11 May 2017

Murrindindi
Shire Council

Local Government Victoria
Department of Environment, Land, Water and Planning
PO Box 500
Melbourne Victoria 8002
LGV.emergencies@delwp.vic.gov.au

Dear Sir/Madam,

Councils and Emergencies Directions Paper

Please find attached the Murrindindi Shire Council's response to the Local Government Victoria (LGV) 'Council's and Emergencies Directions Paper'. Council would like to thank LGV for the opportunity to comment on the paper.

Council supports the Municipal Association of Victoria's (MAV) response to the document which focuses primarily at the strategic level including roles and responsibilities assessed as requirements under current policy, plans and legislation. Council's response is similarly focused at the strategic level in the first instance however it also includes comments focused at the local level.

Council's response incorporates suggested modifications to the listed responsibilities against the 21 core capabilities of the Victorian Preparedness Goal. Council also comments on the 6 principles used to define the responsibilities and actions identified within the paper.

Where appropriate, the submission also draws on experience in responding to a large scale emergency. Unlike many councils, Murrindindi Shire Council has responded to a large and protracted relief and recovery effort, i.e. that associated with the 2009 fires. This experience provides Council with a unique perspective on relief and recovery and the role of local government in major emergencies.

Essential to discussions regarding the future of the sector in emergency management is the recognition that there is a diversity of municipalities within Victoria. Capacity and capability vary enormously between councils, as does exposure to risk. This will require detailed discussion in phases 2 and 3 of the project.

Yours faithfully,
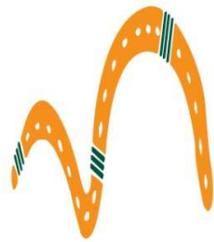
Murrindindi Shire Council Response to

'Councils and Emergencies Direction Paper'

Murrindindi Shire Council's Response to 'Councils and Emergencies Directions Paper'

Murrindindi Shire Council (MSC) would like to thank Local Government Victoria (LGV for the opportunity to comment on the "Councils and emergencies directions paper" (the paper).

Within the response below MSC use the term Local Government Authority (LGA) and council interchangeably and within the context of this response they are considered the same. Where referring to itself, MSC will use its title.

It is essential that the paper is accurate and reflects the diverse roles of councils in emergencies   in order to ensure the validity of work undertaken as part of subsequent Phases (2 and 3).

MSC has chosen to comment on key local and strategic responsibilities outlined in the paper. This response to the paper should be considered in conjunction with the Municipal of Association of Victoria's (MAV) more strategic response.

MSC generally supports the 6 principles identified in the paper used to define the responsibilities and actions of councils. The paper indicates that the emergency management responsibilities and actions of council's should:

1. Reflect the strengths and capabilities of councils and be aligned to normal business functions

2. Compliment those of other agencies, businesses and the public

3. Be engaged only where the Council is the best-placed organisation to do so (meaning it should not be used as an intermediary on behalf of other agencies, particularly for processes over which it has no control or ownership)

4. Be applicable to emergencies of different scales and complexity

5. Be consistent with its capability and capacity, along with its other legislative responsibilities and core business

6. Provide a platform to collaborate and build partnerships with other councils to enhance the delivery of services.

MSC agree with the first principle. It is important that any future responsibilities in emergency management should focus on local government's core strengths and capabilities. The key role for local government in any emergency is the local coordination of relief and recovery – it is in this area that councils have the most strengths, least weakness and greatest involvement and connection with the community. Essential to the recognition of all council's capabilities is support and collaboration with partners including emergency agencies and other municipalities.

In relation to principle 2, it is essential that all councils are involved in determining what the "complimentary responsibilities" are. Simply grouping responsibilities and gifting them to LGAs without negotiation or discussion is insufficient.

Further clarification is required in relation to principle 3. Defining what is meant by "engagement" in this context is imperative. Similarly it is important that local government has some say when it should or should not be engaged.

These principles should be presented at the beginning of the document as they a key element to understanding emergency roles and responsibilities of local government. Currently they are at the end of the paper.

MSC has framed the remainder of its response using the 5 questions available to online submitters for comment.

1. **Is the current emergency management responsibilities and actions of Councils described in the directions paper correct, and correctly described?**

There is a great diversity of LGAs throughout Victoria; there are geographically small municipalities in metropolitan areas with limited emergency risk and large populations contrasting with large rural municipalities exposed to large-scale emergency risks with small populations. Rural municipalities have a great deal of capability but often have limited capacity – they have the skills to undertake emergency management responsibilities but limited staff and resources.

Less densely populated rural municipalities, such as MSC, often require assistance from neighbouring councils in emergencies. MSC is fully supportive of agreements such as the MAV "Protocol for Inter-Council Emergency Management Resource Sharing". This protocol allows LGAs to utilise the assistance of other municipalities in times of need. The fundamental reliance of small councils on neighbouring municipalities for assistance in emergencies is not recognised in the paper.

Further, the following important elements are not included in the scope of the paper:

- The requirement of LGAs to continue essential services during emergencies.
- The role of LGAs during emergencies is an escalation to normal business (rather than a new service).
- LGAs should not take on new roles or activities during emergencies.
- LGAs should not be seen as emergency response organisations – rather we support emergency response agencies during the response phase only.
- Funding needs to flow immediately to councils for any increase in services caused by an emergency.
- The role of LGAs in recovery needs to be recognised in funding and reimbursement programs.

MSC's responses to the 21 "core capabilities" of the Victorian Preparedness Goal are detailed in Table 1 below.

Table 1: Council Comment on Core Capability

Core Capability	LGV statement on Council involvement	Murrindindi Shire Council's Response
Planning	*Before, during, after*	MSC prepare and review the Municipal Emergency Management Plan on a regular basis, and have recently added community representatives in an attempt to gain a wider community perspective and input to the plan.
Community information and warnings	*Before, during, after*	LGAs do not have a core capability regarding community information and warnings; these are usually coordinated by the relevant response agencies. LGAs issue Fire Prevention Notices etc to ensure that people are reducing fuel hazards (like cutting long grass) generally in the "before" period. LGAs also distribute information to the community regarding relief and recovery – not information regarding an emergency. The exceptions to this might include putting up fire information from the CFA (for example) on a notice board at an active ERC. Potentially this statement relates to the confusing wording in the EMMV part 7 that says that LGAs has a role in the delivery of information and warnings. LCA's role is more about the facilitation of information dissemination from emergency agencies to communities, networks and groups. LGAs do not give out warnings regarding active emergencies.
Operational management	*Before, during, after*	Murrindindi Shire Council generally agrees with listed responsibilities in the paper although the *Road Management Act 2004* clearly indicates that the Council is not responsible for the management of roadsides. In Murrindindi Shire, officers will respond to customer requests should a concern be raised about an individual rural roadside tree (excluding VicRoads managed roads). Recovery post emergency does not adequately reference the restoration of infrastructure destroyed or damaged in the emergency. Another responsibility in this space is the coordination/liaison of Council with the State government (via VicRoads/Department of Treasury and Finance) for access to natural disaster funding arrangements.
Intelligence and information sharing	*Before, during, after*	Generally agree with listed responsibilities
Public order and community safety	*Before, during, after*	Generally agree, although MSC has no responsibility for electricity (including powerline clearance) or water and sewerage functions.
Building	*Before, during,*	Generally agree with listed responsibilities although they are

Core Capability	LGV statement on Council involvement	Murrindindi Shire Council's Response
community resilience	*after*	brief. More information about the importance of community resilience building and the role played in this by LGAs could be added.
Fire management & suppression	*Before, during*	LGAs are not a "fire suppression" agency. LGAs, through the MERO, can increase the combating agency(s) capability through the provision of plant and equipment e.g. water tankers. We also issues Fire Prevention Notices to reduce the risk of fire on private properties. This is a fire prevention/spread reduction measure, not active suppression during an emergency.
Fatality management	*No Council involvement*	MSC generally agrees although in many circumstances LGAs will help coordinate access to psychosocial support for the bereaved.
Critical transport	*No Council involvement*	All councils are involved *directly* in critical transport. As a road manager all councils are directly involved in : • The establishment of alternative routes on council managed roads • Clearing and restoring of damaged roads • Providing a link between emergency services and key community transportation requirements • Planning for emergencies on roads managed by council The council involvement column should read before, during and after.
Logistics and supply chain management	During, after	LGAs play a role in supplying equipment and services to impacted communities (e.g. requests to the MERO for equipment and supplies) including the access to 'community staples'. LGAs are similarly responsible for managing emergency relief centres. These are planned in detail. The council involvement column should read before, during and after.
Impact assessment	*Before, during, after*	MSC generally agrees with listed responsibilities.
Search and rescue	*No Council involvement*	MSC generally agrees with listed responsibilities. However LGAs may be involved in resource supply through the MERO during an emergency.
Health protection	*Before, during, after*	MSC generally agrees with listed responsibilities. As health protection is extensively planned at the municipal level, the council involvement column should also read 'before'.
Health emergency response	*No Council involvement*	MSC believes that the statement "No Council Involvement" is incorrect. Through the actions of LGA's Environmental Health Officer, councils are directly linked to many emergency health responses such as pandemic and epidemics and other local issues such as gastroenteritis outbreaks.
Relief	During	MSC generally agrees with listed responsibilities however

Core Capability	LGV statement on Council involvement	Murrindindi Shire Council's Response
assistance		timely, integrated and well coordinated relief is based on effective planning. 'Before' and 'After should be added to the council involvement column.
Environmental response	*No Council involvement*	LGAs are land managers and control the registration of domestic dogs and cats, employees licensed officers and can euthanize injured livestock. LGAs are also directly linked to the management of pests such as European Wasps on council managed land. Before, during and after should be added to the council involvement column.
Economic recovery	*After*	MSC is directly involved with businesses before, during and after emergencies, not just after as the paper lists. MSC assists businesses in planning for emergencies and are directly linked to local business through local business and tourism associations. Before and during should be added to the council involvement column.
Natural and cultural heritage rehabilitation	After	Planning is required for the protection of cultural heritage at the municipal level. This should be reflected by adding "before" in the council involvement column. We acknowledge some LGAs have prepared cultural heritage overlays that include Indigenous cultural heritage. However this is not consistent and should not be included as a consistent expectation of all LGAs. Similarly the preferences of Registered Aboriginal Parties and Traditional Owner Groups need to be considered by councils in the protection of Indigenous cultural heritage and the inclusion of information in relevant overlays.
Built recovery	After	LGAs are required to plan for the restoration of infrastructure and are also active in conducting building assessments post emergency. This is not reflected in the paper. The statement on council involvement should read 'before and after'.
Social recovery	After	Detailed planning is required for long term social recovery. LGAs currently plan effectively for this. We also coordinate access to psychological welfare, an essential service in social and personal recovery. LGAs are involved before, during and after
Assurance and learning	After	MSC also 'test' emergency procedures and protocols annually. This also contributes to continuous improvement. 'Before' should also be added to the council involvement column.

2. **Do the descriptions within the directions paper provide clarity to the level of Councils responsibility, initiative and involvement in a particular task? (Note: when providing feedback, please refer to the responsibility by number)?**

MSC has prepared comments on a number of specific responsibilities and actions for further consideration as represented in Table 2 below.

Table 2: Council Comment on Identified Responsibilities and Actions

Area/Dot Point	Statement	Adjustment Required	Recommended Actions
Planning, Blue, 4	Support hazard-specific risk assessment to inform plans and community resilience-building strategies, using local knowledge and information based on community needs	Reference in paper: MEMPC guidelines, EMMV Part 6, p.6–5 Reference is incorrect. They are not MEMPC guidelines – they refer instead to "(6.2) Emergency Management Planning at the Municipal Level" which is part of the broader document title "Municipal Emergency Management Planning Arrangements". The page number is also incorrect. Discussion begins a page earlier.	This section of the EMMV does not mention community needs. It infers that groups that are exposed to specific risks should be identified and that measures should be put in place to assist those groups – which is detailed in the MEMP. Risk assessments are made by subject matter experts in collaboration with the community.
Planning, Blue, 5	Lead implementation and coordination of specific risk treatments on private and Council land in partnership with emergency management agencies, including flood/fire management, maintaining a register of at-risk groups	Reference: Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77 7-76 actually states that all councils are responsible for: "implementation/coordination of specific risk treatments for identified risks and exposed elements in the community, including, flood/fire management, maintaining a register of at-risk groups, fire risk reduction (private and Council lands)."	The paper uses the word 'lead' which is not in the EMMV and implies a different level of responsibility. It implies that LGAs are the lead agency for risk mitigation on private property - which is incorrect. Risk treatments are only carried out on risks identified by the MEMPC in the MEMP, not on every risk that may be present.
Planning, Black, 6	Lead the maintenance and administration of the Vulnerable Persons Register (VPR)	Should be a 'blue' statement as it is required under policy, not a 'black' statement	Contained in Vulnerable Persons In Emergencies (VPE) Policy 2015 This Policy states that LGAs are the coordinators of the register including system administration and oversight of the VPR.

Area/Dot Point	Statement	Adjustment Required	Recommended Actions
Planning, Black, 8	Develop Council business continuity plans detailing procedures and systems to maintain core business and emergency management activities	VAGO highly recommend LGAs have a Business Continuity Plan. Similarly, under the *Local Government Act* 1989, LGAs are required to develop and maintain adequate internal control systems. This is universally recognised by municipalities as a requirement to have current Business Continuity Plans.	This dot point should potentially be listed as a requirement, rather than a recommendation.
Planning, Black 9	Improve recovery plans and procedures by exercising and reviewing them.	The MEMP is required to be reviewed and exercised (under the EMMV part 6, Dot point 6 – Monitor and Review, page 6-5). Part of the MEMP is how relief and recovery will be delivered/coordinated.	Change this statement to blue. MSC has prepared its own relief and recovery plan which is audited as a sub-plan to the MEMP during the MEMP audit process.
Planning, Blue, 12	Prepare local recovery plans after emergencies	Reference (EMMV Part 7) is not correct.	There is no requirement for LGAs to prepare local recovery plans post emergency in part 7 of the EMMV. The reference should be for Part 4 of the EMMV, page 16, which requires councils to prepare a "post-incident relief and recovery plan".

This section of the EMMV quoted that supports item 12 (in regards to recovery) only that LGAs will form, lead and support relief and recovery committees and lead post impact assessment amongst other roles. It does not mention preparing local recovery plans post emergency. |
| **Planning, Black, 13** | Assess capability and capacity needs for undertaking relief and recovery activities, determine Councils' ability to meet these needs and plan to | LGAs are required to document capacity (as they are an agency with documented relief and recovery responsibilities), EMMV, Part 4, s5.2, p 17 | Should be Blue – LGAs are required to do this. |

Area/Dot Point	Statement	Adjustment Required	Recommended Actions
	obtain additional staff and resources as required.		
Community Information and warnings, Blue, 16	Identify appropriate and preferred communication channels for the community and particular groups and people (such as those who are vulnerable and those who are culturally and linguistically diverse).	Reference incorrect. There is not currently an appendix 2 to section 4 of the EMMV This statement is also not entirely accurate as it adds inferences from part 4 of the EMMV. Requirements should be simply listed as required, directly from a policy document.	EMMV Part 4, dot point 5.1, page 16 states that LGAs must address communication and community engagement in its relief and recovery arrangements. It also states that LGAs will prepare a post incident relief and recovery plan. It does not mention "preferred communication channels for the community". Whilst partly correct, the inferences this responsibility draws are not correct.
Operational Management, Black, 32	Identify Council-owned and-operated resources, assets and services available for emergency prevention, response or recovery; specify their preparedness; and plan to deploy them.	LGAs are required to list resources that are owned and operated by themselves in the MEMP and how they will be deployed. EMMV Part 6, Dot Point 6.6, page 6-21	Should be blue
Operational Management, Blue, 34	Lead risk-mitigation measures through business-as-usual works by: • where Council is a road authority, managing vegetation on	Reference incorrect. The reference given in the paper (*Road Management Act 2004, s20, 34 and 40*) does not state that LGAs will "lead risk-mitigations measures through business as usual works" S20 requires LGAs (as a road authority) to: • ensure that a network of roads is	Unless proper referencing can be shown or the responsibility reworded, it should be black. The correct reference for the second part of the responsibility should be Schedule 3 of the Act insofar as it gives road managers the ability to remove certain trees or vegetation that overhangs a road, is a danger to road users or infrastructure.

Area/Dot Point	Statement	Adjustment Required	Recommended Actions
	roadsides to ensure a safe, efficient road network	provided primarily for the movement of persons and goods as part of an integrated transport system and that road reserves are available for other appropriate uses. S34 – details general functions of a road authority. S40 - details statutory requirements to inspect, maintain and repair public roads.	S132 of the Act also states that road managers can control or remove vegetation, whether growing or dead, in a road reserve that may pose a risk to the safety of road users or the community. This reference would also be more appropriate here. There are also environmental requirements listed under the *Planning and Environment Act 1987*, the *Flora and Fauna Guarantee Act 1988* and the *Environmental Protection and Biodiversity Conservation Act 1999* to consider in the management of roadsides.
Operational Management Blue, 61	Support agencies to coordinate volunteer efforts after emergencies	Reference is incorrect – there is no appendix 6 to part 4 of the EMMV. The responsibility also does not exist in legislation or policy.	MSC has and does support agencies to coordinate volunteer efforts through its relief and recovery plan. However the responsibility listed should be black, not blue as it is an interpretation of policy statements Actual references to volunteers in the part 4 of the EMMV Include: • Page 8 states that relevant municipal plans should list volunteer groups and or associations that may contribute to relief and recovery. It also states that non-government agencies may have a large volunteer base. • Page 10 states that EMV will facilitate spontaneous volunteers. • Page 16 mentions volunteer staff as part of staffing procedures • Page 17 states that the sector should support risk trends, including volunteer shortages over time (trends etc) • Page 34, 7.4.5.7 states that DHHS is responsible for "capturing and provide offers of spontaneous emergency volunteers to Council". • Page 40 states that LGAs will "coordinate local volunteer

Area/Dot Point	Statement	Adjustment Required	Recommended Actions
			efforts after emergencies, for private fencing damage"
Operational Management Blue, 62	Support agencies to coordinate and manage services to meet the immediate needs of affected livestock locally.	Difficult to understand and interpret. Does not mention specific agencies.	The EMMV, Part 7, page 77 states: • LGAs will work with the Victorian Farmers' Federation, RSPCA and Australian Veterinary Association where required. Specific agencies are mentioned in the EMMV that are not included in the paper
Public Order and Community Safety, Blue, 75	Proactively enforce relevant regulations and laws that relate to emergency management.	Reference in paper: *Emergency Management Act 1986, Emergency Management Act 2013* and the EMMV Issue: Not specific enough – where does it say that Council will do this?	Detailed referencing required – Act section and number.
Building Community Resilience, Blue, 85	Engage the community in developing and delivering recovery activities including by appointing community development and/or community recovery officers.	Reference incorrect: needs updating to latest version. EMMV does not state that LGAs need to appoint a "community development and/or community recovery officers"	The EMMV states municipalities are responsible for the: • Formation, leadership and support of Municipal/Community Recovery Committees Many municipalities do not have a community development officer or community recovery officers. Depending on the scale of the emergency, these roles may be incorporated into existing roles. The second section of the dot point (from the works "by appointing") should be in a separate point that is black as it is not a requirement.
Fire Management and Suppression, Blue, 86	Support agencies in line with relevant fire legislation and regulations by: • appointing a municipal fire prevention officer	Combination of too many responsibilities under one dot point.	Each of the dot points under number 86 should be numbered individually and separated. By combining all of these important elements into one responsibility, it overcomplicates each unnecessarily and it also makes them appear less important.

Area/Dot Point	Statement	Adjustment Required	Recommended Actions
	• developing and maintaining a municipal fire prevention plan • identifying, designating, signing, maintaining and annually reviewing bushfire safer places and their plans etc • issuing permits to burn • etc		
Impact Assessment, Blue, 94	Initially assess impacts on essential infrastructure and services	Reference incorrect: needs updating to latest version. Council is not responsible for initial impact assessment	Agencies are responsible for their own infrastructure. This statement implies that LGA is a response agency. This statement may refer to the impact on communities from impacted infrastructure and services which LGAs can accomplish once given initial impact assessment data from response agencies. Wording is confusing.
Relief Assistance, Blue, 104	Coordinate relief agencies and the community to develop local relief plans	Reference incorrect. Not a requirement of part 7 of the EMMV	Should be black, not blue as it is not a requirement. Part of the statement is correct – that LGAs will coordinate relief agencies. However there is no requirement in the EMMV to develop local relief plans.
Relief Assistance, Black, 118	Inform the community about financial hardship assistance payments.	This is the role of DHHS in the first instance, not LGAs.	Dot point should read that LGAs will support DHHS in notifying the community about financial hardship arrangements. Implies that LGAs are the lead agency on this communication which is incorrect.
Natural and Cultural	Restore local cultural heritage sites	Not a role of LGAs	LGAs are not responsible for restoring heritage sites. Sites that are managed by LGAs may be restored post emergency but this is not

Area/Dot Point	Statement	Adjustment Required	Recommended Actions
Heritage rehabilitation, Black, 1129			a requirement.
Natural and Cultural Heritage rehabilitation, Black, 130	Coordinate remediation and stabilisation works on private and public land.	Not a role of LGAs	LGAs are not responsible for this; CFA and or DELWP are responsible for their own remediation works.
Natural and Cultural Heritage rehabilitation, Black, 131	Monitor natural and cultural heritage sites	Only partially correct	LGAs are only responsible for the monitoring of sites on land it manages. Note that while some LGAs have prepared Cultural Heritage Management Plans and have cultural heritage overlays, many LGAs have not done so. There is also a need to respect the preferences of local Registered Aboriginal Parties and Traditional Owner Groups.
Built Recovery, Built Recovery, Blue, 140	Coordinate the rebuilding and redevelopment of Council and private assets	Partially correct but incorrectly referenced/worded.	LGAs are responsible for: • "undertaking the assessment, restoration, clearing and rehabilitation of public buildings and assets (e.g. roads, bridges, sporting facilities, public amenities) where the municipal Council is the manager of that building or asset." Under building and planning controls LGAs have some control over the rebuilding of private assets however these are not referenced here. Council however is not responsible for the "coordination or redevelopment of private assets". Under Part 7 of the EMMV, LGAs are responsible for: • "overseeing and inspecting rebuilding/redevelopment" The responsibility as stated in the paper is incorrect.

3. **QUESTION FOR STATE GOV. DEPTS AND EMERGENCY MANAGEMENT AGENCIES. Is the current emergency management responsibilities and actions of Councils described in this directions paper meet your current expectations?**

Not applicable to LGAs

4. **QUESTION FOR STATE GOV. DEPTS AND EMERGENCY MANAGEMENT AGENCIES. Do the descriptions within the directions paper provide clarity to the level of Councils responsibility, initiative and involvement in a particular task?**

Not applicable to LGAs

5. **What do you consider to be the top (5) five Council emergency management responsibilities as described in the directions paper? (responsibilities can be referred to as numbered in the directions paper**

The top five LGA emergency responsibilities are:

1) Coordinate relief and recovery at the local level

There are many listed "responsibilities" in the paper that describe the role of councils in the local coordination of relief and recovery. There is an expectation in the community that LGAs will provide access to services and facilities for those that are displaced. However our capacity to escalate on large scale events is dependent on support and cooperation with surrounding municipalities and access to funding and resources to support rural councils. This support is not clearly articulated in the paper.

2) Fire management and suppression, Blue, 86

This responsibility is a key element of LGAs varied role – particularly in relation to engaging with and advocating on behalf of the community in fire management issues. As stated in table 2 above, it would be good to see these dot points separated as they are all important statements individually. There are some responsibilities here, like issuing permits to burn, which are not necessarily LGAs core business and would sit better with other agencies.

3) Provide access to Council resources and plant in an emergency, Blue 41

LGA resources also include council contractors, local knowledge and the networks of local providers/agencies/businesses that LGAs have established relationships with. In emergencies, this local knowledge and equipment can be vital to emergency services.

4) Provide a link to the community and community networks, Blue 14

MSC is directly connected to the community through its delivery of over 100 services and through its local networks and other connections. This connectedness is an essential part of MSCs role in emergencies and is directly linked to Council having staff available as liaison officers in emergency management teams.

5) Hazard specific risk assessment using local knowledge and considering community needs, Blue 4

Supporting hazard specific risk assessments identifies risks that a community faces, assessing the vulnerability of the community to those risks and provides options to reduce or eliminate the risks. By working with communities on the risks they face and making communities aware of these, we can also move towards increasing community resilience.