



Amendment 69moyn

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Introduction

1. Instructions.
2. Strategic Context for Port Fairy / Strategic Justification for the Amendment.
3. The approach to flooding, coastal inundation and sea level rise.
4. The approach to the proposed Design and Development Overlays.
5. The proposed zoning changes.
6. The approach to growth areas.

Instructions

- I am instructed by Harwood Andrews on behalf of the planning authority.
- My instructions are at Appendix A of my statement.

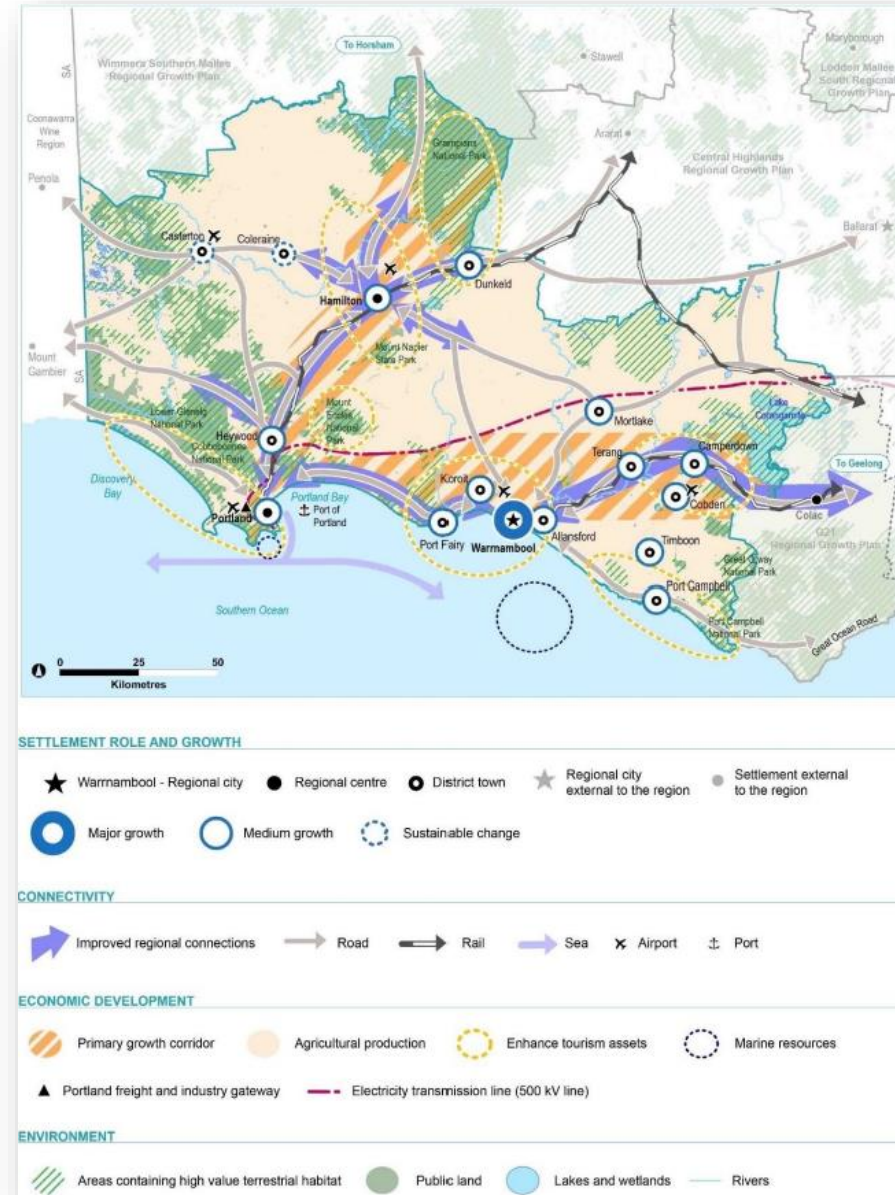
Instructions


10. We have been instructed to brief you to provide a fee proposal to:
 1. Review this letter, the attached brief of documents and relevant policies and provisions of the Moyne Planning Scheme and relevant Planning Practice Notes;
 2. Prepare an expert witness statement to be filed on a date to be confirmed (with a draft provided in advance of that date) which provides your expert planning opinion on:
 - (a) whether Amendment C69 is acceptable with or without any changes to the exhibited documents proposed by Council and/or any additional changes you recommend; and
 - (b) the submissions to Amendment C69 and the Memorandum from Water Technology to Myers Planning Group dated 19 May 2022 regarding 169A Princes Highway Port Fairy (to the extent relevant to your expertise);
 - (c) whether the use of the FO is an appropriate use of planning controls in the context of coastal and riverine flooding;
 - (d) the planning merit of the following:
 - (i) the application of flooding controls, specifically the LSIO and FO, in the context of planning for Port Fairy;
 - (ii) the proposed DDOs;
 - (iii) the application of the RCZ to properties in the Model Lane precinct;
 - (iv) the rezoning of land in Growth Area A for residential purposes; and
 - (v) the application of the NRZ1 to the area surrounding Companion Lagoon.



Strategic Context for Port Fairy & The Amendment

- Coastal settlement identified for medium growth in the Regional Growth Plan.
- Key tourism location.
- Coastal hazard context – coastal inundation and erosion.
- Character and heritage.





The approach to flooding, coastal inundation and sea level rise

13.01-2S

04/05/2022
VC210

Coastal inundation and erosion

Objective

To plan for and manage coastal hazard risk and climate change impacts.

Strategies

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.

Ensure that land subject to hazards is identified and appropriately managed to ensure that future use and development is not at risk.

Avoid use and development in areas vulnerable to coastal inundation and erosion.

Respond to marine and coastal processes in the context of the coastal compartment type.

Assess the effectiveness, costs, benefits, impacts (direct, cumulative and synergistic) and path dependency of available adaptation options in the following order:

1. non-intervention
2. avoid
3. nature-base methods
4. accommodate
5. retreat
6. protect

Ensure that development or protective works that seek to respond to coastal hazard risks avoid detrimental impacts on coastal processes.

The use of the Land Subject to Inundation Overlay

44.04

06/09/2021
VC171

LAND SUBJECT TO INUNDATION OVERLAY



Shown on the planning scheme map as LSIO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To minimise the potential flood risk to life, health and safety associated with development.

To reflect a declaration under Division 4 of Part 10 of the *Water Act, 1989*.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.



The use of the Floodway Overlay

44.03

01/07/2021
VC203

FLOODWAY OVERLAY



Shown on the planning scheme map as FO or RFO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the *Water Act, 1989* if a declaration has been made.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

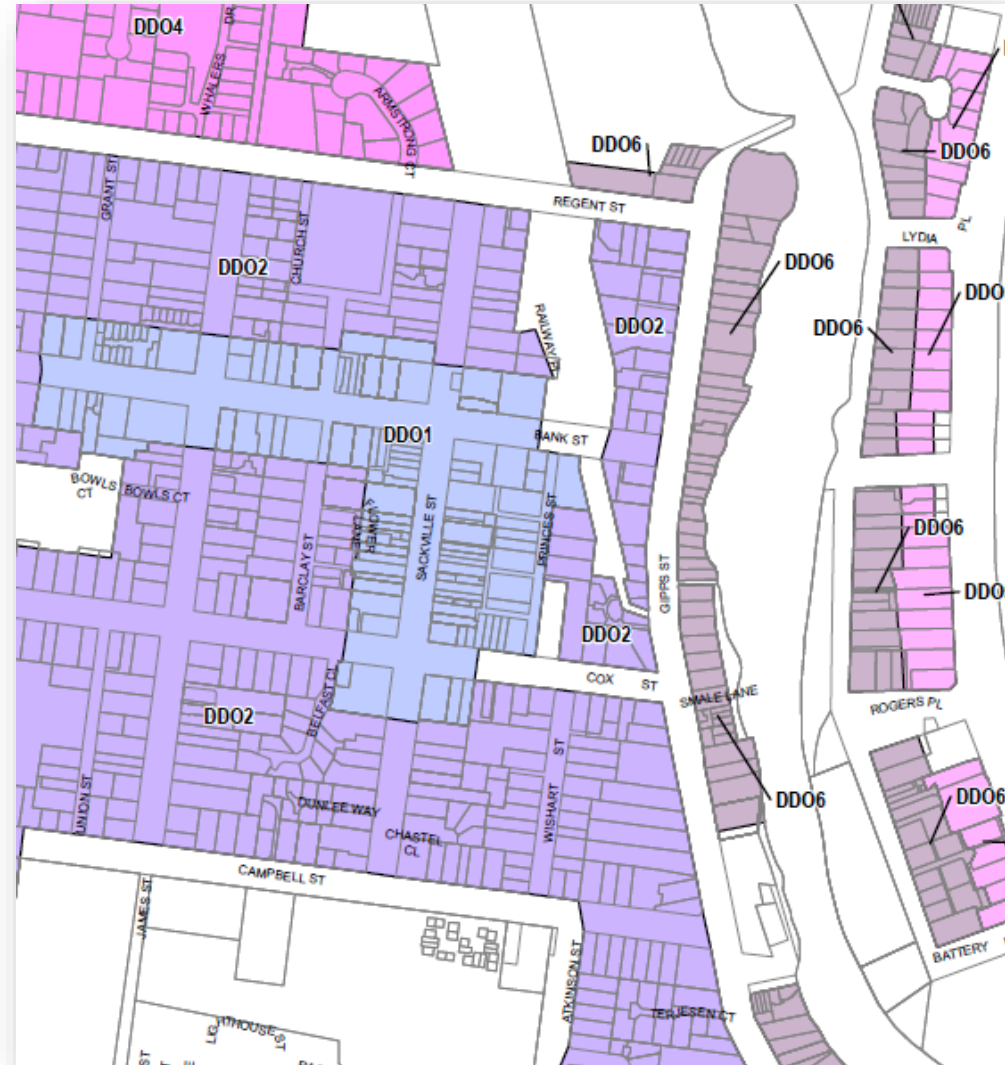
To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.



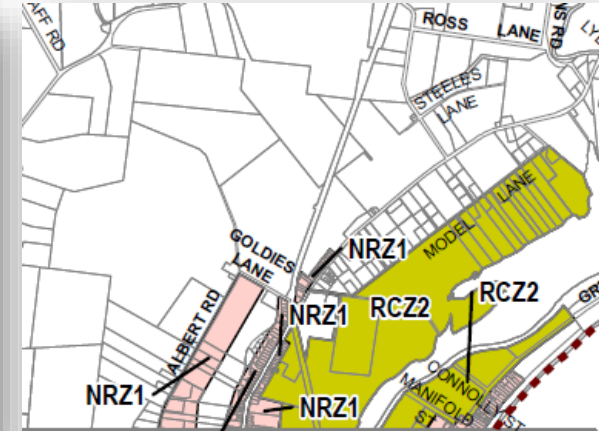
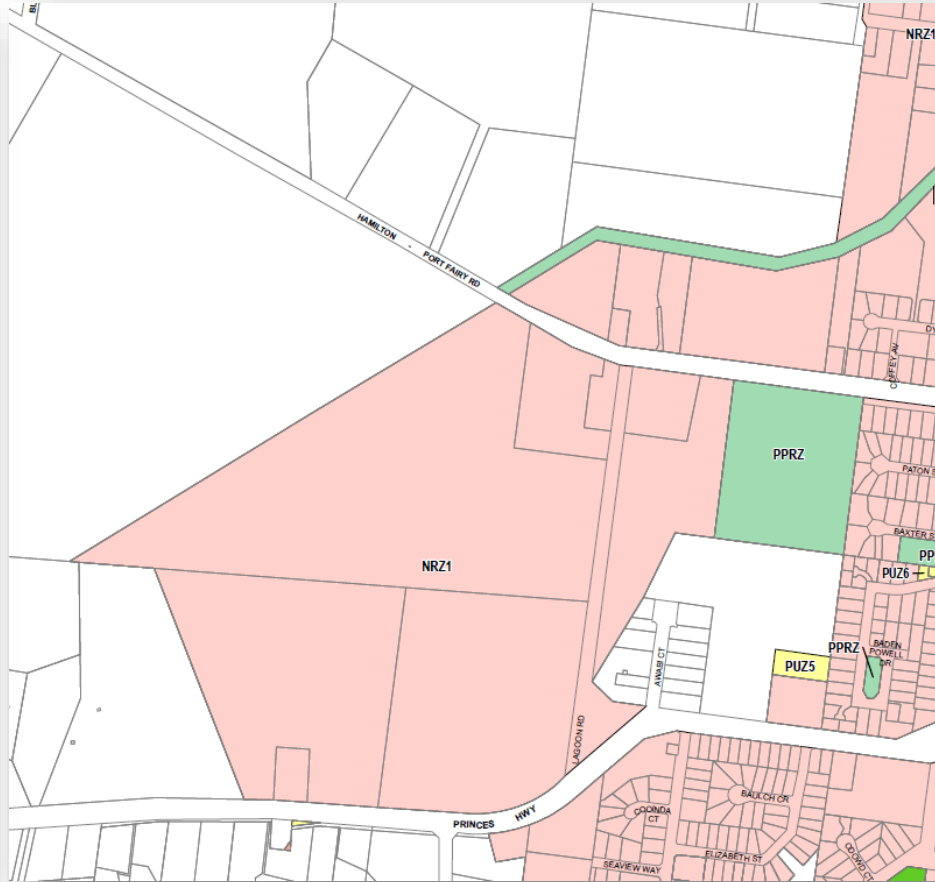
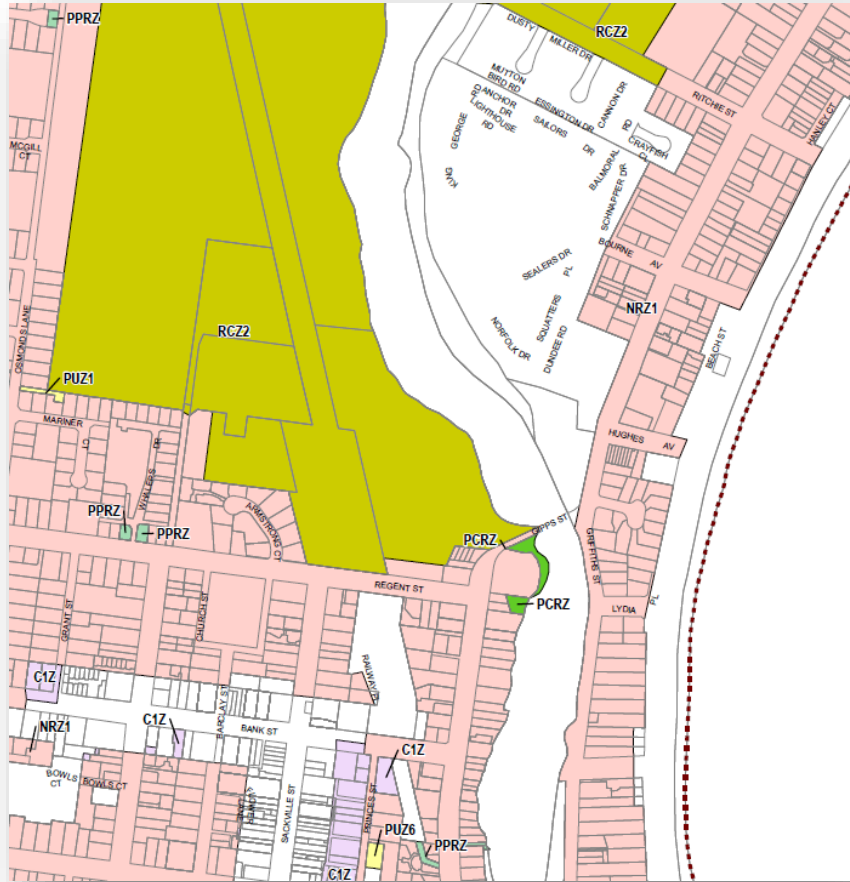
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The approach to the Design and Development Overlays

- DDOs are an appropriate control.
- Rationalisation of controls generally appropriate.
- Some need to tighten up and improve drafting:
 - Clarify discretionary vs mandatory requirements.
 - Improve the expression of general requirements.
 - Adopt language consistent with other parts of the scheme.



The proposed zoning changes



The approach to the Growth Area A

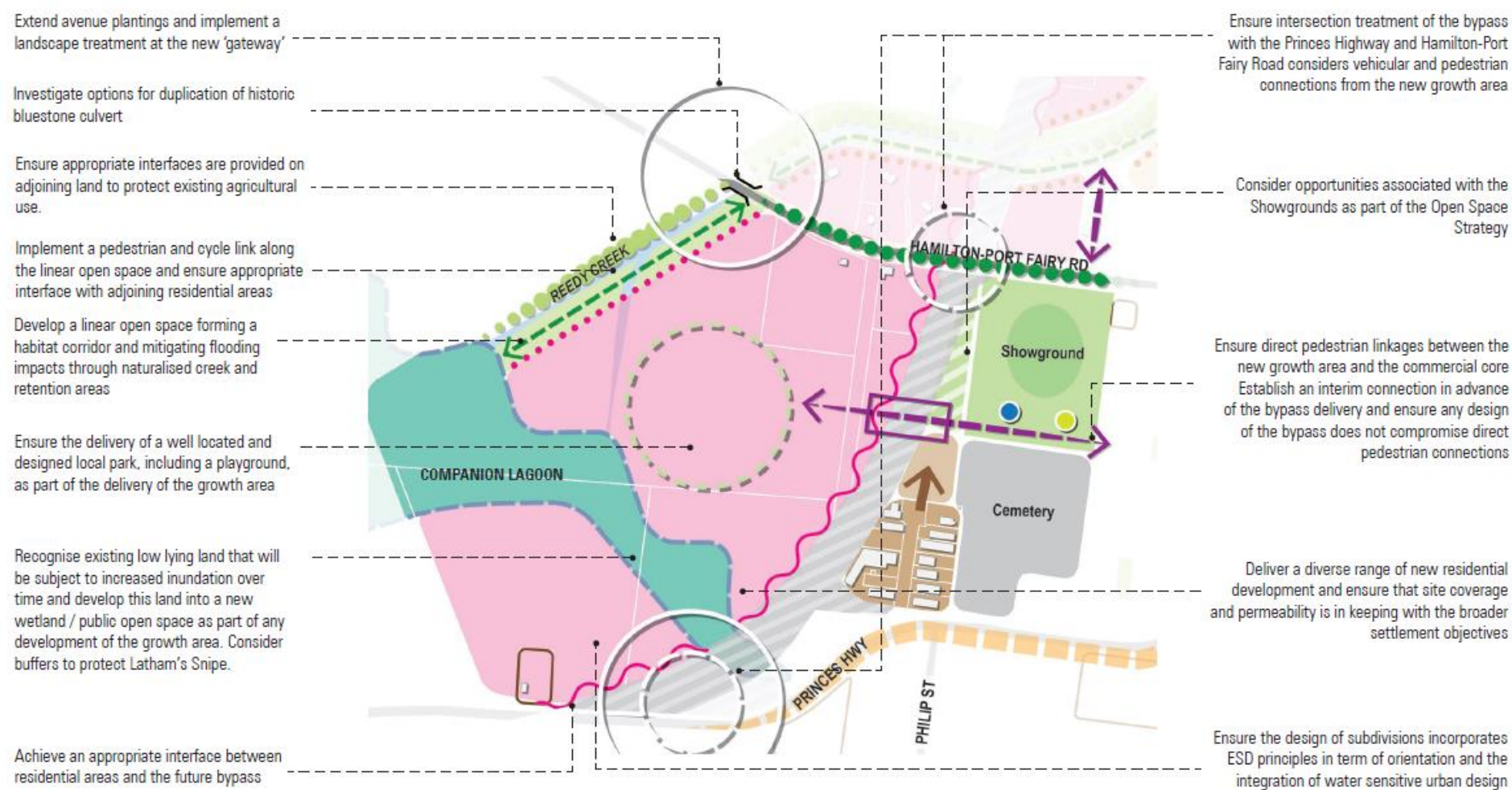


Figure 9. Growth Area A Indicative Precinct Plan

The approach to the Growth Area B



Figure 10. Growth Area B indicative Precinct Plan



Conclusions

- Amendment C69moyn is strategically justified.
- From a town planning perspective, the adoption of a 1.2 metre sea level rise is consistent with policy at Clause 13.01-2S to plan for sea level rise of not less than 0.8 metres.
- I support the use of the FO and LSIO to manage flood risk and the risk of coastal inundation.
- The rezoning of land is generally appropriate.





Conclusions

- The use of the DDOs to guide built form provides a reasonable attempt to consolidate the existing framework, but there are opportunities for improvement. This applies to the Part A version of controls.
- The approach to Growth Areas A and B is generally appropriate. They allow for the expansion of the town to a limited extent.
- The Part A DPO resolves many of the comments I had previously identified in my evidence as requiring resolution.

