

AMENDMENT C235mbek TO THE MERRI-BEK PLANNING SCHEME
SUBMISSION ON BEHALF OF [redacted]

We act for [redacted] in relation to its various landholdings within the City of Merri-bek.

Our client makes the following submission opposing Amendment C235mbek (the Amendment) to the Merri-bek Planning Scheme (the Planning Scheme), insofar as it proposes a municipal-wide public open space contribution rate of 8.68% in the Schedule to Clause 53.01.

We acknowledge that our client was not a submitter to the earlier exhibition of the Amendment, nor a party to the earlier Planning Panel hearing or the resulting Interim Panel Report dated 2 April 2026. However, having reviewed the Panel's findings and the further material released as part of the re-exhibition, our client has identified significant concerns with the basis of the proposed rate and has elected to make this submission.

The land acquisition costs underpinning the proposed 8.68% contribution rate include a 27% contingency applied to the Capital Improved Value of land identified for acquisition. As the Panel identified, this contingency was not transparent during the earlier exhibition and could not reasonably have been identified or tested by landowners at that time. Its effect is to materially inflate the cost of the open space program and, in turn, the contribution rate to be borne by every developing landowner in the municipality. Our client considers the contingency, and therefore the contribution rate, to be excessive and unjustified.

In responding to the Panel's Recommendation 2, Merri-bek City Council (Council) has sought to justify the 27% contingency through a report prepared by *Westlink Consulting*. That report was prepared after the fact and cannot properly be characterised as a 'peer review', given the additional and selectively chosen data on which it relies. In particular, it relies heavily on land acquisitions that have occurred within the municipalities of Stonnington and Glen Eira. These are higher-value inner and middle-ring municipalities whose land markets are not comparable to Merri-bek's, and their inclusion skews the results in favour of an elevated contingency.

In our client's submission, the outcome remains unjust and unreasonable, and the contingency continues to lack the transparency and justification the Panel required. Accordingly, the 27% contingency should be removed or reduced, and the exhibited 8.68% public open space contribution rate should be reduced accordingly.

[redacted]

Our client reserves its right to expand upon these matters, including through expert evidence, at the forthcoming Panel hearing.

Should you require any further clarification of the matters set out in this submission, please contact [redacted]

Yours faithfully,

[redacted]

[redacted]

30 October 2026

Merri-bek City Council
Strategic Planning Unit

By email: strategicplanning@merri-bek.vic.gov.au

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