



**10.1** **GOOD DESIGN GUIDE FOR BUILDINGS IN FLOOD  
AFFECTED AREAS OF FISHERMANS BEND, ARDEN &  
MACAULAY**

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**1. PURPOSE**

1.1 To seek adoption of the *Good Design Guide for Buildings in Flood Affected Areas in Fishermans Bend, Arden and Macaulay (the Guide)*.

**2. EXECUTIVE SUMMARY**

- 2.1 The urban renewal areas of Fishermans Bend, Arden and Macaulay are low-lying areas subject to flooding.
- 2.2 The Fishermans Bend Framework includes initiatives to reduce the severity of future flood events in the precinct. However, we know that we cannot eliminate flooding entirely and need to plan for Fishermans Bend to be resilient to flood impacts
- 2.3 Melbourne Water policy requires new developments raise their floor levels above predicted future local flood levels. Council officers have found that this has led to poor urban design outcomes, blank walls and lack of building activation, as well as poor accessibility outcomes. These contradict the objectives of the Fishermans Bend Framework.
- 2.4 The Guide (**Attachment 1**). has been prepared in collaboration with Melbourne Water and the City of Melbourne to support the design of private buildings in these renewal areas, focusing on the design of the interface between the street level and the level above predicted future flood events.
- 2.5 It comprises written and visual design guidance to simultaneously achieve safety as well as universal and equitable access. It also seeks to contribute to the public realm through quality active street frontages and good urban design.
- 2.6 This illustrative and written tool gives engineers, designers and planners a common language. It helps Council, building development applicants, and Melbourne Water assessors consider the best design outcomes based on agreed principles.
- 2.7 Should Council adopt the guide, it would be made public on Council's website and would be used by Council officers to assist in discussions with applicants. It is not intended to be used by Council or Melbourne Water as a decision-making tool.
- 2.8 It is proposed to introduce the Guide as a background document to the Port Phillip Planning Scheme through a future planning scheme amendment, consistent with the approach of City of Melbourne. This would likely be combined with other Fishermans Bend, design or flood related changes. The planning scheme amendment process would include formal exhibition.



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### 3. RECOMMENDATION

That Council:

- 3.1 Adopt the *Good Design Guide for Buildings in Flood Affected Areas in Fishermans Bend, Arden and Macaulay* contained at **Attachment 1**.
- 3.2 Authorises the Chief Executive Officer to make minor changes to the Guide as necessary to resolve issues in conjunction with project partners City of Melbourne and Melbourne Water.

### 4. KEY POINTS/ISSUES

- 4.1 The urban renewal areas of Fishermans Bend, Arden and Macaulay will play an important role in accommodating significant residential and employment uses over the next 30 years. Water and flooding have always been a part of life in these low-lying areas, which in recent decades have been mainly used for less sensitive uses, such as industry.
- 4.2 Water has always had an active and vital presence in Melbourne. The pre-contact landscape included the Birrarung (Yarra River), Moonee Moonee Chain of Ponds, Maribyrnong River and low-lying areas which would often flood as part of the natural ecosystem process.
- 4.3 The urban renewal areas are also affected by climate change impacts such as increased rainfall intensity, increased storm surge, sea level rise and rising groundwater levels.
- 4.4 The Fishermans Bend Framework includes goals to become a water sensitive and climate resilient community and strategies to reduce the severity of future flood events in the precinct. A Water Sensitive City Strategy for Fishermans Bend is currently in development which will outline actions to improve integrated water management and reduce flooding.
- 4.5 However, we know that we cannot eliminate flooding entirely in Fishermans Bend. We need to ensure that flooding is expected, infrastructure is designed to be resilient to flood impacts and communities are resilient to flooding.
- 4.6 Victorian Government policies designed to mitigate risk to property and life in new developments across the state include requirements for new developments to have raised floor levels above predicted future flood levels.
- 4.7 In an urban renewal precinct developing over time on constrained lots, this had led to poor urban design outcomes, blank walls and lack of building activation, as well as poor accessibility outcomes. These outcomes are contrary to the development visions and aspirations for these precincts.
- 4.8 City of Port Phillip, Melbourne Water and City of Melbourne partnered to work with a host of stakeholders to develop guidelines to improve the building designs in these areas.
- 4.9 The Guide will support the building designs to simultaneously respond to the challenges of managing flood risk and creating engaging human-centred spaces. It seeks to support the delivery of the established visions for these state significant urban renewal areas and provide a 'one government approach' where government authorities all support the same outcomes.



- 4.10 The focus of the Guide is for flood management solutions for buildings on private land, including areas that are open to public access. It also includes opportunities where public realm interventions and partnerships with neighbouring properties may benefit private land.
- 4.11 The City of Melbourne is proposing to introduce the Guide as a background document in the planning scheme as part of Melbourne Planning Scheme Amendment C384. Melbourne City Council's Future Melbourne Committee will consider the Amendment and Guide at its meeting of 3 August 2021 to request authorisation from the Minister for Planning to prepare and exhibit the Amendment. Subject to Ministerial authorisation, the next step will require public exhibition. In the event that a submission is received in relation to the Guide, it will be considered by the Council and may be referred to an independent Panel for consideration
- 4.12 Should Council adopt the guide, it would be made public on Council's website and would be used by Council officers to assist in discussions with applicants and Melbourne Water. It is not intended to be used by Council or Melbourne Water as a decision-making tool.
- 4.13 It is proposed to introduce the Guide as a background document to the Port Phillip Planning Scheme through a future planning scheme amendment, consistent with the approach of City of Melbourne. This would likely be combined with other Fishermans Bend, design or flood related changes. The planning scheme amendment process would include formal exhibition.
- 4.14 It is also anticipated that a future planning scheme amendment will be undertaken to alter and extend the extent of flood and inundation related overlays and controls within the municipality. This is contingent on updated mapping and modelling being prepared by both Council and Melbourne Water, in consultation with relevant stakeholders.

## **5. CONSULTATION AND STAKEHOLDERS**

- 5.1 The City of Port Phillip in partnership with Melbourne Water and City of Melbourne led a two week design sprint workshop with the Office of the Victorian Government Architect (OVGA), Municipal Association of Victoria (MAV), Victorian Planning Authority (VPA), DELWP, and the Department of Jobs, Precincts and Regions (DJPR) in February and March 2020 (pre COVID-19) to kick start development of the Guide.
- 5.2 City of Port Phillip, City of Melbourne and Melbourne Water officers presented the draft Guide to the OVGA Design Review Panel on 7 October 2020.
- 5.3 City of Melbourne management presented the draft Guide to the Victorian Planning Authority and Development Victoria on 27 October 2020.
- 5.4 The Guide will be put on formal exhibition by City of Melbourne as part of Amendment C384 later this year. During exhibition anyone may make submissions about the Guide and other parts of the amendment. In the event that any party raises concerns with the Guide specifically, those issues would be referred to an independent Panel for consideration.

## **6. LEGAL AND RISK IMPLICATIONS**

- 6.1 The Guide provides the development community and government information about how to interpret existing policies. It does not replace any existing policies and is not intended to be used as a formal decision-making tool. It is intended to be used by Council officers to assist in discussions with applicants and Melbourne Water.



- 6.2 Adopting the Guide and using it to assist in discussions with applicants and Melbourne Water does not present any significant legal or risk implications.

## **7. FINANCIAL IMPACT**

- 7.1 Costs for developing the Guide were shared across the project parties. City of Port Phillip contributed \$25,000+GST.

## **8. ENVIRONMENTAL IMPACT**

- 8.1 The Guide aims to improve the design of new developments in Fishermans Bend so that they are more resilient to flooding. This will help future communities to be better prepared for increased flooding due to climate change.

## **9. COMMUNITY IMPACT**

- 9.1 The Guide is intended to improve development processes in flood prone areas. Landowners and developers can use the guide to better understand processes and requirements for buildings in flood affected areas in Fishermans Bend, Arden and Macaulay, and the expectations of approval authorities.
- 9.2 The Guide is intended to improve design outcomes, including improved compliance with the established urban design visions for the urban renewal precincts.
- 9.3 The Guide is intended to improve equitable access, with universal design being a key principle. Universal design is a particularly important consideration in flood affected areas, where the ground level is elevated to mitigate flood risks. Flood prone areas may require significant changes in grade to achieve the required minimum flood level. Universal design is critical to ensuring all users can access the building with dignity rather than requiring some to take circuitous routes to access the same spaces.

## **10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY**

- 10.1 The Guide is consistent with the Council Plan 2021-2031 Direction 2 'Liveable Port Phillip' and Direction 3 'Sustainable Port Phillip'.
- 10.2 It also contributes to the 'water sensitive community' and 'climate resilient community' goals of the Fishermans Bend Framework and the 'Water Sensitive City' and 'adapting and resilient to climate change' outcomes in Council's Act and Adapt, Sustainable Environment Strategy.
- 10.3 The Guide supports the Fishermans Bend Transformation. It is an example of partnership with the Victorian Government to develop a robust planning framework to ensure a world class renewal area.
- 10.4 The Guide's focus on how new buildings respond to existing water and flood policy is filling an existing policy gap.
- 10.5 At the request of Melbourne Water, the Guide only applies to the urban renewal areas of Fishermans Bend, Arden and Macaulay. However, through continuing Council's partnership with Melbourne Water, the intention is that similar guidance can be developed in the future to benefit other flood affected areas of the municipality.

## **11. IMPLEMENTATION STRATEGY**

- 11.1 Should Council adopt the guide, it would be made public on Council's website and would be used by Council officers to assist in discussions with applicants and Melbourne Water. It is not intended to be used by Council or Melbourne Water as a decision-making tool.



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- 11.2 It is proposed to introduce the Guide as a background document to the Port Phillip Planning Scheme through a future planning scheme amendment, consistent with the approach of City of Melbourne. This would likely be combined with other Fishermans Bend, design or flood related changes. The planning scheme amendment process would include formal exhibition.
- 11.3 It is also anticipated that a future planning scheme amendment will be undertaken to alter and extend the extent of flood and inundation related overlays and controls within the municipality. This is contingent on updated mapping and modelling being prepared by both Council and Melbourne Water, in consultation with relevant stakeholders.
- 11.4 Any future planning scheme amendment process would require authorisation at a future Council meeting.

### **12. OFFICER DIRECT OR INDIRECT INTEREST**

- 12.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

### **ATTACHMENTS**

- 1. Good Design Guide for Buildings in Flood Affected Areas in Fishermans Bend, Arden & Macaulay - May 2021**