

Ref: C69 Amendment

13 May 2020



Dear Sir/Madam

**NOTICE OF EXHIBITION OF PLANNING SCHEME AMENDMENT C69moyn  
PORT FAIRY COASTAL AND STRUCTURE PLAN**

Moyne Shire Council has prepared Amendment C69moyn to the Moyne Planning Scheme to implement the land use and development framework of the *Port Fairy Coastal and Structure Plan 2018*. The amendment will also correct zone mapping anomalies on individual sites within the Port Fairy township.

The land affected by the amendment is all of the Port Fairy township.

**Inspection of documents**

On 23 April 2020 the Victorian Parliament passed the Omnibus COVID-19 (Emergency Measures) Bill 2020 that included a change to the *Planning and Environment Act 1987*, allowing planning documents to be only required to be available for online inspection. You can access the documents online as follows:

- Council's website at: [www.moyne.vic.gov.au](http://www.moyne.vic.gov.au)
- Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection)

Please find enclosed for your information:

- A copy of the Notice of Amendment; and
- A Fact Sheet.

A hard copy of the documents will be available by appointment only. For bookings please call Damien Drew on 5563 0593.

**Attend a webinar**

Council will host a Zoom Webinar on Wednesday 20 May 2020 at 6.00pm to 6.45pm to present details about the amendment. To register your attendance, please email Julie Buck on [jbuck@moyne.vic.gov.au](mailto:jbuck@moyne.vic.gov.au) or call (03) 5568 0514.

**Speak to a Council Officer online**

A representative of Council will be available for 15-minute phone or online meetings (Zoom/Skype) on Thursday 21 May and Friday 22 May, 2020 between 10am and 4pm. To request a meeting please email Julie Buck on [jbuck@moyne.vic.gov.au](mailto:jbuck@moyne.vic.gov.au) or call (03) 5568 0514.



## Submissions

Any person who may be affected by the amendment may make a submission to the planning authority about the amendment. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. **The closing date for submissions is 15 June 2020.**

A submission must be sent to one of the following:

- In writing to Moyne Shire Council, PO Box 51, (Princes Street), PORT FAIRY 3284.
- By email: [moyne@moyne.vic.gov.au](mailto:moyne@moyne.vic.gov.au) with Subject Heading – 'Amendment C69 Submission'.

The planning authority must make a copy of every submission available online for any person to inspect free of charge for two months after the amendment comes into operation or lapses.

If you have any questions in relation to this amendment, please do not hesitate to contact the Strategic Planning Unit on 5568 0555.

Yours sincerely



**Brett Davis**  
**Director Economic Development and Planning**

**Planning and Environment Act 1987**  
**MOYNE PLANNING SCHEME**  
**Notice of the preparation of an amendment**  
**Amendment C69moyn**



The Moyne Shire Council has prepared Amendment C69moyn to the Moyne Planning Scheme.

The land affected by the amendment is all the Port Fairy township.

The amendment proposes to implement the land use and development framework of the Port Fairy Coastal and Structure Plan. The amendment will also correct zone mapping anomalies on individual sites within the Port Fairy township.

You may inspect the amendment, any documents that support the amendment and the explanatory report about the amendment, free of charge, at the following locations:

- At the Council's website [www.moyne.vic.gov.au](http://www.moyne.vic.gov.au)
- at the Department of Environment, Land, Water and Planning website [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).

Any person who may be affected by the amendment may make a submission to the planning authority about the amendment. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for council to consider submissions and to notify such persons of the opportunity to attend council meetings and any public hearing held to consider submissions. The closing date for submissions is 15 June 2020. A submission must be sent to the Moyne Shire Council.

The planning authority must make a copy of every submission available online for any person to inspect for two months after the amendment comes into operation or lapses.

**Bill Millard**  
CEO  
Moyne Shire Council





In August 2018, the Moyne Shire Council adopted the *Port Fairy Coastal and Structure Plan*. The Plan is a long term strategic framework that guides and manages land use and development within Port Fairy.

Amendment C69moyn seeks to implement the strategic directions and recommendations of the *Port Fairy Coastal and Structure Plan* by updating relevant policy, zone and overlay controls in the Moyne Planning Scheme that apply to Port Fairy.

These Planning Scheme controls will be used by Council and other Planning Authorities to guide statutory decision making about the type of land use (e.g. residential, commercial) and built development (e.g. building height) that is permitted on any site within Port Fairy.

## WILL IT AFFECT YOUR PROPERTY?

Yes, the Amendment applies to all land within the Port Fairy township so it is likely that the Amendment will propose a change to the planning scheme controls that apply to your property.

## WHAT DOES IT PROPOSE?

You are encouraged to view the amendment documentation online to identify the specific changes that may apply to your property.

The following is a summary of the key changes that will impact many properties in Port Fairy:

### ***A Sustainable Growth Plan (Local Policy)***

The new Local Policy for Port Fairy includes definition of a settlement boundary to contain development and growth of the town within a specified sustainable area. The boundary is the 'urban' area of the town and includes land supply for growth in residential, commercial and industrial land to support the growing community, without compromising the valued size and village character of the township.

### ***Housing & Residential Growth (Residential Zones)***

The Amendment proposes to rezone all residential land in Port Fairy from the General Residential Zone (GRZ) - and Mixed Use Zone (MUZ) in Albert Road - to the Neighbourhood Residential Zone (NRZ). The NRZ applies to residential areas "where there is no anticipated change to the predominantly single and double storey character. *Also to areas that have been identified as having specific neighbourhood, heritage, environmental or landscape character values that distinguish the land from other parts of the municipality or surrounding area.*"

During the Structure Planning process, a residential growth area was identified between the Princes Highway, Hamilton-Port Fairy Road and Lagoon Road. This land will be rezoned to the NRZ from the existing Rural Living Zone. A Development Plan Overlay and Design and Development Overlay will be applied to ensure its development outcomes complement and meet best practice standards for new development.

### ***Land in the Belfast Lough Environs***

Privately owned land in the Belfast Lough environs is proposed to be rezoned to the Rural Conservation Zone (RCZ) to reflect the environmental and landscape values of the area, and recognise the land is subject to combined riverine, estuarine and coastal inundation which precludes it from inclusion within the settlement boundary for urban development and/or further subdivision. The RCZ allows continued agricultural use of the land and the ability to apply for a single dwelling on a lot.

### ***Building Design (Design and Development Overlays)***

There are currently 19 Design and Development Overlays (DDOs) that apply across the town providing specific building design requirements for new development including mandatory height limits, and setbacks amongst others. Many of these DDOs are similar and/or contain similar objectives.

The amendment proposes to refine and replace these DDOs with seven new DDOs to provide a less complex planning system without compromising on achieving good design outcomes respectful of the township's village character.

### ***Coastal Hazards – Flooding and Erosion (Land Subject to Inundation, Floodway and Erosion Management Overlays)***

Currently some land within Port Fairy is located in a Land Subject to Inundation (LSIO) or Floodway Overlay (FO) to recognise that land may be impacted by flooding of the Moyne River and estuary.

*The Port Fairy Coastal and Structure Plan* is a State Government pilot project investigating the impacts of climate change related sea level rise on coastal settlements within Victoria. The project updated and translated the *2013 Port Fairy Local Coastal Hazard Assessment* to provide an 'adaptation strategy' via the land use and development framework to enable the town to grow in locations, and prosper in ways, that minimise and/or avoid risk to human life, built assets and infrastructure from coastal hazards.

This Amendment includes modelling and mapping of coastal hazard risk recognising sea level rise and coastal processes also create inundation and erosion in the town's coastal areas. It is proposed to manage current and future coastal hazards through the application of the Floodway Overlay, Land Subject to Inundation Overlay and Erosion Management Overlay.

### ***Car Parking in the Town Centre (Parking Overlay)***

To ensure an ongoing supply of car parking to service the commercial town centre of Port Fairy, the Amendment proposes to introduce a Parking Overlay in line with recommendations of the *Port Fairy Car Parking Strategy 2017*. This will require new development in the commercial centre to contribute via a levy to upgrades to, and provision of new car parking areas (as required).

### ***Protecting Water Assets (Environmental Significance Overlay)***

An Environmental Significance Overlay has been applied to land within a 500 metre area of the Port Fairy Water Reclamation Plant on the Hamilton-Port Fairy Road between Blackwood Road and Albert Road. This Overlay will manage development that occurs within the buffer of the Plant to ensure new land use and development does not compromise its ongoing operation.

## **WHAT THE AMENDMENT WILL NOT DO**

The Amendment will not change heritage controls that apply to areas and specific sites within Port Fairy.

The Amendment will not remove the Public Acquisition Overlay that applies to the proposed Port Fairy Bypass to the north west of the town.

