

Woodbyne Precinct Proposed Land Sale FAQs



What land is proposed for sale?

The land is an undeveloped, linear grassed drainage reserve with no Council-owned park infrastructure. It forms part of the Watt Road Plantation Reserve that was created when land north of Watt Road was originally subdivided. The land currently provides open space and a connection between Woodbyne Crescent and Racecourse Road. The land is about 1,625 square metres (about 10 metres wide by 163 metres long) and sits between 8 and 10 Woodbyne Crescent as shown on the map overleaf.

Who could the land be sold to?

As the land has a very narrow frontage, it cannot be used on its own and therefore could only be sold to an adjoining property owner.

Why is Council considering the sale of land?

Council is considering selling the land to facilitate more housing development in the area, such as through the proposed "Woodbyne Residential Precinct" on land in Woodbyne Crescent and Albany Way. This proposed housing development is subject to a separate approvals process under the *Planning & Environment Act 1987*, to rezone and subdivide the land, known as 'Planning Scheme Amendment C247morn'. You can read about this housing proposal at mornpen.vic.gov.au/c247morn

If Council decides to sell the land to an adjoining property owner, the purchaser must provide replacement open space in Woodbyne Crescent totalling at least the same amount of land as the land sold by Council.

This new open space would need to be more accessible and functional than the current site and would include:

- Protection of existing high value vegetation
- Installation of park infrastructure to Council standards

The purchaser must also cover all costs for developing the new public open space.

What will happen to the land if it is sold?

If sold, the land would become part of an adjoining property and could be developed in line with any approved planning development application under the Mornington Peninsula Shire Planning Scheme. This could be the housing development proposed by Planning Scheme Amendment C247morn (the Woodbyne Residential Precinct) or any other development approved by Council.

What does Council receive in return?

Council would receive a replacement open space area, built to Council's requirements, which would be delivered and paid for by the purchaser of the Council-owned land.

Is the sale of land process linked to the rezoning proposed under Planning Scheme Amendment C247morn?

The proposed land sale and Amendment C247morn are related but they are not the same thing. The proposed land sale is separate from any rezoning or other planning decisions, including Amendment C247morn. That is, Council is acting as the landowner when deciding whether to sell the land. Rezoning and planning decisions are made separately by Council in its role as the Planning Authority under the *Planning and Environment Act 1987*.

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Mornington
Peninsula Shire

What is Council's role under the *Planning and Environment Act 1987*?

Council acts as the Planning Authority under the Act, which means it is responsible for making decisions about rezoning and planning within the municipality. This role is separate from its responsibilities as a landowner, where Council's powers to sell land are specified under the *Local Government Act 2020*.

If the rezoning does not proceed will the sale of land still occur?

Yes, if the rezoning does not proceed the land could still be sold, provided the adjoining owner remains interested and can deliver a replacement open space area that meets all the necessary requirements to Council's satisfaction.

Can I book an appointment to speak with someone?

Yes, you can contact us to book an appointment to meet with an officer in person at an agreed time. If meeting during business hours isn't possible, we also offer the option to speak with someone over the phone after hours. This ensures you can discuss your needs either face-to-face or by phone at a time that works for you.

