



# Victoria Government Gazette

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## Planning and Environment Act 1987

### MORNINGTON PENINSULA PLANNING SCHEME

#### Notice of Approval of Amendment Amendment C118

The Minister for Planning has approved Amendment C118 to the Mornington Peninsula Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment introduces a new Schedule 16 to Clause 43.02 and applies it to land within a Business 1 Zone at McCrae Village, McCrae, on an interim basis.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection) and free of charge, during office hours, at the offices of the Mornington Peninsula Shire Council, Hastings Office, Marine Parade, Hastings; Mornington Office, 2 Queen Street, Mornington; and at the Rosebud Office, 90 Besgrove Street, Rosebud.

PETER ALLEN  
Executive Director  
Statutory Planning Systems Reform  
Department of Planning and Community Development

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## Planning and Environment Act 1987

### MORNINGTON PENINSULA PLANNING SCHEME

#### Notice of Lapsing of Amendment Amendment C87

The Minister for Planning has refused to approve Amendment C87 to the Mornington Peninsula Planning Scheme.

The Amendment proposed to modify the existing Design and Development Overlay – Schedule 4 to remove the provisions which enable the consideration of applications for the subdivision of land into no more than two lots for every 2600 square metres of site area in conjunction with an application for the development of more than one dwelling on a lot in the Mt Eliza Woodland area.

The Amendment would have had the effect of requiring a minimum lot size of 2500 square metres for any new lot within the Mt Eliza Woodland area.

The Amendment also sought to introduce new limits on the form of second dwellings which may be considered in the Mt Eliza Woodland Area. The proposed provisions stated:

In the area bounded by Nepean Highway, Humphries Road, Moorooduc Road and Canadian Bay Road, Mt Eliza, a second dwelling may only be approved if all of the following requirements are met:

- the land has an area of at least 2600 square metres;
- the second dwelling is attached to the existing main dwelling;
- the second dwelling has a floor area of no more than 100 square metres;
- The total size coverage of all buildings (including garages and other outbuildings) does not exceed 20% of the total lot area;
- a Section 173 agreement is created to prevent the subdivision of the subject land. The agreement must be registered on title.

These requirements cannot be varied with a permit.

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**SPECIAL**

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Finally, the Amendment sought to vary the existing provisions of the Design and Development Overlay – Schedule 4 to require planning approval in the Woodland area if it was proposed:

- a) to locate a building further forward on a lot than a building on an adjacent lot, if the lot area is less than 1500 square metres;
- b) to locate a garage or outbuilding further forward on a lot than a dwelling on the same lot;
- c) to construct a solid front fence with a height of more than 1.5 metres; or
- d) to construct a building less than 10 metres from a side boundary on any lot with an area greater than 2500 square metres.

Design Guidelines based on the ‘Mt Eliza Woodland Neighbourhood Character Study Report’ (Planisphere 2006) were also to be included as a reference document in the decision guidelines for Design and Development Overlay Schedule 4.

The Amendment lapsed on 27 October 2009.

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