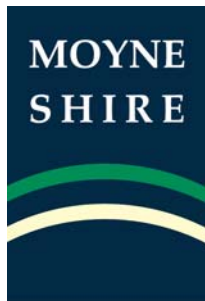


# PORT FAIRY WEST STRUCTURE PLAN



Prepared by

**Brown Consulting (VIC) Pty Ltd**

On Behalf of

**Moyne Shire Council**

September 2014 - Final



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## 1. INTRODUCTION

The Draft Port Fairy West Structure Plan has been prepared by Brown Consulting on behalf of Moyne Shire Council and applies to the area known as Thistle Place and includes the undeveloped land west of Anna Catherine Drive and Phillip Street, east of the historical Parish boundary.

The study area comprises 43 lots and covers approximately 70 hectares.

There has been increasing pressure over recent years for more extensive development of the study area however no framework exists to ensure land use and development outcomes are co-ordinated and appropriate.

The Structure Plan has the following objectives:

- To improve connectivity and integration from east to west;
- To identify land use opportunities and constraints;
- To develop a framework to guide the best land use and development outcomes for Port Fairy West; and
- To consider potential risks and present outcomes to avoid or minimise exposing future development to projected coastal hazards.

### 1.1. Purpose of the Structure Plan

Once finalised the Draft Structure Plan will be relied upon by Moyne Shire Council when considering land use and development applications within Port Fairy West.

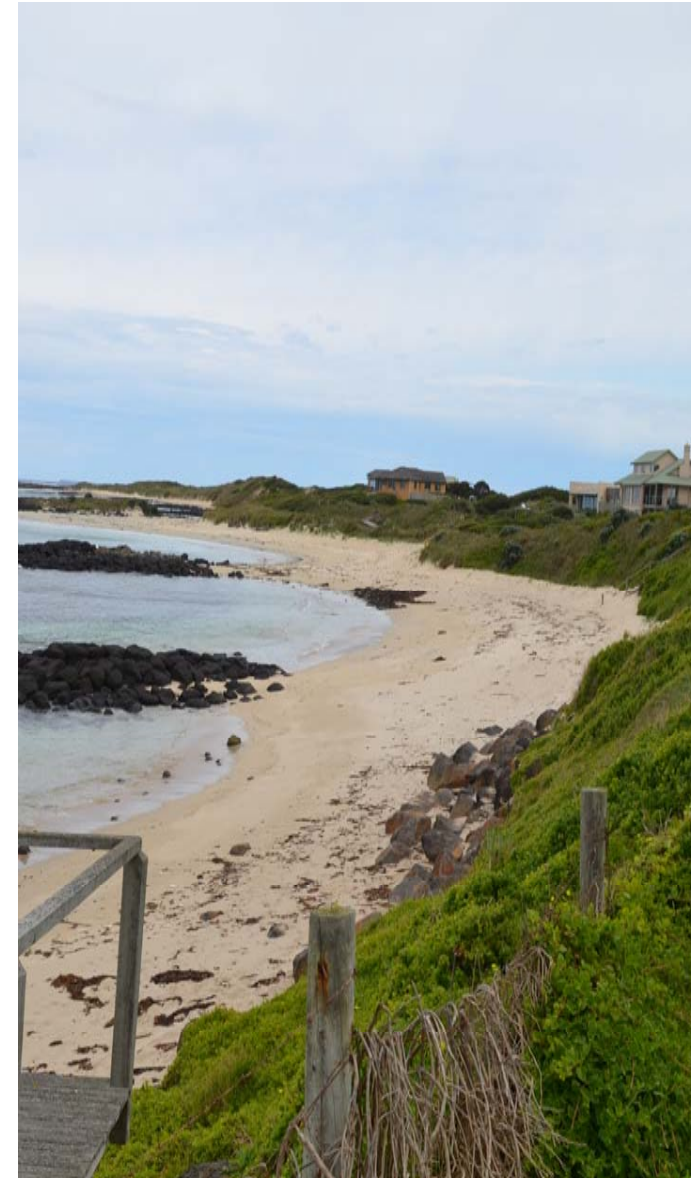
The plan will provide a framework that will assist to co-ordinate land use and development within the study area as well as identify the appropriate planning tools to achieve the desired outcome.

The plan will also implement the findings of the Future Coasts – Port Fairy Coastal Hazard Assessment as it relates to the study area and the requirements of the State Planning Policy Framework in avoiding development in identified coastal hazard areas susceptible to inundation (both river and coastal), erosion, landslip/landslide, acid sulfate soils, bushfire and geotechnical risk.

This plan will inform any amendment to the Moyne Planning Scheme to build on the planning and land use framework to reflect the structure plan.

### 1.2. Draft structure plan components

The Draft Port Fairy Structure Plan contains four parts, Part A “Background”, Part B “Analysis and draft options” Part C “Recommendation – Draft Structure Plan” and Part D “Implementation”.



## 2. PART A – BACKGROUND

### 2.1. Site Context

The Port Fairy West Structure Plan area is located within the Moyne Shire, approximately 292km west of Melbourne and 29.5 km west of Warrnambool.

In the 2011 Census, the population of Port Fairy was 3,094 representing an increase of 459 persons since 2006. The average household size was 2.2 persons per dwelling.

The area is experiencing increasing pressure for development in the coastal areas both for residential dwelling development and tourism and commercial use and development.

Major transport routes include Princes Highway, Hamilton Highway and Glenelg Highway. Travel times from Port Fairy to Melbourne (3.5 hours), Portland (1 hour), Hamilton (1 hour) and Warrnambool (20 minutes).



Figure 1: Port Fairy West subject area

**The Study Area**

Located to the west of the Port Fairy Township, the Port Fairy West Structure Plan area is bound by the Princes Highway to the north, Southern Ocean to the south, rural properties to the west and the existing urban zoned areas of Port Fairy to the east.

The Structure Plan area comprises of forty three (43) parcels of land with the majority accessed from Thistle Place. Additional shared carriageway easements accessed from Princes Highway are located in the western section of the subject area and provide access to some of the beachfront properties.

Lots in the southern section and along the beachfront generally contain single dwellings on large allotments and tourist accommodation. The existing lots range in area from approximately 3500m<sup>2</sup> to 5.8ha.

Much of the central section of the subject area is undeveloped and subject to inundation.

Land use within the structure plan area varies with mostly private dwellings along Thistle Place with the exception of smaller cottages located near the entrance to Thistle Place.

Properties along the foreshore are generally developed with accommodation with a number of facilities along this strip accessed either via long driveways from Thistle Place or the Princes Highway service road. Port Fairy West residents and guests of the various tourism establishments therein can only access Port Fairy township via the Princes Highway either from Thistle Place itself or the service road off the Princes Highway further west. There are no existing vehicular or pedestrian connections to the residential development to the east nor is there any public access to the beach.

Private beach access is available to the beachfront properties which have the benefit of private titles extending to the high water mark.

Lots at the western edge are used for rural purposes and low scale grazing occurs on the central area that is subject to seasonal inundation.

**Planning Controls**

Land in the structure plan area is currently zoned Rural Living in the southern section, Low Density Residential Zone in the northern section and Farming Zone in the western section.

Several properties are included within more than one zone.

The land is affected by Design and Development Overlay - Schedules 14 and 20 (DDO14 and DDO20) and Environmental Significance Overlay Schedule 1 (ESO1).

To the west land is zoned Farming

Beyond the structure plan boundary, land to the north of Princes Highway is zoned Low Density Residential and Rural Living and a Public Acquisitions Overlay (PAO) is identified to the north east to accommodate the proposed Port Fairy bypass.

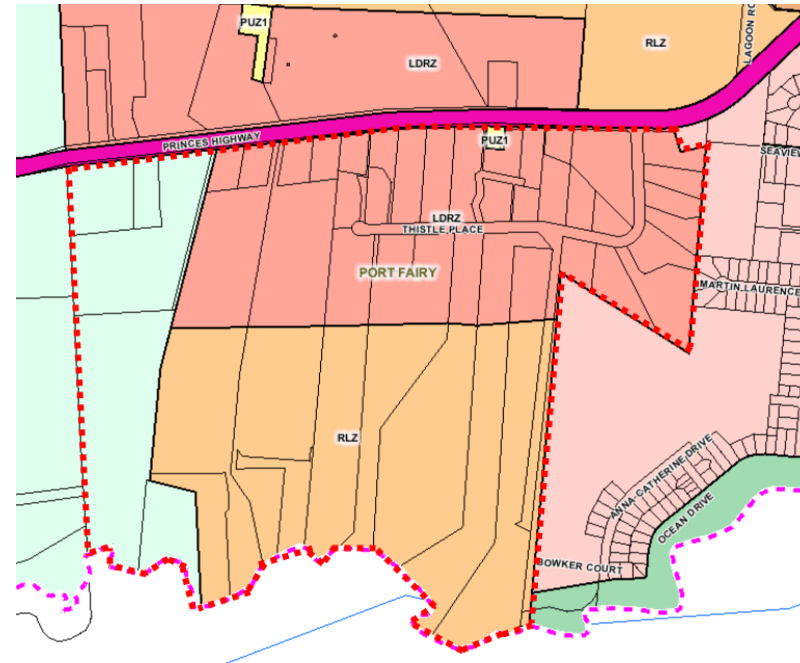


Figure 2: Subject area cadastre



Figure 3: Future Bypass Route



A watercourse traverses the site from the south east corner (Bowker Court) northwards towards Thistle Place. An area adjacent to the watercourse has been identified as subject to inundation as can be seen in Figure 4. Areas have also been identified as containing vegetation identified within the Coastal Scrubs Grasslands and Woodlands group along the southern boundary (coastal foreshore areas) of the study area as can be seen in Figure 4.

The land is largely identified as being an area of Cultural Heritage Sensitivity as indicated in the Figure 5 below under the Aboriginal Heritage Act 2006.

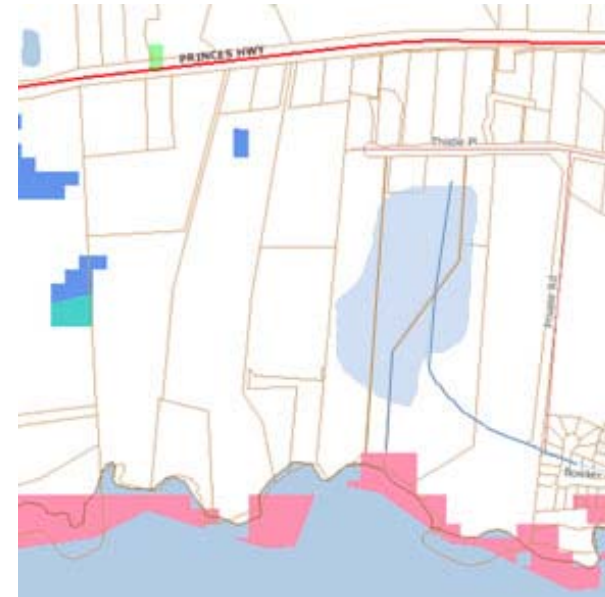


Figure 4: Vegetation and waterbodies



Figure 5: CHMP Mapping

**Existing Lot density and land use**

There are forty three (43) lots within the subject area.

Lots sizes along the north of Thistle Place are fairly consistent with most lots less than 4500m<sup>2</sup> with some lots between 4500 and 1 hectare.

Lots south of Thistle Place are generally larger in area consistent with the Rural Living Zone with the majority of lots greater than 1 hectare in area as illustrated in Figure 6.



Figure 6: Existing Lot Densities

Land uses vary within the study area, with a high proportion of tourist accommodation provided along the foreshore taking advantage of the sea views and private beach access. Accommodation includes bed and breakfast and self-contained accommodation such as Sheoaks, Wytonia, Hearn’s beachside villas and Belfast cottages. A licensed Café and Gallery (Time & Tide) also operates overlooking the ocean and accessed via the unmade extension of Thistle Place. The location of these land uses are further illustrated in the Figure 7.



Figure 7: Existing Land Uses

## Existing Services and Infrastructure

### Water

Existing water mains run along the northern side of Thistle Place servicing the developed lots on the northern side of Thistle Place, along the Princes Highway to the north, in Martin Laurence Place to the east of the subject area and to the south east along Anna Catherine Drive.

### Sewer

There is no reticulated sewer identified within the study area. Lots immediately to the east along Martin Laurence Place are currently serviced by sewer.

Land to the east of the subject area within the developed Residential 1 Zone is serviced by reticulated sewer with the closest sewer mains in proximity located along the Princes Highway, Martin Laurence Place and Anna Catherine Drive.

### Gas

There is no reticulated gas supply within the study area. Residential land to the south east including dwellings along Ocean Drive and Anna Catherine Drive are serviced with reticulated gas and there is a planned extension to service Bowker Court to the south east of the subject area.

### Electricity

Electricity poles are currently located along Princes Highway and connect in a southerly direction to two lines which service the existing dwellings within the subject area. The first line is located along the access road to No. 2581 Princes Highway and the second is located to the west of No. 19 Thistle Place servicing the dwellings along the waterfront.

### Drainage

The Thistle Place area has limited drainage infrastructure.

It is drained by a series of open drains passing through private property leading to a piped 600mm diameter drain in the South East Corner of the catchment. This drain runs through the land to the east of the study area to a sea outlet east of Ocean Drive.

### Road network

Access to the study area is currently gained via two points along Princes Highway. The most easterly provides access to Thistle Place which is a court bowl that runs in an east west direction. There is a north south Council owned road which services the eastern dwellings along the sea front and Time and Tide Café. This road is currently maintained by the landowners gaining access from it.

The second access point is further west along Princes Highway in the form of a service road providing access to dwellings located in the northern section of the subject area and also providing access to private laneways from this service road to the dwellings in the southern section of the subject area.

Many of the dwellings along the beachfront gain access via carriageway easements which contain gravel access tracks therein.



Figure 8: Existing Services and Utilities

## 2.2. Strategic Context

### State Planning Policy Framework (SPPF)

The purpose of the State Policy in planning schemes is to inform planning authorities and Responsible Authorities of those aspects of State Planning Policy which they are to take into account and give effect to in planning and administering their respective areas.

The State Planning Policy Framework provides a context for spatial planning and decision making by Planning and Responsible Authorities.

Relevant State Policies are outlined below:

**Clause 11 – Settlement** states that Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

**Clause 11.02-1 Supply of urban land** – states that planning is to ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development and planning for urban growth should consider the limits of land capability and natural hazards and environmental quality.

**Clause 11.05-1 Regional settlement networks**-states that planning should promote the sustainable growth and development of regional Victoria through a network of settlements identified in the Regional Victoria Settlement Framework Plan.

**Clause 11.05-4 Regional planning strategies and principles** (in particular Climate change, natural hazards and community safety) states that Planning should respond to the impacts of climate change and natural hazards and promote community safety by:

- Siting and designing new dwellings, subdivisions and other development to minimise risk to life, property, the natural environment and community infrastructure from natural hazards, such as bushfire and flood;
- Developing adaptation response strategies for existing settlements in hazardous and high risk areas to accommodate change over time.
- Encouraging reduced energy and water consumption through environmentally sustainable subdivision and building design.
- Encouraging a form and density of settlements that support sustainable transport to reduce greenhouse gas emissions and;

Distinct and diverse regional settlements states planning should support the growth and development of distinctive and diverse regional settlements by:

- Encouraging high-quality urban and architectural design which respects the heritage, character and identity of each settlement.
- Ensuring development respects and enhances the scenic amenity, landscape features and view corridors of each settlement.
- Limiting urban sprawl and directing growth into existing settlements, promoting and capitalising on opportunities for urban renewal and redevelopment

**Clause 11.05-5 Coastal Settlement** – planning for a sustainable coastline should:

- *Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values protected. Where no settlement boundary is identified, the extent of a settlement is defined by the extent of existing urban zoned land and any land identified on a plan in the planning scheme for future urban settlement;*

- *Direct residential and other urban development and infrastructure within defined settlement boundaries of existing settlements that are capable of accommodating growth.*
- *Avoid development on ridgelines, primary coastal dune systems and low lying coastal areas.*
- *Ensure a sustainable water supply, stormwater and sewerage treatment for all development;*
- *Avoid linear urban sprawl along the coastal edge and ribbon development within rural landscapes and protect areas between settlements for non-urban use.*
- *Minimise the quantity and enhance the quality of storm water discharge from new development into the ocean, bays and estuaries.*

**Clause 11.09 Great South Coast regional growth** – planning must consider as relevant the Great South Regional Growth Plan including the objectives to attract more people to the region, enhance liveability, create or reinforce settlement boundaries, support rural residential development in locations that consolidate this form of development to provide servicing efficiencies next to existing townships and avoid unmanageable exposure

to natural hazards, specially bushfire, flood and coastal hazards. And plan and manage coastal population growth and increased visitation so that impacts do not cause unsustainable use of coastal resources.

Port Fairy is identified as a District town that will experience medium growth. It is included within the designated primary growth corridor.

**Map 5 – Great South Coast Regional Growth Plan**



**Figure 9: Clause 11.09 Great South Coast Regional Growth**

Clause 12.02-1 Protection of Coastal Areas has the following objective:

*To recognise and enhance the value of the coastal areas to the community and ensure sustainable use of natural coastal resources.*

Clause 12.02-2 Appropriate development of coastal areas has the following objective:

*To ensure development conserves, protects and seeks to enhance coastal biodiversity and ecological values.*

Strategies to achieve this include:

- *Ensure development is sensitively sited and designed and respects the character of coastal settlements.*
- *Maintain the natural drainage patterns, water quality and biodiversity within and adjacent to coastal estuaries, wetlands and waterways.*

Clause 12.02-4 Coastal Tourism has the following objective:

*To encourage suitably located and designed coastal and marine tourism opportunities.*

Strategies to achieve this include:

- *Ensure developments are of an appropriate scale, use and intensity relative to its location and minimises impacts on the surrounding natural visual, environmental and coastal character.*

Clause 12.04-1 Environmentally sensitive areas has the following objective:

*To protect and conserve environmentally sensitive areas.*

Clause 12.04-2 Landscapes has the following objective:

*To protect landscapes and significant open spaces that contribute to character, identity and sustainable environments.*

Strategies to achieve this include:

- *Ensure sensitive landscape areas such as the bays and coastlines are protected and that new development does not detract from their natural quality.*
- *Recognise the natural landscape for its aesthetic value and as a fully functioning system.*
- *Ensure natural key features are protected and enhanced.*

Clause 13.01-1 Coastal Inundation and erosion has the following objective:

*To plan for and manage the potential coastal impacts of climate change.*

Strategies to achieve this include:

- *In planning for possible sea level rise, an increase of 0.2 metres over current 1 in 100 year flood levels by 2040 may be used for new development in close proximity to existing development (urban infill).*

- *Plan for possible sea level rise of 0.8 metres by 2100, and allow for the combined effects of tides, storm surges, coastal processes and local conditions such as topography and geology when assessing risks and coastal impacts associated with climate change.*
- *Consider the risks associated with climate change in planning and management decision making processes.*
- *For new greenfield development outside of town boundaries, plan for not less than 0.8 metre sea level rise by 2100.*
- *Ensure that land subject to coastal hazards are identified and appropriately managed to ensure that future development is not at risk.*
- *Ensure that development or protective works seeking to respond to coastal hazard risks avoids detrimental impacts on coastal processes.*
- *Avoid development in identified coastal hazard areas susceptible to inundation (both river and coastal), erosion, landslip/landslide, acid sulfate soils, bushfire and geotechnical risk.*



**Clause 13.03-3 Salinity** has the following objective:

*To minimise the impact of salinity and rising watertables on land uses, buildings and infrastructure in rural and urban areas and areas of environmental significance and reduce salt loads in rivers.*

**Clause 13.05-1 Bushfire planning strategies and principles** has the following objective:

*To assist to strengthen community resilience to bushfire.*

**Clause 14.01-1 Protection of agricultural land**

*To protect productive farmland which is of strategic significance in the local or regional context.*

Strategies to achieve this include:

- *In considering a proposal to subdivide or develop agricultural land, the following factors must be considered:*
  - *The desirability and impacts of removing the land from primary production, given its agricultural productivity.*
  - *The impacts of the proposed subdivision or development on the continuation of primary production on adjacent land, with particular regard to land values and to the viability of infrastructure for such production.*
  - *The compatibility between the proposed or likely development*

*and the existing uses of the surrounding land.*

- *Assessment of the land capability.*

**Clause 14.02-1 Catchment planning and management**

*To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.*

**Clause 15.01-1 Urban design**

*To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

**Clause 15.01-5 Cultural identity and neighbourhood character**

*To recognise and protect cultural identity, neighbourhood character and sense of place.*

**Clause 15.03-2 Aboriginal cultural heritage**

*To ensure the protection and conservation of places of Aboriginal cultural heritage significance.*

**Clause 18.02-1 Sustainable personal transport**

*To promote the use of sustainable personal transport.*

**Clause 18.02-2 Cycling**

*To integrate planning for cycling with land use and development planning and encourage as alternative modes of travel.*

**Clause 19.03-2 Water supply, sewerage and drainage**

*To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.*

**Clause 19.03-3 Stormwater**

*To reduce the impact of stormwater on bays and catchments.*

### Local Planning Policy Framework (LPPF)

Clause 21.03 - Factors influencing future planning and development outlines the key factors that influence the future planning and development within the municipality. These include:

- *Protection of those assets on which tourism depends is an important consideration in the future development of the Shire.*
- *The development of housing in sensitive locations, such as the coastline is an issue.*
- *The sustainable management of the Shire's coastal resources, including the identification and protection of significant environmental features and the need for clear directions regarding the future use and development of the coast.*
- *The importance of containing township development within defined boundaries, and of managing development on the fringes of townships so that it enhances the character of the town's landscape setting.*
- *The need to retain the dominance of the landscape between townships, and avoid ribbon development.*
- *The need to ensure the sustainable protection of remnant native vegetation along and adjoining the coast, estuaries, wetlands, waterways and the coastal hinterland.*

The area in the vicinity of Port Fairy is recognised in the Victorian Coastal Strategy as a priority area requiring management of a range of environmental threats including erosion/sedimentation and turbidity, altered coastal processes and marine pollution.

Climate change will impact on the coastline and planning for sea level rise of no less than 0.8 metres will be adopted for all development.

### Clause 21.05 - Settlement and housing

- *To direct the built form and appearance of development in culturally and environmentally significant areas through appropriate design guidelines.*
- *To ensure that new development in Port Fairy respects built form and/or the coastal and riverine location of the area, including existing character, the integrity of the dune formations, maintenance of floodplains, native vegetation and significant view lines to and from the coast.*
- *To protect and enhance the natural and manmade assets of Moyne Shire.*
- *To identify flood prone land and ensure that new development is compatible with flood hazard.*
- *To manage development on the fringes of townships so that it enhances the character of the town's landscape setting.*

### Clause 21.06 – Environment

Identifies that the coast is under threat from the effects of climate change including sea level rise and increased storm surges. Rising sea levels may threaten development from eroding shorelines, increased cliff instability and landward penetration of saline water within estuaries. The potential risk hazard to coastal development needs to be considered in terms of siting, design and appropriateness to be located close to the coast and estuaries of the Shire.

*Port Fairy to Warrnambool Coast – Regional Significance, which is evident by the contrasting landscape views between the open farming areas and coastal edge at Killarney from Tower Hill and the Princes Highway encompassing the coastal dunes and waterways.*

Objectives of this policy include:

- *To protect water quality by preventing urban run-off leading to erosion, siltation or degradation of waterways.*
- *To protect significant natural environments and where appropriate form effective open space and/or habitat corridors, along river and coastal areas*
- *To identify landscapes of high scenic value.*
- *To minimise stormwater run-off in urban and in rural areas.*
- *To ensure that the preferred character for significant coastal landscapes are protected and supported by appropriate development.*
- *To retain clear views of the coastal cliffs and formations from coastal areas.*
- *To retain and enhance indigenous native vegetation in coastal and estuarine areas.*
- *To ensure that appropriate risk assessment is undertaken to consider the impact and hazards of sea level rise and climate change impacts.*
- *To avoid impacting the environment from the exposing of acid sulphate soils.*
- *To ensure that appropriate risk assessment is undertaken to consider the impact of potential acid sulphate soils.*

#### Clause 21.08 – Infrastructure and particular uses

- *Encourage development in locations where a range of infrastructure and appropriate community services are available.*
- *Where reticulated sewer is not available ensure that a high standard of effluent disposal is achieved and that all wastewater is retained within the site.*
- *Ensure that new developments in the small settlements and on urban/rural interface are adequately designed and serviced to take into account the risk of uncontrolled fire.*

#### Clause 22.01 – Settlement and housing

This clause includes policy for Port Fairy township and includes objectives to maintain and build Port Fairy as a strong economically sustainable settlement that provides services for the local community and to retain the distinctive character of Port Fairy based on the heritage features, the coastal location and high quality urban design. It is policy to protect the coastline and coastal dunes and to implement more appropriate measures against natural hazards through flood control overlay provisions, including building and fencing controls. This policy identifies the structure plan areas as part low density residential and includes the identification of the Edge of urban development.

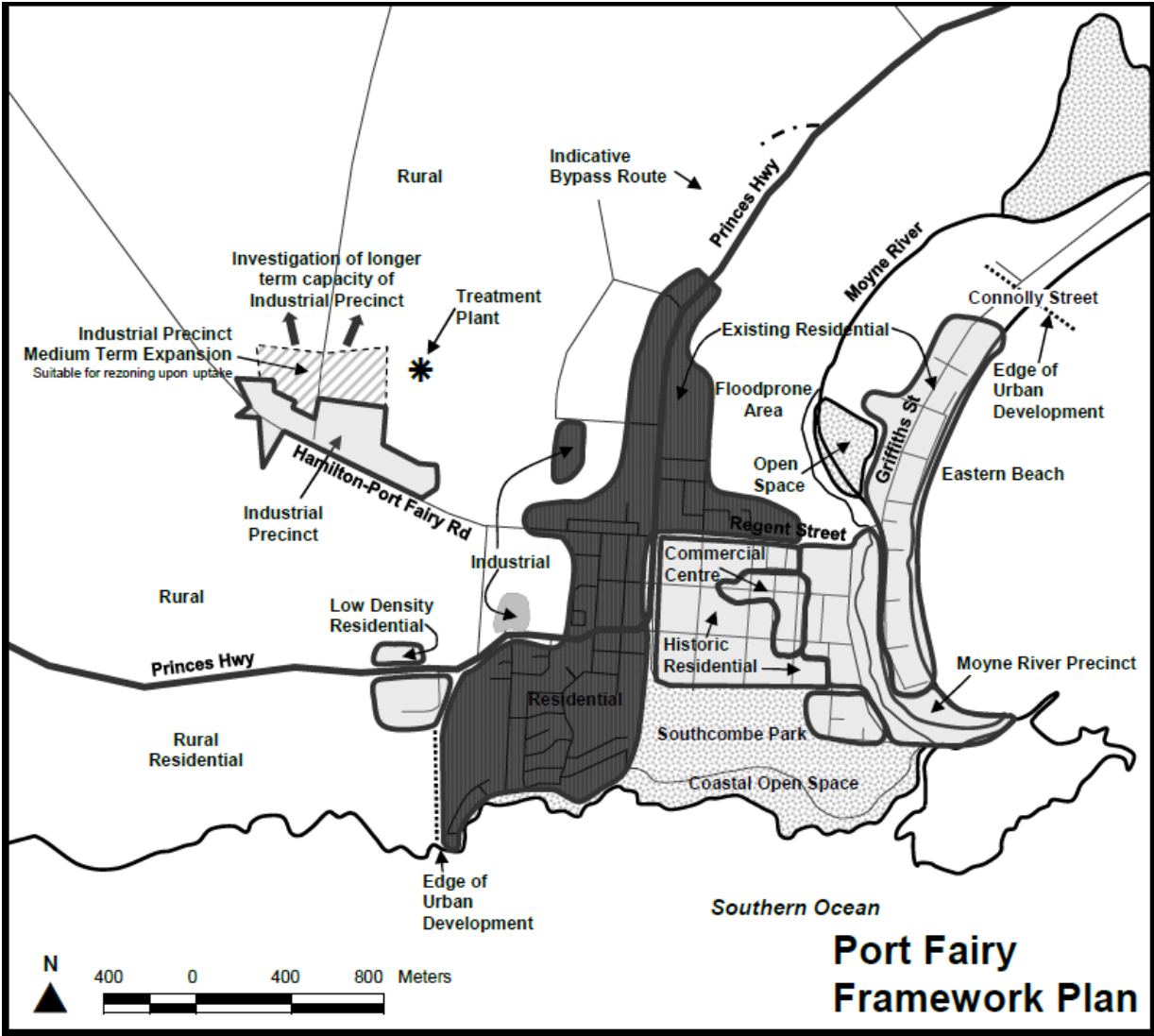


Figure 10: Port Fairy Framework Plan

**Clause 22.01-1 Aboriginal Heritage**

- *To promote the protection and appropriate management of Aboriginal cultural heritage values.*

**Clause 22.01-2 Urban Floodway Local Policy**

- *To identify potential flood hazards and provide a sound basis for the future development and use of land thought to be liable to be at risk of flooding.*

**Clause 22.01-3 Port Fairy**

- *To maintain and build Port Fairy as a strong economically sustainable settlement that provides services for the local community.*
- *To retain the distinctive character of Port Fairy based on the heritage features, the coastal location and high quality urban design.*

**Clause 22.02-1 Coastal Areas**

- *To protect the natural and cultural values of the coast.*
- *To use and develop the coast in a sustainable manner.*
- *To share responsibility for the integrated management and protection of the coastal zone.*
- *To recognise the Regional Coastal Context Statement.*

**Clause 22.02-10 Management of Coastal Landscapes**

- *To ensure that coastal related development responds appropriately to the landscape setting, character and desired Preferred Character directions outlined in Clause 21.06-4.*
- *To maintain locally significant views and vistas that contribute to the character of the coastal and coastal hinterland region.*
- *To ensure that development is subordinate to the natural, visual and environmental landscape character and significance.*
- *To implement the recommendations of both the Great Ocean Road Region Landscape Assessment Study 2003 and the Coastal Spaces Landscape Assessment Study 2006.*
- *To respond to the desired future landscape character directions and management guidelines for each of the Landscape Character Areas outlined in the Great Ocean Road Region Landscape Assessment Study 2003 and the Coastal Spaces Landscape Assessment Study 2006.*

**Clause 22.03-4 Agricultural Production**

- *To prevent land use conflicts between agricultural uses and sensitive uses and ensure that use and development in the municipality is not prejudicial to agricultural industries or the productive capacity of the land.*
- *To ensure that land capability and land suitability will be considered in the assessment of use and development proposals.*
- *To ensure that the use and development of land within Moyne is not prejudicial to agricultural industries or to the productive capacity of the land.*

## Zones

The subject land is currently zoned Rural Living Zone (RLZ) in the southern section, Farming Zone (FZ) in the western and north western section and Low Density Residential Zone in the northern section.

### Clause 32.03 - Low Density Residential Living (LDRZ)

The purpose of this zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.*

Schedule to the Low Density Residential Zone states that the minimum subdivision area of lots in this zone is 0.4 hectares.

### Clause 35.03 – Rural Living Zone (RLZ)

The purpose of this zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for residential use in a rural environment.*
- *To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.*
- *To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

Schedule to the Rural Living Zone states that a minimum lot size in this zone which applies to the subject land is 4 hectares.

### Clause 35.07 - Farming Zone (FZ)

The purpose of this zone are:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

Schedule to the Farming Zone states that the minimum subdivision area of lots in this zone is 40 hectares.

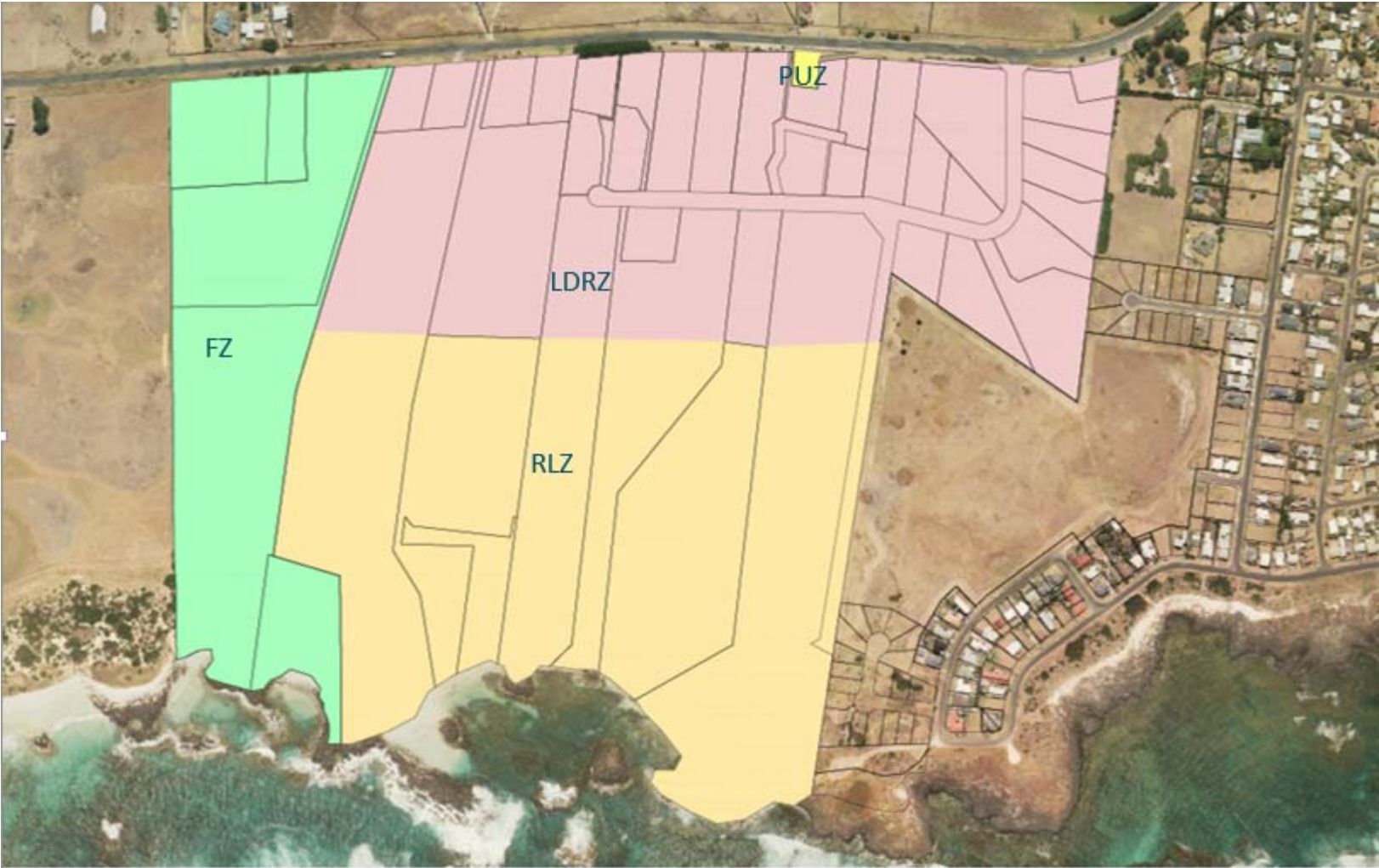


Figure 11: Subject area zoning

## Overlays

### Clause 43.02 - Design and Development Overlay (DDO)

The purpose of the Design and Development Overlay is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To identify areas which are affected by specific requirements relating to the design and built form of new development.*

### Design and Development Overlay - Schedule 14 (DDO 14)

This schedule refers to South Beach West – Port Fairy Design Guidelines Character Area 7 which relates to the Rural Living Land in the south of the Structure Plan area. This schedule outlines the design objectives of this overlay area as the following:

- *To protect the beach and ridgelines from intrusive development.*
- *To encourage limited low scale development which is unobtrusive and will not have a detrimental impact, visually or physically, on the beach or dunes.*
- *To encourage a high standard of coastal architecture.*

Dwelling heights are restricted to 5 metres, unless the site is on the inland slope away from the coast and the proposal is of split level design.

### Design and Development Overlay – Schedule 20 (DDO 20)

This schedule refers to Thistle Place – Port Fairy Design Guidelines Character Area 13 and outlines the design objectives of this overlay area as the following:

- *To protect the beach and ridgelines from intrusive development.*
- *To encourage limited low scale development which is unobtrusive and will not have a detrimental impact, visually or physically, on the beach or dunes.*

Dwelling heights are restricted to 5 metres.

### Clause 42.01 – Environmental Significance Overlay (ESO)

The purpose of the Environmental Significance Overlay is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*

- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

### Environmental Significance Overlay Schedule 1 (ESO1)

This overlay applies to Coastal areas and estuaries. This overlay covers all of the land along the coastline and the farming land to the west of the precinct. These areas are identified as significant as they are sites which exhibit hazards related to sea level rise and potential acid sulphate soils and therefore there is a need to consider these matters when considering development activity on the coast.

Environmental objectives to be achieved under this schedule include:

- *To protect and enhance flora and fauna habitat of the coast, estuaries, associated wetlands and indigenous native vegetation from the impacts of development.*
- *To protect and enhance the stability and environmental quality of sand dunes and coastal cliffs from the impacts of development.*



- To protect the physical, biological and water quality integrity and functioning of estuaries from development within or adjoining an estuary including:
- Avoiding the interference of environmental flows, natural flooding regimes and tidal flows;
- the avoidance of interfering with the appropriate management of artificial river mouth openings of estuaries that minimises detrimental effects on the estuarine environment;
- the avoidance of concentrated stormwater flows and filtering of stormwater, nutrients and other pollutants;
- the prevention of soil erosion and sedimentation;
- The Environmental Significance Overlay Schedule 1 (ESO1) applies to coastal areas and estuaries.



Figure 12: Design and Development Overlay Schedule 14 and 20 (DDO14 and DD020)



Figure 13: Environmental Significance Overlay Schedule 1 (ESO1)

## Other relevant documents

### Victorian Coastal Strategy 2008

The Strategy identifies the increasing likelihood of the coastline being impacted by climate change during this century. Impacts to the coastline include possible sea level rise and, an increase in frequency and severity of storm events. These will lead to greater inundation and erosion occurring which will in turn lead to damage and loss of property, infrastructure and the environment. The strategy emphasises the importance of understanding coastal hazards to be able to manage exposure to these risks.

Policy and strategic direction for responding to coastal hazard risks in the context of climate change have been set out within the Strategy.

This includes:

*Plan for sea-level rise of not less than 0.8 metres by 2100, and allow for the combined effects of rides, storm surges, coastal processes and local conditions such as topography and geology when assessing risks and impacts associated with climate change.*

Within the strategy the town of Port Fairy has been declared an Activity Node due to the towns many attractions and year round tourist destination.

### Future Coasts – Port Fairy Coastal Hazard Assessment April 2013

The purpose of this assessment was to provide information regarding the present day coastal hazards and the projected impacts of climate change on the coastline in and surrounding Port Fairy.

The objective of the assessment was to provide Moyne Shire Council and other land and asset managers with information to manage risks resulting from climate change in the future.

### Port Fairy West Area

Within the report the subject area is identified as Unnamed 2 (VIC 516). It is noted that the flood extent of this area is identified as relatively marginal for the present day planning period which is identified as Scenario 1 as can be seen in Figure 14.

Future Scenarios 2, 3 and 5 have also been modelled at a sea level rise (SLR) of 0.4m and 0.8m as part of this assessment and it was found that the flood extent in this area increases due to wave overtopping at Ocean Drive (located to the south east of the subject area). In Scenarios 3 and 5 it is anticipated that the predicted water levels would breach Thistle Place road which would potentially limit access to some of the seafront properties.

Figure 14 Scenario 1 (Present Day) indicates flooding in the eastern section of the subject area. Scenario 2 and 3 sees the flooding extend further to the west and northern section of the land. The majority being located within the low lying section of land to the rear of the primary sand dune.

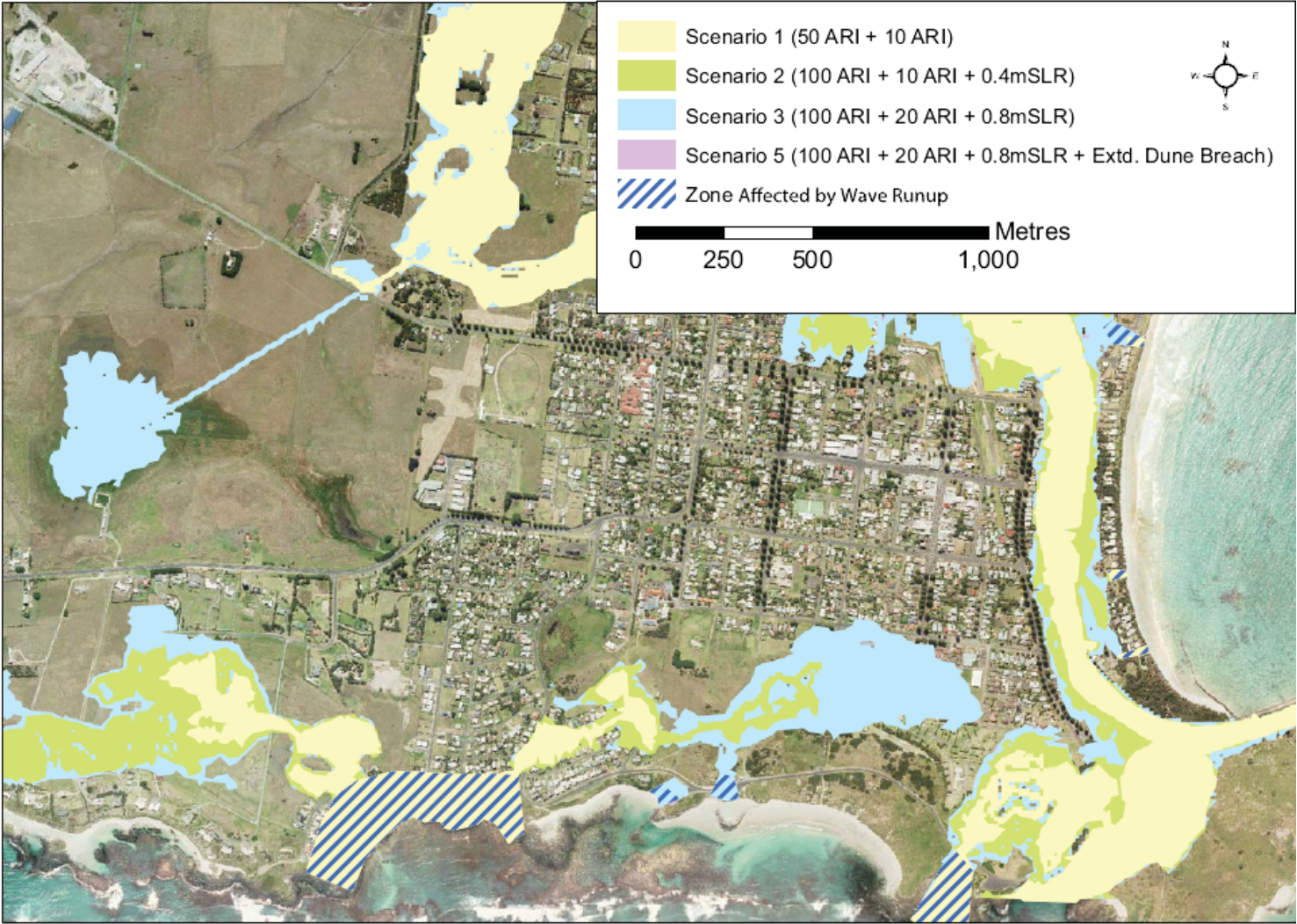


Figure 14: Flood Extent modelling (Source: Future Coasts – Port Fairy Coast Hazard Assessment)

Practice Note 53 – July 2012 - Managing coastal hazards and the coastal impacts of climate change

The Practice Note has been prepared to respond to the increasing pressure of demand for coastal living and the likely increase in coastal hazards due to the potential impacts of climate change.

The note identifies the importance of understanding the coastal hazards in order to be capable of preventing loss and damage to property, infrastructure and the environment where possible.

For the purpose of the Practice Note coastal hazards are identified as being coastal inundation and erosion.

The Practice Note also refers to strategic planning for coastal areas and rezoning for urban purposes. It states that:

*Development of coastal areas outside of existing settlements and in non-urban areas should be sited and designed in a way that does not unnecessarily expose future communities and assets to coastal hazard risk over its intended lifespan.*



## Coastal Acid Sulfate Soils Distribution

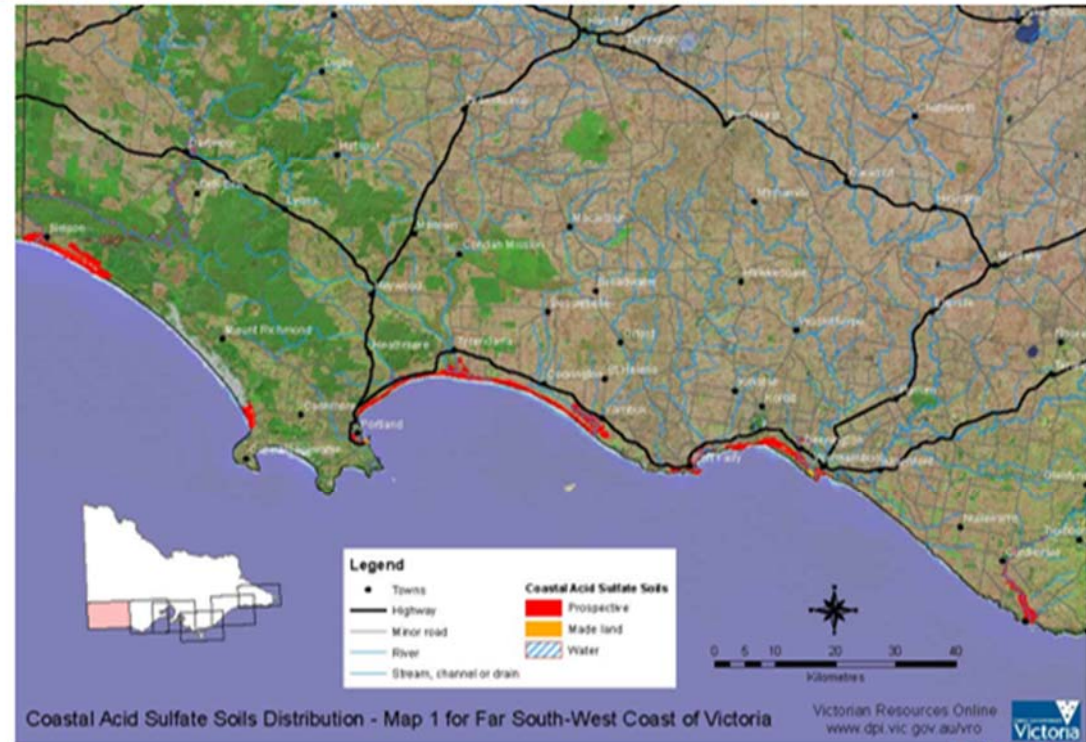


Figure 15: Coastal Acid Sulfate Soils Distribution Map

**Guidelines for Coastal Catchment Management Authorities: Assessing development in relation to sea level rise. June 2012**

This document prepared by Department of Sustainability and Environment provides guidelines to Catchment Management Authorities in assessing development proposals in areas which may be affected by Sea-level Rise (SLR) so as to be able to advise responsible authorities on development proposals.

The guidelines focus specifically on coastal inundation and development proposals which area located on floodplains affected by coastal inundation.

The guidelines apply the policies set out in Clause 13.01-1 of the State Planning Policy Framework which relates to Coastal Inundation and Erosion.

The following guidelines are provided:

- *Plan for sea level rise of not less than 0.8 metres by 2100, and allow for the combined effects of tides, storm surges, coastal processes and local conditions such as topography and geology when assessing risks and coastal impacts associated with climate change;*
- *Apply the precautionary principle to planning and management decision-making when considering the risks associated with climate change;*

- *Ensure that land subject to coastal inundation is identified and appropriately managed to ensure that future development is not at risk; and*
- *Avoid development in identified coastal hazard areas susceptible to inundation.*

**Port Fairy Implementation Strategy, Urban Design Framework – Context Issues and Direction Report April 2006**

The Urban Design Framework for Port Fairy was commissioned by the Moyne Shire Council to provide guidance for development over the coming 25 years.

Concerns raised include:

- *The capacity of the town to retain its character and identity in a growing urban area;*
- *A growing question of whether development for developments' sake is necessarily compatible with Port Fairy as a town and community;*
- *A growing concern that the scale of recent development and the level of likely future development may be detrimental to the qualities that are valued by long term residents and those who have been attracted to shift to and visit Port Fairy; and*

- *An increasing and widening recognition that future urban development, both within the existing urban area and on the periphery, must be carefully planned or important town and community qualities will be eroded and lost.*

As a consequence of the rapid development of Port Fairy forward planning has been driven by a desire to protect the significant built environment of the town, minimise impacts on landscape features such as the coast and development of land so as it can be serviced by infrastructure.

In relation to Port Fairy West area the UDF states:

*“The strategy recommends that the only new provision for Residential 1 zoned land is to address the south western area of the town where existing Residential 1 zone abuts the Low Density Residential Zone. Given the road and property configuration in this there are some minor adjustments that can be made that will facilitate a more practical layout and development. The extensive area zoned Low Density Residential/Rural Living south of Princes Highway which forms the south western edge of the extended township needs a process to prepare a Development Plan to manage further housing development, subdivision and road layout and access. The whole of this area should be zoned Low Density Residential but subject to a*

*Development Plan Overlay which provides for limited further residential development to reflect the amenity and character of the area.”*

#### **Moyne Coastal Action Plan 2001**

This plan was prepared to detail direction for future management of the coastal zone in Moyne Shire. The plan identifies threats to the protection of the coastal zone and objectives to minimise these threats. In particular the impacts on the environmental and cultural values of the coast whilst providing appropriate development, infrastructure and public access.

Within the action plan Port Fairy is identified as an Activity Node which is a major component of the plan.

Objectives to protect Port Fairy include:

- *To manage development along the coastal strip to minimise environmental impacts to the dune systems and visual amenity of the coastline.*
- *To provide defined beach access at controlled points to reduce erosion and improve user safety.*
- *To maintain and protect Aboriginal cultural sites.*
- *To finalise and implement additional landscape, recreation and tourism design recommendations for the Port of Port Fairy and ocean front locations.*
- *To provide coordinated interpretation of natural cultural and historic features of the coast and river environs.*

## 2.3. Stakeholder Consultation & Community Input

Consultation undertaken to date has included questionnaires circulated to landowners, technical workshops with internal and external authorities and two sessions with Councillors and with local landholders to facilitate discussion around possible structure plan options and obtain more targeted feedback.

### **Landowner local knowledge Questionnaire - November 2013**

As part of the initial subject area analysis questionnaires were circulated to landowners within the study area. These were sent to over thirty (30) different landowners and approximately 16 responses were received. The intention of this initial questionnaire was to obtain and collate information directly from the residents which would outline their personal visions for the future of the area in which they live.

The questions posed and the responses received are summarised below:

### Question 1 - What do you consider are important attributes of the Port Fairy West area?

- Ambience of the area;
- Sense of arrival;
- Protection of sand dunes and coastal cliffs from development;
- Protection of native vegetation;
- Not too much ribbon development;
- Large blocks for privacy, quiet neighbourhood;
- Views from the area;
- Walkability;
- Distinct demarcation between township edge and rural landscape;
- Services can be connected to;
- Private ownership of the beach;
- Low density residential;
- A park/semi-rural feel;
- Wildlife; and
- No through traffic.

### Question 2 - What are the constraints to development in the Port Fairy West area?

- Flooding on low lying area between primary and secondary sand dunes;
- No sewerage or drainage (town services);
- No access roads;
- Entrance and exiting Thistle Place can be difficult;
- Pressure on water supply;
- No public access to beach;
- Exposure to wildfires;
- Failure to act on previous consultants reports;
- Failure to deal with application expeditiously;
- Lack of connection to town;
- East-west connection; and
- Delicate sand dunes.

Question 3 - What do you see as the potential opportunities for development in the Port Fairy West Area?

- No development;
- Maintain as Low Density Residential Zone and Rural Living Zone;
- Potential access from Eastern/Southern side of the area to emergency escape route;
- Incorporate walking trail /bike track into Anna Catherine Drive and Ocean Drive;
- Extending Thistle Place road to allow access to more blocks;
- Residential and tourism blocks; and
- Retirement or aged care facility.

Question 4 - What do you envisage the future development of Port Fairy West looking like?

- No future development;
- No further subdivision;
- Protect water supply;
- Open paddocks provide buffer;
- Preserve seasonal wetlands;
- Preserve fauna and flora;
- Create farmland border;
- Extend Thistle Place to form a crescent;
- All Low Residential Zoned lots;
- Quality housing of architectural merit not inhibited by rigid design guidelines;
- East west connecting road;
- Bike and walking trails; and
- Large residential blocks.

Question 5 - Any other comments?

- Licenced restaurants, hotels or other large scale tourist developments should be prohibited;
- Better on/off Princes Highway service roads and speed limits;
- Existing drainage piping water from flooded area out to sea;
- Prevent urban sprawl effect;
- No caravan parks;
- Flooding;
- Impact on Port Fairy's water supply if denser housing is proposed;
- Conservation of views;
- Fire access and exit from Thistle Place; and
- Sewer systems shallow water table.



### Authority and Stakeholder Consultation

Three preliminary consultation sessions were undertaken at the Moyne Shire Council offices in Port Fairy on 18 November 2013. The purpose of the sessions were to gather background information about this area of Port Fairy West in order to inform the Structure plan. These sessions included external authorities including Wannon Water, Department of Primary Industries (DEPI), Vicroads and Powercor as well as representatives of various Council Departments including Environment, Recreation, Assets and Strategic and Statutory Planning.

The following section provides an overview of the comments and issues raised through this consultation process:

#### Infrastructure

- Existing service infrastructure is located to the east and south east of the study area;
- Adjoining landowners maintain the north south road adjoining the eastern boundary however it is a Council owned road reserve;
- Drainage is piped through the existing residential subdivision;
- There is sufficient supply to provide reticulated water to the study area;
- The north eastern section of the plan (LDRZ) around the entrance to Thistle Place could be sewered as it falls back towards the existing township;

- Wannon Water would support the provision of a new sewerage pump station to service allotments outside of the area unable to be serviced by the existing gravity sewer. Any pump stations would need to be protected in flooding events (sandbagging);
- The number of septic tanks should be minimised as they could leak into the groundwater;
- Powercor has capacity - Electricity – above ground cables if 4000sqm average lots and below ground if 2000sqm;
- Potential storm surge needs to be taken into account for future development;
- Percolation tests are usually required for drainage when subdivision occurs;
- Septic tanks – very sandy soils – risk of contamination of groundwater;
- The potential should be created for a link to Anna Catherine Drive and Ocean Drive.

#### Residential land to the east

- There are no east west connections proposed through previous development proposals in the Residential 1 Zoned land;
- A new stage of subdivision adjacent to the south east boundary of the study area is soon to commence construction for approximately 20 residential lots

- There is an existing area of parkland immediately to the south east of the study area.

#### Land to the west

- Abalone farm further to the west of the study area, could impact the study area with regard to buffer distances?;
- Design and Development Overlay applies to Farming Zone also.

#### Pedestrians/cyclists

- Identified need for a shared pedestrian/cycle link across the site and into the existing Port Fairy township;
- Walking/cycle tracks along the coast currently unable to be formerly created as land is privately owned through the study area to the waterline;

#### Planning history

- Previous application for additional accommodation units on the Primary dune was refused by VCAT;
- Planning permit being considered for a large shed to be located in the north west of the precinct;
- 7 lot subdivision under consideration for large parcel in north west of precinct;
- The corner lot in Thistle Place is proposing a realignment of its boundaries.

### Type of development

- What type of uses are applicable (farming, low density)
- What is the township boundary?
- The plan area needs to form part of an overall Port Fairy town strategy, rather than being considered separately;
- Supply of available vacant land vs. actual demand;
- A need to understand tourism drivers for Port Fairy –Shipwreck Coast Tourism;
- Push density given the pressure?
- Farming conflict – large shed application at present – Western edge haulage company

### Roads/Access

- Design of any new roads to be consistent with cross section and profile of Thistle Place;
- Proposed Port Fairy bypass unlikely to affect access arrangements into the precinct;
- Vicroads advised that the bypass won't have impact in Thistle Place and the creation of a new access to west would be ok;
- Vicroads indicated a preference to limit the access points to the Princes Highway to two and minimise additional access points;
- The lower (dip) portion of the study area is inundated through wetter months

### Flora and Fauna

- Minimal native vegetation within study area
- Mainly located along the coastline
- Wildlife currently on site (ducks, birds etc.)
- Ephemeral swamp – cultural heritage significance of swamp
- Vegetation is worth protecting along the coast probably some of the best coastal vegetation in Port Fairy
- Hooded Plover – education and restrict access to protect these
- Turn it into wetland through central area
- Internal swamp area in degraded condition because of being grazed but if it wasn't what would it be like?

### Cultural heritage

- Majority of site deemed to be culturally significant
- A review of existing cultural heritage required to identify number of potential existing recorded sites/artefacts
- Burial site nearby on Wannan Water land.

### 3. PART B – ANALYSIS AND DRAFT OPTIONS

#### 3.1. Analysis

The consultation phases of the project identified a number of key elements that need to be addressed in formulating the structure plan for Port Fairy West.

These elements included the following:

##### **Character**

Throughout the consultation process residents identified the existing character of the study area as low density in nature, that there is a sense of arrival experienced as you enter that provides an open park like feel with rural views. Much of the feedback identified a desire to maintain this character and some identified a desire to look at the provision of additional low density allotments whilst maintaining the look and feel of the area.

Many submissions supported the continued provision of low scale tourist accommodation, B & B's and cottages, however expressed concerns about the potential loss of the current character if more commercial tourist activities were permitted or if the existing commercial café were permitted to increase its activities.

In addition, while most residents identified the need for some road connectivity through either Thistle Place to the west or sealing the extension of Thistle place on the east and/or provision of a connection through to the future

residential land subdivision off Anna Catherine Drive, residents did not want concrete footpaths or street lights as a result of these connections.

##### **Environment**

Residents and the Department of Environment and Primary Industries (DEPI) identified concerns about the environmental attributes of the area. Many described the area as a delicate environment with the low lying (swamp) areas subject to inundation, primary dune system and potential coastal erosion.

##### **Coastal and Catchment inundation and Climate change**

The Future Coasts – Port Fairy Coastal Hazard Assessment was a study undertaken as part of the Future coasts program led by the DEPI in partnership with the Department of Planning and Community Development (DPCD). The objective of the document is to provide Councils and other asset managers with information that will assist in planning and establishing effective management options in response to present day coastal impacts and the projected impacts of climate change.

Clause 13.01-1 Coastal Inundation and Erosion within the State Planning Policy Framework requires that planning authorities plan for and manage the potential coastal impacts of climate change and that in doing so plan for possible sea level rise of 0.8 metres by 2100, and allow for the combined effects of tides, storm surges, coastal processes and local

conditions such as topography and geology when assessing risks.

The Future Coasts – Port Fairy Coastal Hazard Assessment identifies that the structure plan area is predicted to be impacted by 0.8m sea level rise. The existing tourism establishments along the primary dune are largely located within the area identified as being at risk from present day erosion and subject to further coastal erosion (0.8 metre sea level rise). The study maps this inundation based on a combined analysis utilising “bathtub” inundation levels (incorporating astronomical tide, barometric setup and wave setup) and “dynamic coastal inundation numerical modelling” (estimating combined ocean and catchment flooding including wave run up and overtopping).

The mapping demonstrated that large areas of the structure plan area are inundated both now and with 0.8 metre sea level rise. In particular the extension of Thistle Place and some of the north south carriageway easements will have sections that are inundated and may inhibit vehicular access at those times.

The Department of Environment and Primary Industries provided a detailed preliminary

response outlining that Figure 11.24 of the Future Coasts assessment was considered the most appropriate data set and that it is important to note that salt water inundation has more severe and prolonged impacts compared to freshwater inundation such as septic tank failure, impacts on groundwater, soil fertility and landscaping. The Department also outlined the need to ensure that development is prohibited within the area identified as subject to coastal erosion (taking into account 0.8 metre sea level rise).

This inundation severely impacts the potential for the central area of the Structure Plan to be further developed, however the data within the Future Coasts assessment does not provide detailed information regarding the depth and duration of inundation. The mapping extracts below were based upon Figure 11.24 which was solely derived from “bathtub” modelling.

To develop buildings that respond to the identified inundation areas, finished floor levels (FFL’s) will need to be above the identified level of inundation inclusive of the predicted level at 2100. Consideration will need to be given to the overall height of dwellings once these floor levels are taken into account and how that dwelling height responds to the existing Design and Development Overlays which have a 5 metre height restriction.

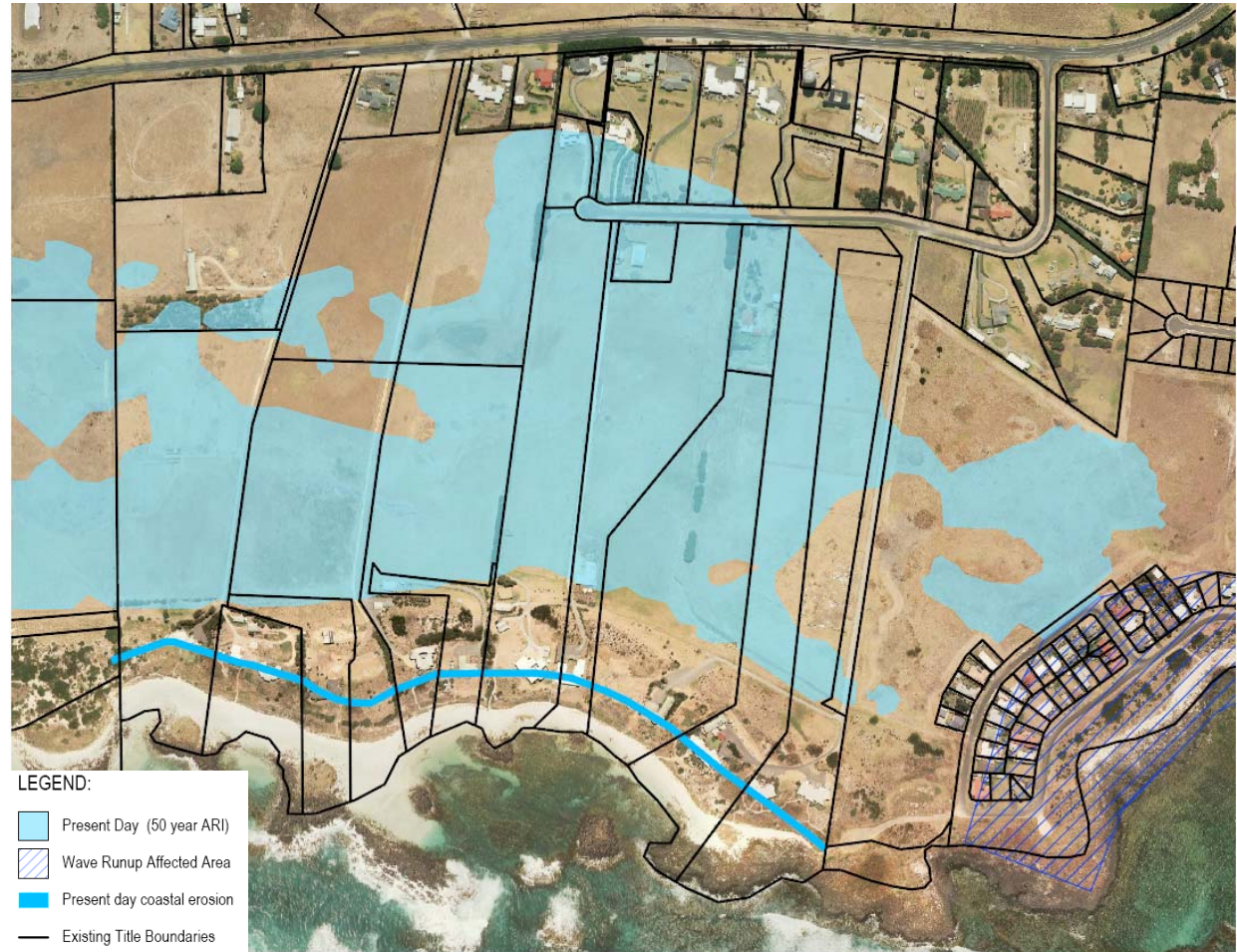


Figure 16: Coastal Inundation and Erosion Present Day

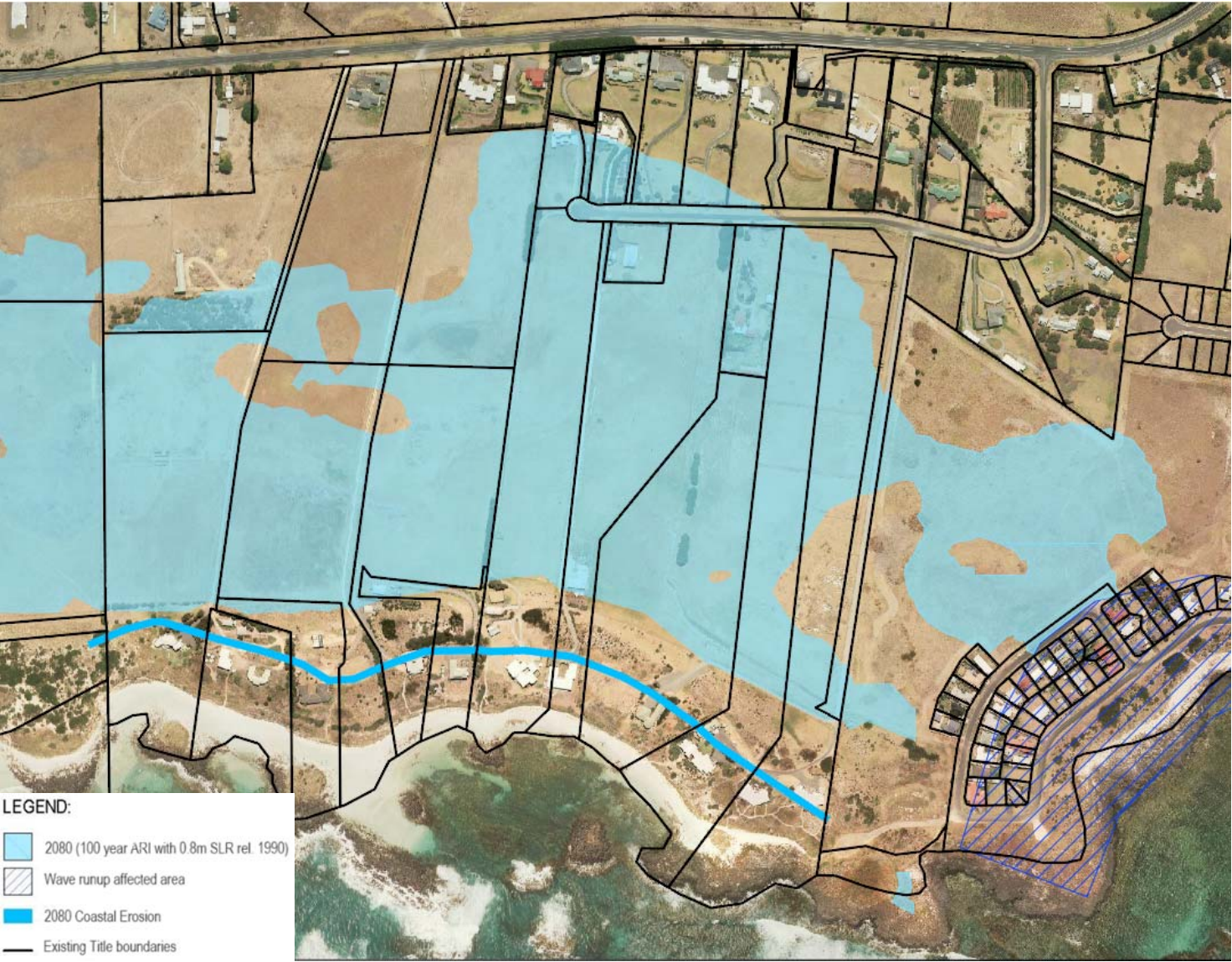


Figure 17: Coastal Inundation and Erosion 2080

**Land Capability and Servicing**

Through the consultation process each of the service providers advised that the existing infrastructure (electricity, gas, sewer and water) servicing adjoining land is capable of being extended and/or upgraded to service the Port Fairy West Structure Plan area.

Wannon Water advised that the existing water tank located in the northern section of the structure plan area is capable of servicing any additional development in this area and the existing mains along Thistle Place, Princes Highway and to the east of the structure plan area could be extended.

Importantly, it was identified that the north eastern section of the structure plan area could be seweraged as it falls back towards the existing township and sewerage pump stations could be located at the low point in the structure plan area to accommodate any residential development. It was stated that any pump station would need to be sand bagged in heavy rainfall events due to the area being subject to inundation in parts.

Given the low lying areas susceptibility to flooding and the high percolation soil type, if the area is not seweraged then any future dwellings should be serviced by aerated wastewater treatment systems instead of septic tanks at the very least and no effluent systems should be permitted in areas identified as subject to inundation. In particular the Department of Environment and Primary Industries raised concern about the impacts of salt water inundation of the area as

groundwater can be affected which would in turn affect soil fertility and septic tank functionality.

Council's Environmental Health Officer also raised concern that effluent disposal will need to be located and relocated on higher ground as permanent sea level rises occur.

**Land supply and demand**

The 2012 Draft Urban Development Programme Regional Residential Report prepared by DPCD for the Shire of Moyne indicated a 15+ year supply of existing land stock in the Shire of Moyne for future residential demand. On this basis there is no inherent need for the Shire of Moyne to look at further development of Port Fairy West for the purpose of residential land supply.

**Vehicular access**

A number of options were put forward in order to provide for better connectivity through the study area. The background review and consultation confirmed that there are a large number of existing carriageway easements that provide access to dwellings located predominantly along the beachfront. These have been referred to as a "spaghetti" of easements and have resulted in long unmade gravel driveways with no landscaping and little mitigation for access at times of inundation.

Along the eastern boundary of the study area, Thistle Place extends in a southerly direction within a designated road reserve. The road itself however is little more than a driveway

and is maintained by a number of landowners who utilise it including the Commercial Café and Gallery.

Many residents identified the current access arrangements throughout the structure plan area as undesirable and unsightly. In addition, many residents sought better connectivity recommending the extension of Thistle Place to the west which would provide a secondary exit/entry in the event of an emergency, the sealing of the extension of Thistle place on the east and/or provision of a connection through to the future residential land subdivision off Anna Catherine Drive.

**Beach Access**

The background review and consultation revealed that the properties along the coastline have the benefit of private title to the high water mark. As such there is no public access available to the beach from the study area. Community feedback was mixed with some residents expressing a desire to have public access and others seeking to protect the area by continuing to prohibit public beach access both for environmental reasons and private economic gain.

**Cultural Heritage Sensitivity**

A large portion of the structure plan area is identified as being an area of cultural heritage significance. Further investigation should be undertaken by individual landowners in the form of a Cultural Heritage Management Plan at the time of planning permit application to identify any areas of significance.

### 3.2. Draft options

Following on from the analysis, a series of draft structure plan options were developed responding to the identified elements.

Two consultation sessions were held in February 2014, one with Council and one with landowners.

The purpose of these sessions were to feedback the information received to date, to table the five draft structure plan options and run through the positives and the negatives of each and to workshop these with the community through group discussion.

Following on from these sessions, participants were provided with a hard copy of the draft options and a questionnaire to assist in providing feedback to inform the final plan which will be placed on public exhibition.

Five Draft options were prepared for preliminary discussion. Each of the options recognised the requirement for Councils to plan for 0.8 metre sea level rise.

As large portions of the study area are identified as subject to inundation, future development within the study area is significantly restricted in order to apply the precautionary principle when planning for potential coastal impacts of climate change.

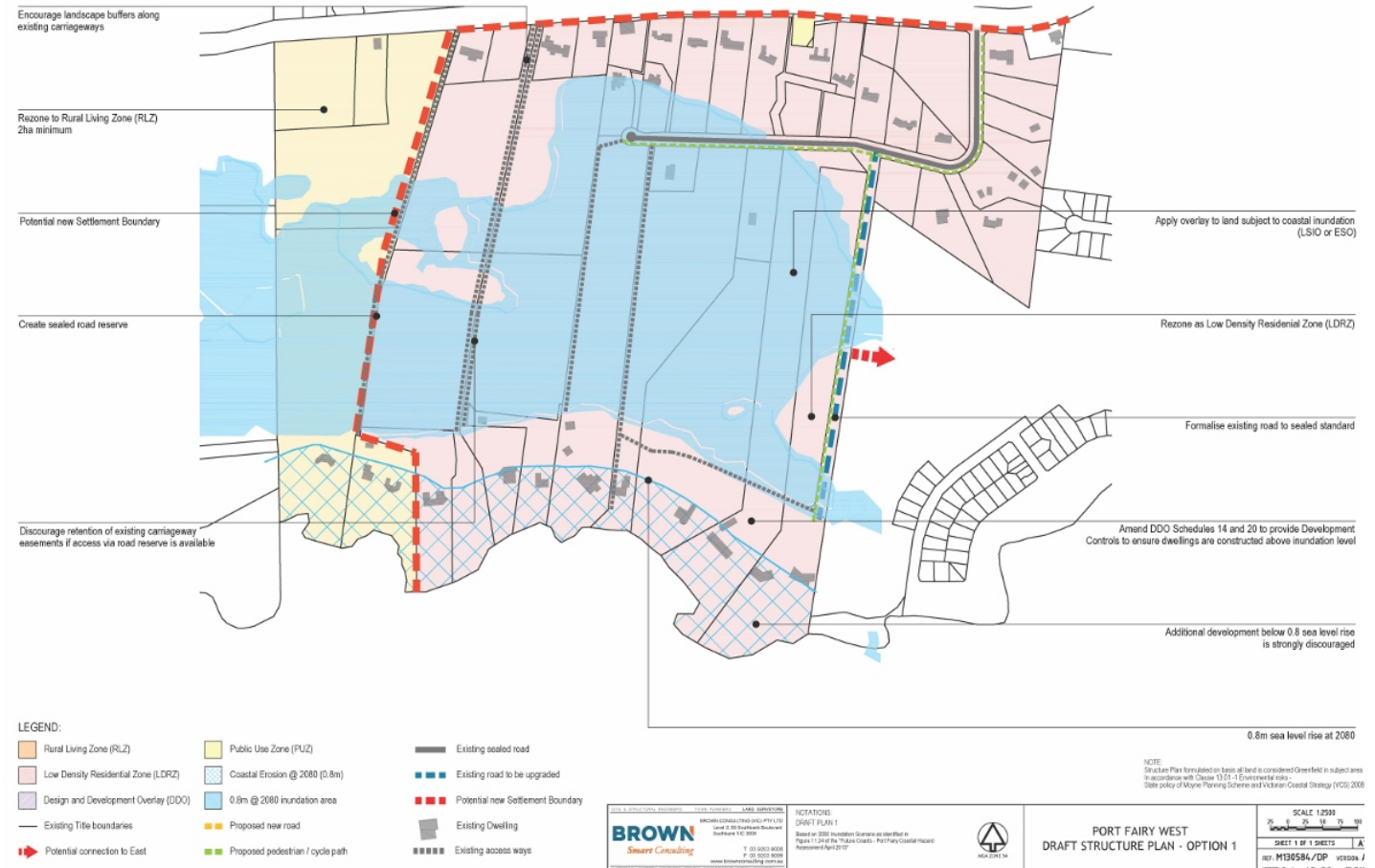
These options are outlined as follows:

## Draft Option 1

- Rezone existing Farming Zone to Rural Living Zone (RLZ) with 2ha minimum lot size
- Rezones RLZ to LDRZ
- Has regard to inundation at 2080 (0.8m SLR) as identified in the Coastal Hazard Assessment
- Applies and ESO or LSIO to areas subject to inundation
- Amends the DDO 14 and 20 to provide development controls to ensure dwellings are constructed above inundation level
- Additional development below 0.8m sea level rise is strongly discouraged
- Formalise existing road to sealed standard
- Potential connection to the east
- Encourage landscape buffers along existing carriageways
- Settlement boundary proposed to the east of the RLZ land

### PORT FAIRY WEST DRAFT STRUCTURE PLAN - OPTION 1

Based on 2080 inundation - Figure 11.24 - Port Fairy Coastal Hazard Assessment



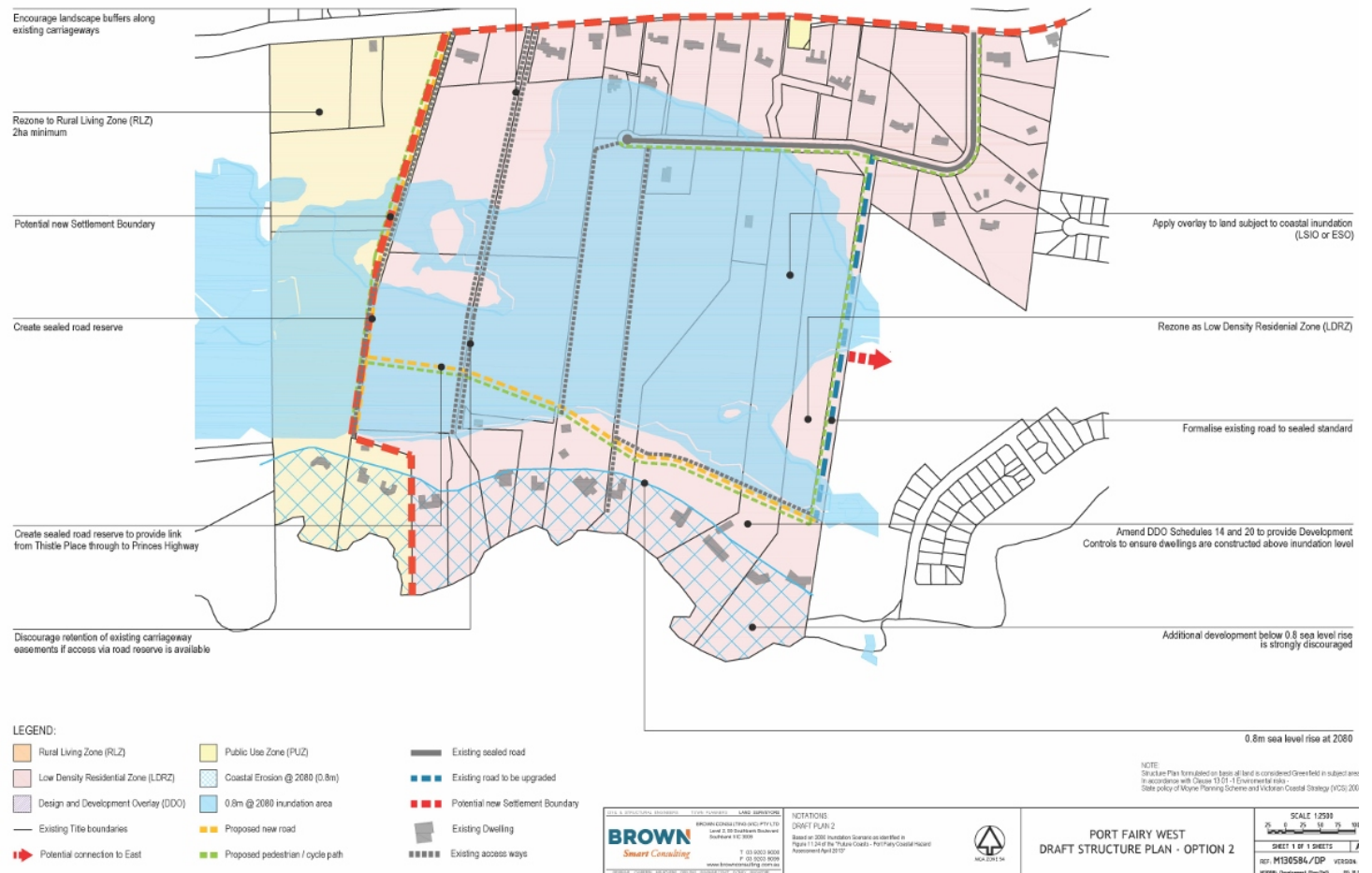


## Draft Option 2

- Rezone existing FZ land to RLZ with 2ha minimum lot size and rezone existing RLZ to LDRZ
- Has regard to inundation at 2080 (0.8m SLR) as identified in the Coastal Hazard Assessment
- Applies and ESO or LSIO to areas subject to inundation
- Amends the DDO 14 and 20 to provide development controls to ensure dwellings are constructed above inundation level
- Additional development below 0.8m sea level rise is strongly discouraged
- Formalise accessways and road to sealed standard
- Potential connection to the east
- Encourage landscape buffers along existing carriageways
- Creates sealed road reserve to provide link from Thistle Place through to Princes Highway
- Discourage retention of existing carriageway easements if access via road reserve is available
- Settlement Boundary proposed to the east of RLZ land

## PORT FAIRY WEST DRAFT STRUCTURE PLAN - OPTION 2

Based on 2080 inundation - Figure 11.24 - Port Fairy Coastal Hazard Assessment

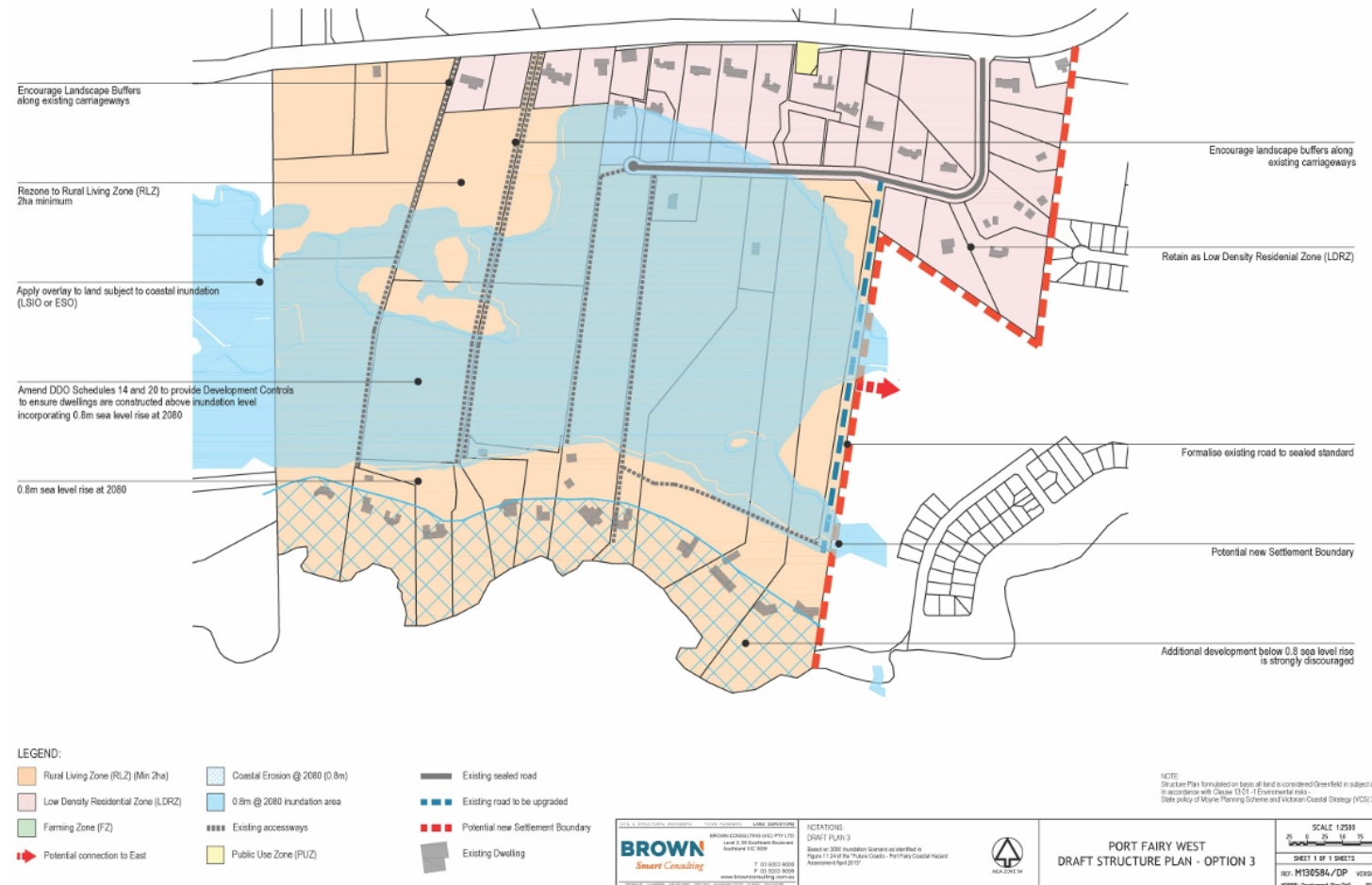


### Draft Option 3

- Rezones existing FZ land to RLZ with 2ha minimum lot size and back zones part of existing LDRZ to RLZ
- Has regard to inundation at 2080 (0.8m SLR) as identified in the Coastal Hazard Assessment
- Applies and ESO or LSI0 to areas subject to inundation
- Amends the DDO 14 and 20 to provide development controls to ensure dwellings are constructed above inundation level
- Additional development below 0.8m sea level rise is strongly discouraged
- Formalise road to sealed standard
- Potential connection to the east
- Encourage landscape buffers along existing carriageways
- Settlement Boundary proposed to the east subject area

### PORT FAIRY WEST DRAFT STRUCTURE PLAN - OPTION 3

Back Zoning - Based on 2080 inundation - Figure 11.24 - Port Fairy Coastal Hazard Assessment

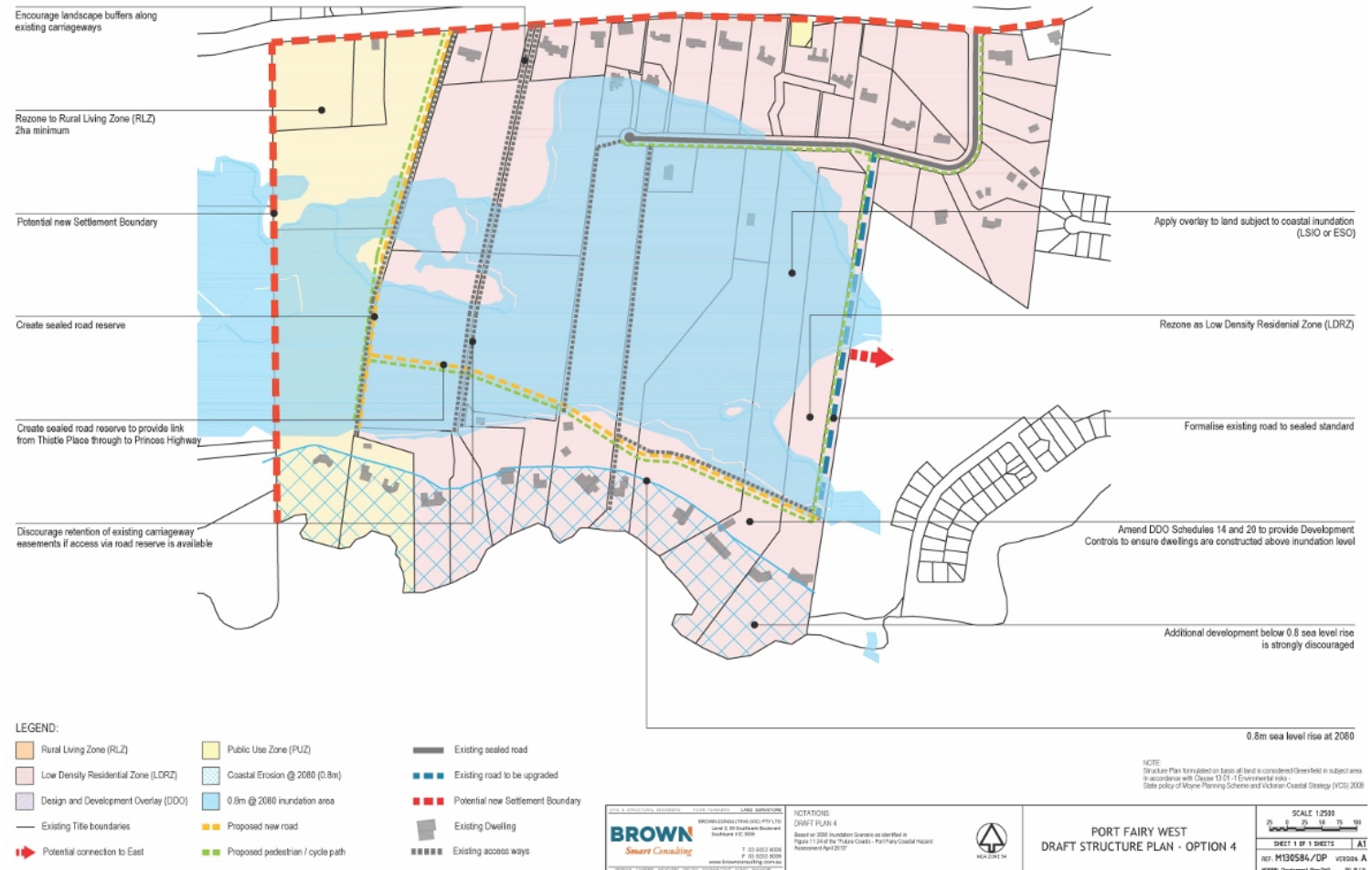


## Draft Option 4

- Rezone existing FZ land to RLZ with 2ha minimum lot size and rezone existing RLZ to LDRZ
- Has regard to inundation at 2080 (0.8m SLR) as identified in the Coastal Hazard Assessment
- Applies and ESO or LSIO to areas subject to inundation
- Amends the DDO 14 and 20 to provide development controls to ensure dwellings are constructed above inundation level
- Additional development below 0.8m sea level rise is strongly discouraged
- Formalise accessways and road to sealed standard
- Potential connection to the east
- Encourage landscape buffers along existing carriageways
- Creates sealed road reserve to provide link from Thistle Place through to Princes Highway
- Discourage retention of existing carriageway easements if access via road reserve is available
- » Settlement Boundary proposed to the west of RLZ land

## PORT FAIRY WEST DRAFT STRUCTURE PLAN - OPTION 4

Based on 2080 inundation - Figure 11.24 - Port Fairy Coastal Hazard Assessment



## Draft Option 5

- Back zones part of existing LDRZ land to RLZ with 2ha minimum lot size
- Has regard to inundation at 2080 (0.8m SLR) as identified in the Coastal Hazard Assessment
- Applies and ESO or LSIO to areas subject to inundation
- Amends the DDO 14 and 20 to provide development controls to ensure dwellings are constructed above inundation level
- Additional development below 0.8m sea level rise is strongly discouraged
- Formalise road to sealed standard
- Potential connection to the east
- Encourage landscape buffers along existing carriageways
- Settlement Boundary proposed to the east subject area

### PORT FAIRY WEST DRAFT STRUCTURE PLAN - OPTION 5

Back Zoning - Based on 2080 inundation - Figure 11.24 - Port Fairy Coastal Hazard Assessment



**LEGEND:**

Rural Living Zone (RLZ) (Min 2ha)	Coastal Erosion @ 2080 (0.8m)	Existing sealed road
Low Density Residential Zone (LDRZ)	0.8m @ 2080 inundation area	Existing road to be upgraded
Farming Zone (FZ)	Existing accessways	Potential new Settlement Boundary
Potential connection to East	Public Use Zone (PUZ)	Existing Dwelling

**BROWN**  
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**NOTATIONS**  
 DRAFT PLAN 5  
 Based on 2080 Inundation Scenario as identified in  
 Figure 11.24 of the Port Fairy Coastal Hazard  
 Assessment April 2017



PORT FAIRY WEST  
 DRAFT STRUCTURE PLAN - OPTION 5

NOTE:  
 Structure Plan formulated on basis of land in unincorporated Greenfield in subject area  
 in accordance with Clause 13.01-1 Environmental Risk -  
 State policy of Marine Planning Scheme and Victorian Coastal Strategy (VCS) 2006

SCALE 1:2500	
0	25 50 75 100
SHEET 1 OF 1 SHEETS	
REF: M130584/DP	VCS2006_A
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**Additional Measures**

Each of the preliminary structure plan options require varying additional measures to be further investigated/actioned in order to facilitate the recommended outcome. These included:

- Public Acquisition of proposed road reserves;
- Inclusion within Council works programme/special charge scheme for road upgrade and footpath provision;
- Provision of data to further refine the impact of inundation to further determine land supply;
- Land capability study required to determine lot sizes and acid sulphate soils.
- Creation of Local Policy for Port Fairy West to discourage large commercial uses and set out the vision for land use and development that is consistent with the low density/rural living nature of the area

**Stakeholder Consultation & Community Input**

The following outlines the questions put to landowners following the draft structure plan option consultation session and the responses received.

**Question 1: Which of the Draft Options best represents your vision for Port Fairy West?**

DRAFT OPTION	No. of RESPONSES
Option 1	3
Option 2	3
Option 3	2
Option 4	4
Option 5	8
None	2

**Question 2: What do you feel has not been taken into account in the Draft Options put forward?**

- More subdivision will increase number of residents wanting use of private access to beach;
- Increased traffic;
- Dangerous access and exit to highway;
- Impact on existing properties;
- Thistle Place Road goes nowhere;
- Possibility of elevating east road to provide dam;
- If extension to Thistle Place sealed will Council do any landscaping?;
- Needs of existing landholders;
- Part of the town more services wanted i.e. Reticulated gas;

- New road alignment from Thistle Place to continue to the west;
- Road network proposed is complex and expensive;
- Extending boundary to the edge of study area as in option 1, 2 and 4 would allow residents of Port Fairy to be included in township;
- Entitled to provision of basic utilities of gas and sewerage;
- Limited egress from Thistle Place which could cause bottle neck in case of emergency;
- Access to Anna Catherine Drive;
- Existing drainage system, draining from Goose Lagoon to Philip Street have them cleaned out and piped;
- Funding and cost apportionment of roads and new development;
- Current inundation levels not hypothetical 2080;
- CVHA of coastal erosion is too extreme;
- The addition of direct road/pedestrian/cycle access way from the Southern end of Thistle Place connecting to Ocean Drive;
- Beach access and car park at the intersection of Thistle Place and Ocean Drive;
- West of the intersection of Ocean and Anna Catherine Drive – is this for the development of a coastal reserve (possible future car parking and beach access?);
- Inundation from the west from rain events;

- Issue of any future development on the primary dune;
- Issue of any future proposed commercial development – should be strictly rural residential zone;
- Land subject to current inundation would be more suited as a wetland/grazing area;
- Exit onto Princes Highway may be impossible in fire situations;
- Sealed roadway to the east is most important in addition a walking track/bike track some sort of escape route for vehicles and pedestrians along the eastern boundary.

**Question 3:**

The Draft options are preliminary and are intended to invite further discussion. What further comments do you have?

- Landowners who want to further subdivide not fulfilling their obligation to complete their original permits;
- Concern regarding drainage if increased density;
- Why are changes being proposed?;
- Drainage and maintenance of drainage;
- Suspend applications for subdivisions while RLZ recommendation is being considered.
- Thistle Place extension on the east sealed and connection created to Ocean Drive would provide alternative exit;
- No bike/footpaths or street lights along Thistle Place as felt they would serve no purpose;

- If made part of the town will we be able to further subdivide our existing holdings?;
- More detail showing pros and cons for the options would be useful;
- Natural topographic constraints;
- Cultural overlays;
- Low density residential living should be left as is;
- Exclude tourism, restaurants, function centres, commercial due to the delicate environment;
- No further development;
- Boundary to be located to the west of subject area to include Thistle Place in Port Fairy;
- Like to see Thistle Place south sealed and pedestrian access to the beach created via this road;
- Would not like to see high density subdivision in this area;
- Any development on low lying area would lead to effluents (sewerage and wastewater from septic tanks being discharged directly onto wetlands);
- Rezone from Farming Zone to Rural Living Zone as precinct does not support any agriculture that could be considered as a primary income source;
- Apply one zone to all primary sand dune land – Low Density Residential Zone allowing consistent approach to land uses arising from any future local policy;
- Why is there a requirement to formalise access to the primary dune if there is no

intention to allow for this to be subdivided further.

**Additional Feedback**

The Draft Structure Plan options were also emailed to the relevant authorities for comment. Glenelg Hopkins Catchment Authority provided comments on the plans and advised that the flood extent shown on the draft plans was insufficient and that the hydrodynamic flood modelling provided in Figure 8.15 of the Future Coast report provides a more realistic representation as it takes into account the influence of topography on flow paths, ocean hydrology and wave run up. The Authority also raised concern about the lack of information outlining velocity and flood depths in order to accurately determine the impact on the structure plan area.

**Additional Inundation Mapping for Port Fairy West**

Following on from the Draft Structure plan option consultation and the Glenelg Hopkins feedback, Moyne Shire instructed Water Research Laboratory to provide water levels specific to the structure plan area and to confirm the modelling methodology.

Utilising the “bathtub” modelling this additional information confirmed that peak inundation events would persist for approximately 2 hours with the peak of tide, however subject to topography, substantial ponding may remain in some areas after the peak. The inundation levels for present day were 2.5m in a 50 year ARI (average recurrence interval) event increasing to 3.0m with 0.4m sea level rise in a 100 year ARI event and 3.4m

with a 0.8m sea level rise in a 100 year ARI event.

Utilising the “Dynamic coastal inundation numerical” modelling the inundation levels for present day range from 0.2 – 0.4m increasing up to 0.8m with 0.4m sea level rise and 1.4m within 0.8m sea level rise.

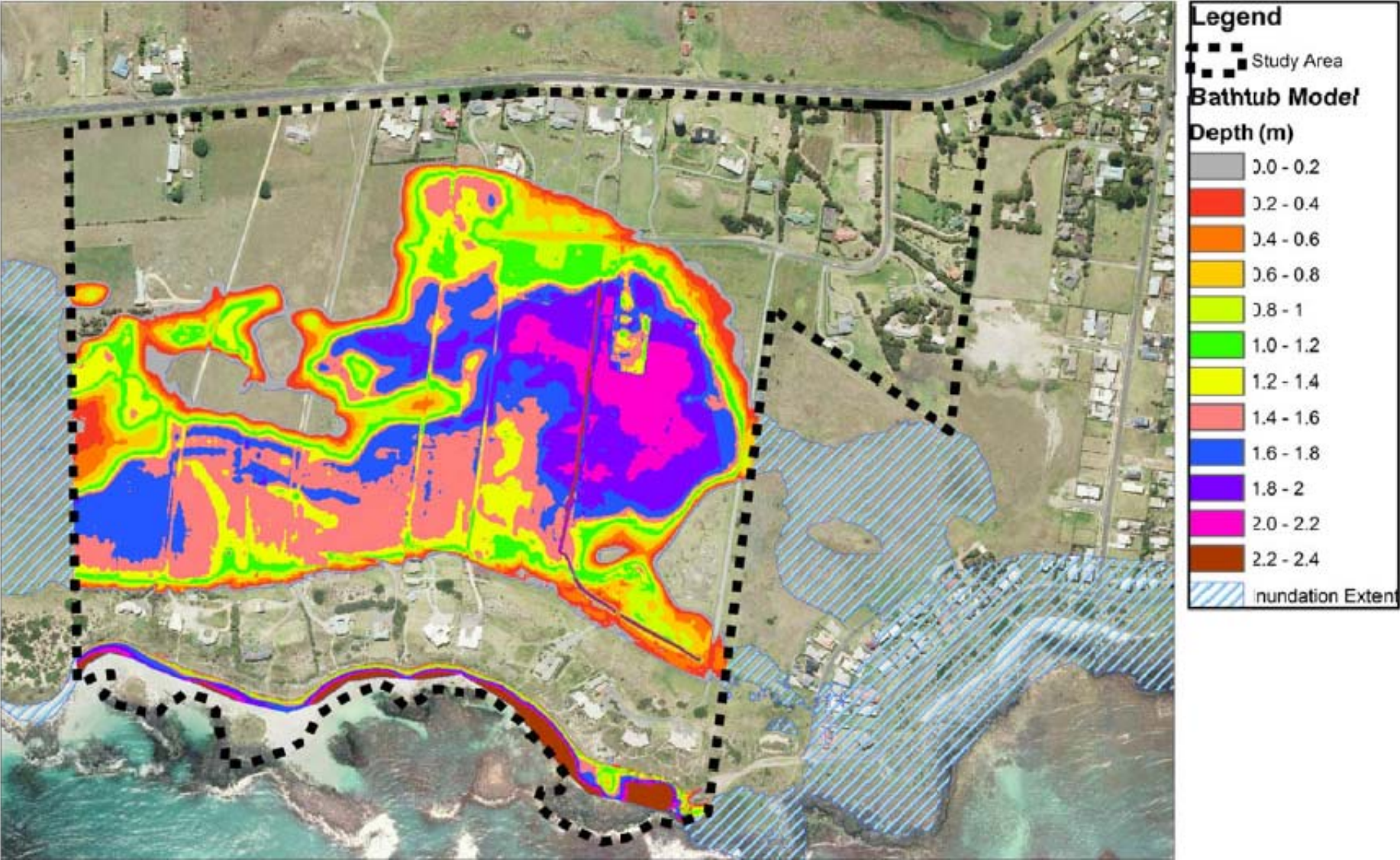


Figure 18: Port Fairy West Coastal Inundation 'Bathtub' Modelling (0.8 SLR)



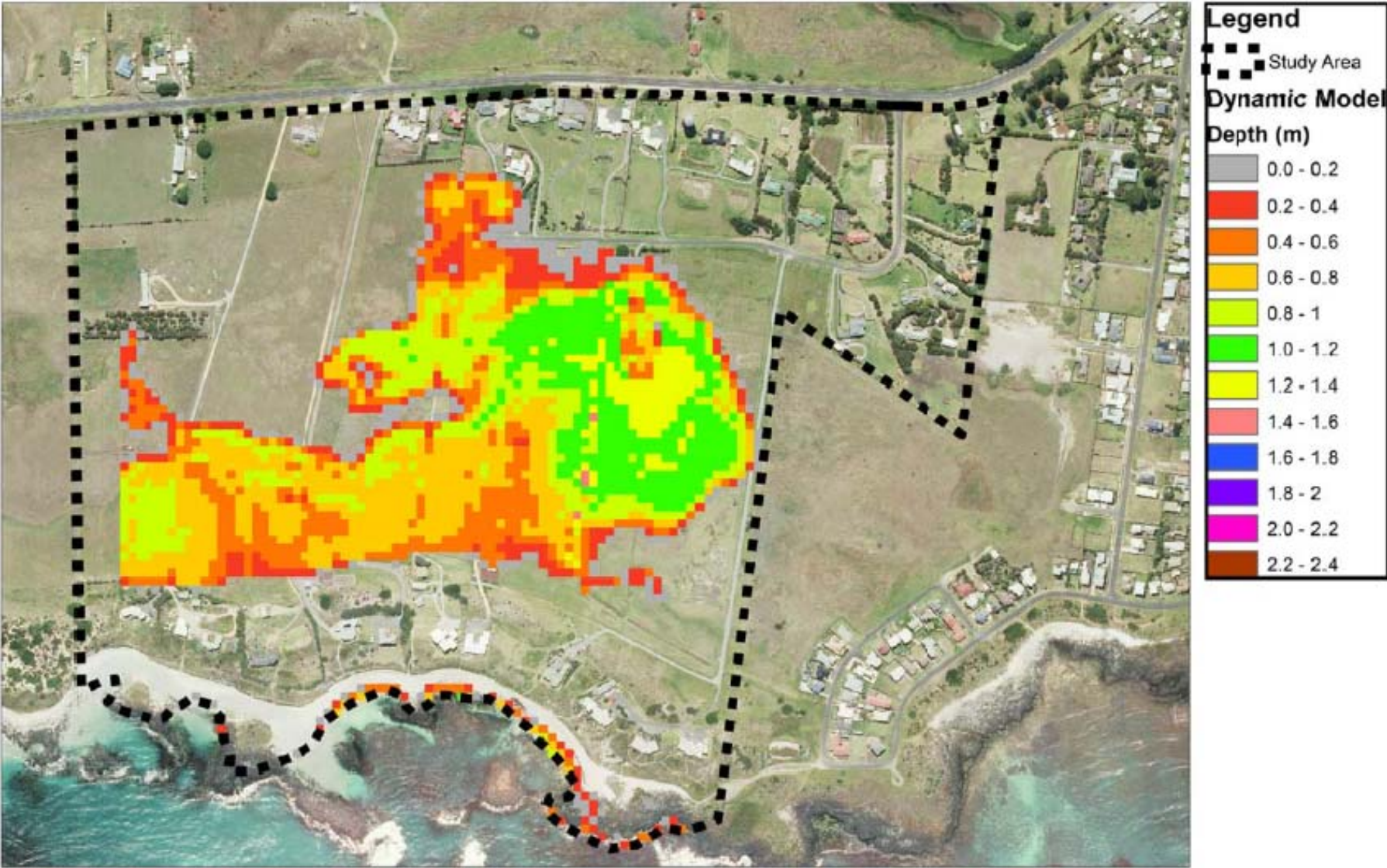


Figure 19: Port Fairy West Coastal Inundation 'Dynamic' Modelling (0.8 SLR)

## 4. PART C RECOMMENDATIONS – “DRAFT STRUCTURE PLAN”

Following the background review, consultation and analysis of the identified opportunities and constraints a Draft Structure Plan has been prepared. Figure 20 illustrates the structure plan.

### 4.1. Vision and Discussion

#### Vision

The consultation process has allowed for the identification of what the community of Port Fairy West value about this area and this is assisting in developing a Vision for the Structure Plan Area.

These elements of the vision include:

- Preserve the low density/rural living character of the area;
- Better road and footpath connections should be provided connecting the structure plan area to the east and extending Thistle Place to the west and up to Princes Highway;
- Require future development to respond to the capability of the land, do not allow development to be located within areas of inundation and require all dwellings to be serviced by aerated treatment systems rather than septic tanks;
- Limit tourism development to small scale accommodation providers in

keeping with the low density/rural living character of the area;

- Encourage the discontinuation of existing carriageway easements where they are not required and properly landscaped where they are required.

#### SUMMARY VISION

To preserve the Low Density/Rural Living character of the area whilst providing more pedestrian and vehicular connectivity.

#### Discussion

The Port Fairy West area existing character is low density with some tourist accommodation located along the foreshore in close proximity to Port Fairy town centre.

The existing character provides a transition from the Port Fairy Township in the east to the Farming Zoned land to the west of the Structure plan area.

The Port Fairy West Structure plan area is subject to a number of constraints which hinder the future development of the area.

These constraints have been identified through the consultation process, review of background documents, relevant policies and strategies (both State and Local) and physical inspection.

The current zoning partly recognises the constraints of the area through the zoning of

the Thistle Place area as Low Density Residential and the lower lying areas as Rural Living. As a result however, there are many titles that are covered by two zone controls which currently prohibits many of the lots south of Thistle Place from being further subdivided.

The findings of the Future Coasts – Port Fairy Coastal Hazard assessment now provides scientific modelling to enable the mapping of areas subject to both coastal and catchment inundation and coastal erosion and more specifically to map land that will be impacted by a 0.8m sea level rise.

In consultation with the relevant authorities it was concluded that the “dynamic modelling” provided the most appropriate data for this purpose.

This mapping has been utilised to determine the boundaries of a proposed overlay to limit and adequately plan for development (Environmental Significance or Land Subject to Inundation Overlay) which will include application requirements to address the required Finished Floor Levels, assess the potential risk to property and life as a result of the development, effluent disposal, land capability and drainage.

The mapping demonstrates that many of the allotments south of Thistle Place currently zoned Low Density Residential are impacted both now and with 0.8m sea level rise. In addition these areas have poor land capability for effluent disposal and the likelihood of

septic failure will increase with coastal inundation.

The Structure Plan therefore proposes that these areas revert to a Rural Living Zone with a 1 hectare minimum.

## 4.2. Strategies

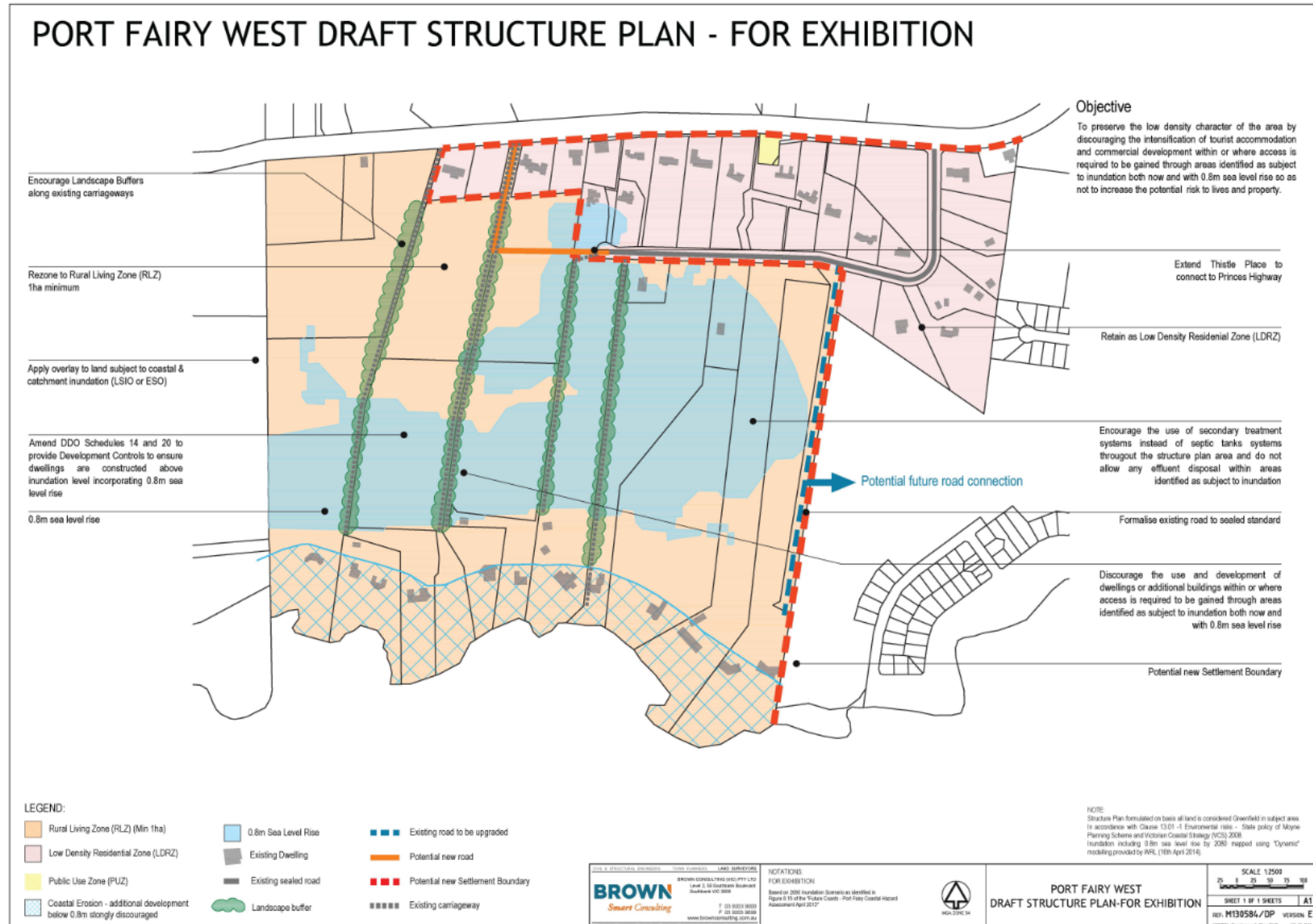
The following strategies were identified in order to formulate the final draft structure plan:

- Provide for an east west extension of Thistle Place to be created as part of any new subdivision within that vicinity;
- Facilitate the sealing of the north south extension of Thistle Place through a Special Road Scheme or as part of any new development seeking to utilise this road;
- Discourage the use and development of dwellings or additional buildings within or where access is required to be gained through areas identified as subject to inundation both now and with 0.8m sea level rise.
- Discourage the intensification of tourist accommodation and commercial development within or where access is required to be gained through areas identified as subject to inundation both now and with 0.8m sea level rise so as not to increase the potential risk to lives and property and to preserve the low density character of the area.
- Encourage the use of Secondary Treatment Systems instead of septic

tanks systems throughout the structure plan area and do not allow any effluent disposal within areas identified as subject to inundation.

- Remove current zoning anomalies where some land has one title covered by two zones.

### 4.3. Draft Structure Plan



#### 4.4. Public Exhibition

The Port Fairy West Draft Structure Plan was placed on Public Exhibition for four weeks from 28 July to 25 August 2014 during which time the public had the opportunity to make submissions to the Draft Structure Plan.

A total of seven (7) submissions were received from the public. Submissions generally supported the draft structure plan and in particular the introduction of a through road from Thistle Place to the Princes Highway.

Concerns were raised about the issue of coastal inundation and what measures are proposed to mitigate sea level rise rather than only planning for its impact. Any mitigation options to deal with the issues of coastal inundation will be addressed as part of the adaptation strategy for the whole of Port Fairy.

The rezoning of land west of Thistle Place was queried given much of this land is not subject to inundation.

## 5. Structure Plan

Following the completion of Public Exhibition and review of the submissions received during this time additional changes were made to the Draft Structure Plan which include the following:

- Retention of Lot 3 on PS525407 and Lot 2 on PS531003 within Low Density Residential Zone;
- Relocation of settlement boundary to the western edge of the Port Fairy settlement and include the existing developed low density residential land north of Thistle Place, the two lots south of Thistle Place and, along the Princes Highway within the settlement boundary; and
- Additional policy objectives to ensure further subdivision does not result in the creation of land in two zones.

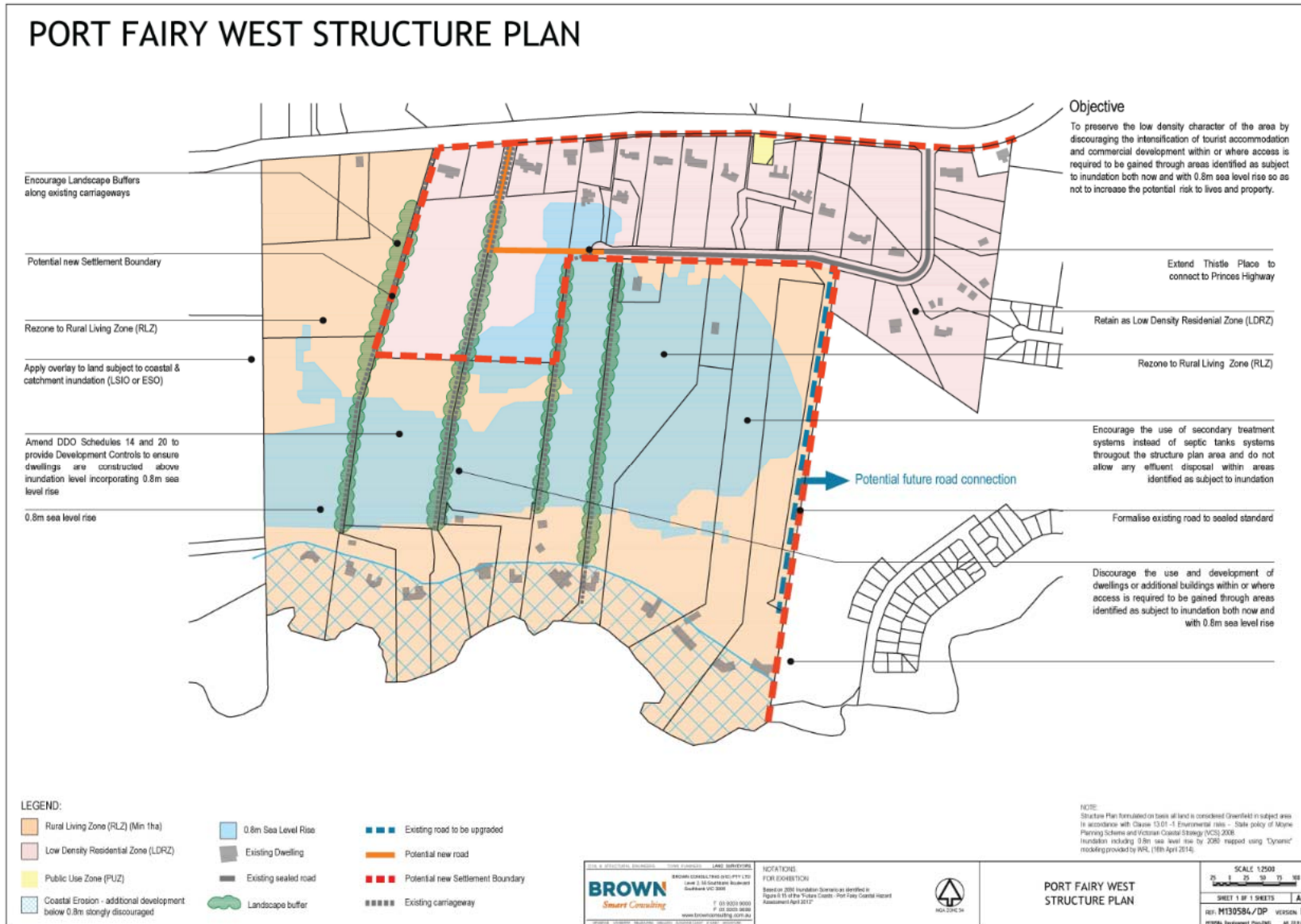
### Justification

The rezoning proposed within the structure plan responds to the areas identified as subject to coastal inundation and tidies up allotment boundaries to remove the ongoing issues caused by land in two zones. The retention of the Low Density Residential Zone affecting Lot 3 PS525407 and Lot 2 PS531003 is considered appropriate having regard to the minimal areas of land affected by inundation, the ability for these lots to satisfy the requirements at clause 64.03 for the subdivision of land in two zones and the ability for this land to facilitate the proposed Thistle Place extension.

## 5.1. Actions

<p><b>1. Amend Clause 21.09 to include Port Fairy West as a Local Area at 21.09-3 and include the Port Fairy West Structure Plan</b></p>	<p>To outline the Vision and objectives for Port Fairy West in order to guide future decision making and include the Port Fairy West Structure Plan as a reference document in the Planning Scheme. This policy will include the need for future subdivision to ensure that no new lots in more than one zone are created as a result of the subdivision.</p>
<p><b>2. Rezone the land south of Thistle Place to Rural living Zone Schedule 1</b></p>	<p>To provide for residential use in a rural environment consistent with the existent pattern of use and development however providing for some subdivision of allotments. The minimum lot size of 1 hectare will provide sufficient area for effluent disposal;</p>
<p><b>3. Retain Lot 3 on PS525407 and Lot 2 on PS531003 as Low Density Residential Zone (LDRZ) with a minimum lot area requirement of 0.4ha</b></p>	<p>To recognise existing title boundaries and enable limited subdivision and require any such development to create the Thistle Place road extension as part of that development.</p>
<p><b>4. Include a settlement boundary running along the western edge of the existing residential and low density residential zoned land</b></p>	<p>To define the existing residential zone and development boundary as the western edge of the Port Fairy settlement and include the existing developed low density residential land north of Thistle Place, the two lots south of Thistle Place (Lot 3 on PS525407 and Lot 2 on PS531003) and, along the Princes Highway within the settlement boundary.</p>
<p><b>5. Apply the ESO or LSIO to the land identified as subject to inundation</b></p>	<p>To guide land use and development in areas identified as being subject to inundation both now and in 2080 incorporating 0.8m sea level rise and trigger referral to the relevant authority in order to set the appropriate floor level heights for new buildings;</p>
<p><b>6. Amend Schedule 14 and Schedule 20 to the Design and Development Overlay to state “A Permit should not be granted to construct a building or construct or carry out works which exceed a height of 5 metres. A permit may be granted to exceed this height if the site is within an area subject to inundation and requires additional height to meet the required minimum floor levels set down by the relevant authority, in which case a maximum height of 7 metres applies”.</b></p>	<p>To enable dwellings in areas identified as subject to inundation to be constructed with the appropriate floor level heights to minimise risk to life and property.</p>

## 5.2. Structure Plan





## 6. PART D – IMPLEMENTATION

Additional work is required in order to implement the structure plan. Implementation will be primarily through the Moyne Planning Scheme however further work is required by Council to determine the appropriate mechanisms for works such as the sealing of the existing north – south Thistle Road extension and the western extension of Thistle Place itself.

Further work which must be undertaken by Council as part of the amendment process includes:

- consider the current and future risks and impacts associated with projected sea level rise;
- evaluate the potential risks and present an outcome to avoid or minimise exposing future development to projected coastal hazards; and
- consider the views of the relevant floodplain manager and the Department of Sustainability and Environment (DSE).

The following table outlines the tasks required along with the Responsible Authority and prioritisation:

Outcome	Task required	Responsible Authority	Funding opportunity	Priority (high, medium or low)
Policy	Amend Clause 21.09 – 3 to include Port Fairy West and the Structure Plan. This policy will include the need for future subdivision to ensure that no new lots in more than one zone are created as a result of the subdivision.	Moyne Shire Council	Council	High
Applying zones and overlays	Rezone the land as shown on the structure plan to Rural Living Zone  Amend the Schedule to the zone to specify a 1 hectare minimum and identify the area to which this applies	Moyne Shire Council	Council	High
	Apply a suitable overlay for the areas subject to inundation being either:  Land Subject to Inundation (LSIO) or Environmental Significance Overlay (ESO)	Moyne Shire Council, DEPI & Glenelg Hopkins Catchment Management Authority	Council	High
	Amend DDO 14 and DDO 20 to allow dwellings to exceed 5metres but no greater than 7 metres where additional height is required for Finished floor levels to be above predicted flood levels	Moyne Shire	Council	High
	Consider the need for a development contributions Plan overlay if a development contributions plan were to be prepared	Moyne Shire	Council	Medium
Further Strategic work	Prepare Cultural Heritage Management Plans	Developers		When applications are made
	Prepare Land Capability Assessments for the study area	Developers/Council		When applications are made
	Prepare a Developer contributions plan or special charge scheme for road infrastructure improvements	Council/professional consultant		High

