

Department of Environment, Land, Water and Planning (Local Government Victoria - LGV)
with
Emergency Management Victoria (EMV)

Review the Councils and Emergencies Directions Paper Council Submission and Feedback

Engage Victoria – Make a Submission Web Page

Councils response to the Directions Paper is prepared in the format ready for submission via the Engage Victoria website via the link <https://engage.vic.gov.au/councils-and-emergencies-consultation>

Make a Submission:

Email Required

██████████@mitchellshire.vic.gov.au

First Name

██████████

What council or organisation do you work for? Require

Mitchell Shire Council

Phone number (if you would like us to call you to discuss the directions paper or your submission)

██████████

Are you providing this submission as an individual or on behalf of an organisation (organisational responses are preferred)

This submission has been prepared and provided on behalf of Mitchell Shire Council, and has been endorsed by the Executive Leadership Team

QUESTION FOR COUNCILS. Is the current emergency management responsibilities and actions of councils described in the directions paper correct, and correctly described?

It is worth noting that the Directions Paper references an outdated version of the Emergency Management Manual Victoria (EMMV) Part 4, Appendix 2, issued in September 2015. The current version of the EMMV Part 4 was issued in December 2015 and does not have Appendices. This will effect some for the emergency management descriptions.

Council has a number of other emergency management responsibilities and actions not included in the Directions Paper, but are worth noting as they fit in the Directions Paper section on 'Public order and community safety':

Event Plans and supporting plans	Receiving applications for and approving applications for events. Working with event organisers and other stakeholders to ensure that event plans and supporting arrangements are developed and submitted.
Building Services – Municipal Building Surveyor	Places of public entertainment (POPE) requirements, Victorian Building Act and regulations. Also includes receiving and approving applications for events.
	Inspection in regard to public safety i.e.: structural safety, hazardous debris, site security (external fences to limit access),
	Consideration of Emergency Order (dangerous and immediate action to secure or demolish).
	Consideration of serving a building notice (30 days to show cause why works should be completed – site security and safety).
Environmental Health Officers	Assessment in relation to Prescribed Accommodations Reg's (maintenance and sanitary facilities).
	Commercial kitchen, suitability to continue serving food (After an emergency)
	Septic tanks, still functional for occupants in relation to habitation (After an emergency)
Caravan Park Emergency Plans	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010 (Regulations 22-25).

Defining Councils role as 'lead' in the emergency management environment is difficult and confusing. The Directions Paper proposes Council's role as:

Lead: signifies a council provides overall direction and coordination of the responsibility or action: it plans, implements, directs, funds and resources most aspects of it. It is usually also the point of contact with government agencies, non-government groups, businesses and the community.

This is a useful definition of Councils 'lead' role but is not necessarily reflected in legislation, EMMV and other guidance documents. For example:

- Directions Paper; Descriptor 1 - 3

Emergency Management Act 1986

20 Municipal emergency management plan

21 Municipal co-ordination and planning

Councils do not 'lead', they 'support' and 'appoint' at the municipal level. The legislation does not indicate Councils having a 'lead' role.

EMMV Part 6; page 4 & 11

Council to establish the MEMPC and the MEMPC to operate as a planning committee.

The narrative around the MEMP and MEMPC is that they are a collaborative plan and committee not 'owned' by Council, however Council has a significant role in coordinating and directing the development and maintenance of the MEMP and MEMPC, which implies Council has a 'lead' role.

The confusion arises with the legislation and the EMMV providing for Councils to appoint and support, however the expectation is that Councils 'lead' this process. Using the active verb 'lead' suggests Councils have reasonability and/or accountability for the action and/or activity.

The words facilitate and coordinate reflect Council role in the MEMP and MEMPC and are preferable to using "lead".

- Directions Paper; Descriptor 5

Emergency Management Manual Victoria

Part 7 - Emergency Management Agency Roles

Municipal Roles. Page 7-76 - 77

Most of the activities of Council listed in Part 7 are carried out in close combination with, or with direct support by, government departments and agencies.

'Lead' is not consistent with the intent of Part 7.

Using 'lead' also contradicts EMMV Part 6, p6-14 - "*The responsibility for treatment of risks is shared by all agencies and the community.*"

- Directions Paper; Descriptor 6

Vulnerable people in emergencies policy – May 2015

6.2 The role of municipal councils in coordinating local implementation of Vulnerable Persons Registers

7.1 The role of municipal councils in developing and maintaining a list of local facilities where vulnerable people are likely to be situated

Questionable if Council 'lead' this role. The policy states that Council role is coordinating local implementation of the VPR. This implies a 'support' role to DHHS in managing the VPR.

Emergency Management Manual Victoria Part 3 - State Emergency Response Plan

The EMMV Part 3, page 3-24; *"Municipal councils oversee the maintenance of a Vulnerable Persons Register"*

The definition of 'lead' in the Directions Paper needs to change or be replaced with active verbs 'facilitate' and 'coordinate'. Lead implies a level of responsibility and accountability by Council for actions of the MEMP and MEMPC, whilst there is nothing in writing that states that Council is responsible or accountable.

- Directions Paper; Descriptor 34

Using the active verb 'lead' in this context is not the right word. All agencies have a responsibility to mitigate risk, Council does not have a 'lead' role in this area. In the examples provided, this is part of business-as-usual work performed by Council to maintain and protect assets.

An active verb i.e. perform/conduct/ undertake would describe Council role in risk mitigation measures via its business-as-usual activities.

- Directions Paper; Operational Management Descriptors 44-60

A number of Descriptors in this section describe Councils role in planning and delivery of emergency relief and recovery services. EMMV Part 7 – Emergency Management Agency Roles; Municipal Councils, page 7-76 & 77, clearly states that:

"Municipal councils are the lead agency at the local level for the following relief and recovery activities....."

This is the only area where it is clearly stated and reflects Councils role.

- Directions Paper; Descriptor 92

Emergency Management Manual Victoria Part 4 - State Emergency Relief and Recovery Plan 2.2 Relief and recovery are consequence-driven

This is considered as normal business for Council recovery following an emergency or crisis event and more an internal process connected with business continuity.

If it implies this is a process used during the relief and recovery phase, then Councils role is to coordinate impact assessments for secondary impact assessments, and post-emergency needs assessment.

The active verb to be used is coordinate not lead.

Overall, the descriptors provide a detailed list of Councils collective current emergency management responsibilities and accountabilities resulting from the various (and numerous) legislation, policy and planning obligations, as well as the expectations of other agencies and the community.

The Directions Paper section on Council's Strengths and Capabilities, in particular the challenges Councils face with their emergency management responsibilities and actions, needs to be more prominent within the Directions Paper, clearly articulating that the 151 descriptors is a consolidation of Council responsibilities and actions.

Reading every one of the 151 descriptors indicates that every Council performs these actions, when in fact Councils have limited capacity to undertake most of them.

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QUESTION FOR COUNCILS. 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)?

Throughout the Directions Paper active verbs i.e. support, provide, work, etc. These words do not reflect Councils responsibility, initiative or involvement, for example:

- Directions Paper; Descriptor 42

States; Support response agencies to access affected areas.

Does not indicate what level of support Council can or should provide, in reality Council has very limited capacity to enter the Control Agencies operational zone as Council staff are not trained or equipped to do so. Advice can certainly be provided, however this descriptor implies providing support other than advice.

- Directions Paper; Descriptor 58

This descriptor is unclear as to who it applies. It seems to indicate a transition from recovery to normal business arrangements, assuming for Council business and/or facilities.

- Directions Paper; Descriptor 71

This descriptor implies that Council is performing this action exclusively. Many agencies capture, process, analyse and manage large volumes of data, and do not always share it or allow other organisations to access it.

This descriptor needs to clearly indicate that it is Council data not other agencies data unless it is shared with Council.

- Directions Paper; Descriptor 132

It is unclear what role Council has to “develop ways to mitigate or avoid adverse impacts to cultural heritage sites during recovery, reconstruction or rehabilitation works”. Councils role is to manage compliance with relevant planning overlays.

- Directions Paper; Descriptor 150

This descriptor implies that Council provides financial support to people affected by the emergency event. DHHS provides the financial assistance, Councils role is to support and coordinate. DHHS information does not indicate Council assess or delivers financial reestablishment assistance.

Comment/Observation:

There are a significant number of Descriptors that describe business continuity actions of Council as emergency management actions. There is a grey area between business continuity and emergency management which has not always been identified or accepted by Councils.

The Directions Paper has clearly identified the link between an emergency event impacting the community and Council, and how Council responds and manage its business-as-usual actions.

The business continuity descriptors will assist Council with clarifying the links between business continuity and emergency management.

It would assist emergency managers within Councils if the introductory section of the Directions Paper identifies and comments on the strength of the link between business continuity and emergency management.

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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 Council

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 Council

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 *Required*)

1. Planning

- Directions Paper; Descriptor 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.

2. Operational management

- Directions Paper; Descriptor 32

Councils perform this action now, and is a key responsibility of Council to support agencies and the community before, during and after an emergency event. Each Councils capacity and capability varies and is not consistent, reflecting resourcing and funding gaps.

3. Building community resilience

- Directions Paper; Descriptor 77

Councils already work with communities via a number of community development service delivery activities and programs.

There are a number of 'drivers' in the emergency management space promoting and supporting communities to undertake emergency management planning.

Most Councils do not have the resources or capacity to support communities undertake emergency planning to learn about and take responsibility for the risks they face.

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4. Fire management & suppression

- Directions Paper; Descriptor 86

Legislation drives Councils role in this area, and on behalf of the community Council plays a critical role to represent community interest and concern regarding fire management. There are concerns about some of the responsibilities allocated to Council i.e. issuing permits to burn, which Council do not necessarily have the knowledge and skills to perform.

5. Relief and recovery

There are many descriptors which describe Councils role and responsibility for relief and recovery services following an emergency event. Our community expects Council to coordinate and manage emergency relief and recovery services on their behalf and experience has shown that the community will refer to the Council in the first instance to access these services.

Rural and interface Councils such as Mitchell Shire Council, have limited resources and funding which effects the ability to escalate Council response without outside support.

The descriptors do not reflect the limited resources and funding available to rural and interface Councils to rapidly escalate response to community emergency relief and recovery needs.

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Engage Victoria - Quick Poll

Email Required

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First Name

██████████

Tick one of the following

In general terms, does the Councils and Emergencies directions paper appropriately reflect councils current responsibilities and actions in emergency management?

- Yes
 No

Do you believe your organisation has a good understanding of councils current responsibilities in emergency management?

- Yes
 No

Do you believe the councils and emergency management sectors as a whole have a good understanding of councils current responsibilities in emergency management?

- Yes
 No

There is significant work and reform being undertaken in the emergency management sector. Some of that work directly affects councils in their emergency management service delivery. What current work being undertaken is the MOST important to you?

- The Councils and Emergencies Project (enhancing the capacity and capability of local government)
 The Emergency Management Legislation (Planning) Bill 2016
 The Emergency Management Planning Guidelines
 Victorian Preparedness Goal