LGV Councils & Emergencies

Position paper – final draft

Submission

October 2017

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1   Introduction

Thank you for the opportunity to make a submission to the *Councils and Emergencies position paper – final draft.*

The Municipal Association of Victoria (MAV) has based this submission on the written and verbal feedback received from councils over recent weeks, including through a special meeting of the MAV Emergency Management Committee. The MAV also drew on feedback received from councils earlier this year, in response to the Councils and Emergencies Directions Paper.

The MAV recognises the task of defining the role of councils in emergency management has been a complex one and commends Local Government Victoria (LGV) on its broad engagement with councils and the emergency management sector since the project's commencement in 2016.

The current version of the paper is greatly improved from the proposal in the Directions Paper.

This submission will outline the key concerns the MAV has with the current paper based on feedback from members. It builds on our recommendations made in response to the Directions Paper. Councils have also provided some specific feedback on some of the responsibility and activity descriptors. These are attached in appendix 1.

2   Response to MAV Submission to Directions Paper

The MAV made a substantial submission to the Directions Paper (May 2017) which included five recommendations. To support that submission, the MAV held six consultation sessions and took into consideration feedback from councils on our draft submission. The feedback received through this process serves as the starting point for feedback to the position paper.

There was significant support for the MAV submission. By our count, 32 of the 55 individual council submissions to LGV supported the MAV's submission. Rural Councils Victoria – covering 38 councils – and Gippsland Municipal Emergency Management Enhancement Group – representing council officers from six councils – also supported the MAV submission. In addition, some councils wrote to the MAV expressing support for our submission but did not make a direct submission to LGV or did not expressly support the MAV's submission in their formal submission, but quoted large sections of the MAV submission in their own submissions.

The MAV made the following recommendations in our submission to the directions paper:

- Recommendation 1: the final role description [should] delineate core requirements and non-core tasks; and the core requirement descriptors should be specific, not general statements. They should be derived from legislation or statutory documents only – not

guidance documents or policies or plans with a lesser status. Furthermore, they should be quoted verbatim so there is less chance of misinterpretation.

- Recommendation 2: Core requirements should also be achievable, irrespective of the size or resources available to the council. Compliance should not be reliant on grant funding

- Recommendation 3: That LGV works with the MAV and councils to develop local government specific descriptors for each core capability (note: the core capabilities are components of the Victorian Preparedness Goal)

- Recommendation 4: That LGV works with the MAV and councils to further develop the maturity model proposal and an implementation plan that includes training

- Recommendation 5: If the maturity model approach is adopted, the MAV will work with LGV, Inspector-General Emergency Management and councils to develop a self-audit and quality assurance framework.

Additionally, our submission argued that the list of 154 responsibilities contained duplication, inaccuracies and reached too far into business-as-usual (BAU).

The MAV's assessment of LGV's response to the recommendations through the Position Paper is as follows:

- The proposed list of responsibilities and activities in the draft position paper is a significant improvement on the list in the directions paper. The current version now contains 72 emergency management and 24 business-as-usual (BAU) responsibilities and activities, and separates BAU activity into a separate table. Our concerns about duplication and inaccurate references have largely been addressed. Where a responsibility is derived from legislation or statutory policy, in a majority of cases it is an accurate statement, although there are some statements that still require attention.

- The MAV recommendation that responsibilities be split into core responsibilities (mandatory responsibilities, derived from legislation or statutory policy) and non-core tasks (discretionary activities based on common practice or policy of a lesser status) was not adopted. While the position paper goes to great lengths to say that no two councils will undertake EM in the same way, and not all councils will do everything on the list, it also describes the list as the 'clarified and confirmed' responsibilities and activities of councils in EM. Without a delineation into mandatory and non-mandatory, the list of 'clarified and confirmed' tasks is likely to become State policy that is beyond the capability and capacity of many councils.

- Recommendation 3 has partially been addressed. Councils' responsibilities and activities are no longer organised under the State's 'core capabilities'. Rather, they are organised into the before, during and after phases of an emergency, as well as BAU. Icons have been used to identify which core capability aligns with the respective responsibility/ activity/ies.

- LGV has advised Recommendations 4 and 5 relating to the maturity model will be considered in Phase 2 of the project, when LGV develops a methodology for assessing each council's capacity and capability to undertake the responsibilities and activities.

3 Key issues

3.1 'Clarified and confirmed' responsibilities

The paper describes the list of responsibilities and activities as 'clarified and confirmed'. The MAV remains extremely concerned that there are items on this list that are not direct statutory obligations.

It is the MAV's view that items that are not derived from legislation or statutory policy – namely the Emergency Management Manual Victoria (EMMV) Parts 3 and 4 – should not be described as part of councils' clarified and confirmed role. The exception is when councils have been funded to undertake the role, and even then there should be a caveat stating this is a confirmed role only for the period of the grant.

This position was strongly supported by councils that have communicated with the MAV over the past three weeks as well as a majority of members of the MAV EM Committee. It is further supported by the feedback we received through the Directions Paper consultation period.

There has also been an argument put forward by many councils that responsibilities and activities derived from Part 6 of the EMMV - being Ministerial Guidelines for Municipal Emergency Management Planning Committees - or the 'indicative list' of council activities in Part 7 of the EMMV, should not be considered mandatory council responsibilities.

We appreciate the lengths LGV has gone to in the paper to emphasise that *'no two councils' approaches to emergency management will be the same'* (p9). We also recognise the statement that *'no council will undertake [all responsibilities and activities described in the paper] and councils will carry them out in different ways and to different extents* (p9).

However, these statements are contradicted by the fact that the paper is to be endorsed by the State Crisis & Resilience Council (SCRC) as a 'position', and statements such as the following:

'*Clarifying and confirming councils' emergency management responsibilities and activities is the essential first step to determining their capacity and capability to undertake them, which is the intention of phase 2 of the project.*

It also benefits councils, emergency management agencies and communities by developing a shared understanding of what can and cannot be currently expected of a council before, during and after an emergency.

This position paper demonstrates councils' value and makes their responsibilities and activities clear to the emergency management sector.' (p8)

In the position paper, and in meetings with the MAV and councils, LGV has argued that it would be pre-emptive to separate the role description into 'core' and 'non-core' responsibilities and activities, because what may be core for one council may not be for another due to their particular circumstances. The MAV understands this argument, however we maintain that there is a clear hierarchy in the responsibilities and activities in the table, because all councils must comply with directive legislation and statutory policy, and they have some discretion over the remainder. The paper could suggest "indicative core" and indicative non-core' to separate the role descriptions.

3.2 Identified practice

Responsibilities and activities in the tables currently described as identified practice are defined as being *identified in the project's consultation workshops as a current practice of one or more councils, usually driven by the priorities of the councils and their local communities (p15).*

One of the primary drivers for MAV's advocacy over many years for a review of the role of councils in emergency management was to reduce role creep and cost shifting. By including activities that were identified in workshops by councils or agencies as being done by 'one or more council', in a 'clarified and confirmed' list, the paper is effectively expanding the role of councils in emergency management beyond what is currently required and beyond what many councils have the resources or risk profile to justify. At the very least, it could raise expectations or create ambiguity around what can be expected of councils.

Councils are concerned that other agencies, communities, the media, government authorities or an Inquiry/ Royal Commission may focus on the list and not read the narrative or understand the full context. It could be used to compare councils and put pressure on them to justify their service offering ahead of the capability and capacity assessment planned in phase 2 of the project.

The MAV is not arguing that the identified practice activities do not have merit. It is our view that there is still a place in the project for highlighting good practice, and these practices should be considered in phases 2 and 3 of the project.

3.3 Business-as-usual activities

The MAV acknowledges that the LGV Councils and Emergencies Reference Group supported the inclusion of a BAU table. However, the feedback received by the MAV indicates a number of councils feel that the inclusion of BAU clutters the paper and is telling councils how to manage their own business.

In addition, some of the responsibilities listed in Table 6 are arguably emergency management responsibilities and warrant being included in the main table and being part of the Phase 2 assessment, e.g. appointing an Municipal Fire Prevention Officer, convening a Municipal Fire Management Planning Committee, designating Bushfire (Neighbourhood) Safer Places, issuing permits to burn, contributing to local flood warning services.

Others are contentious and should be removed from the paper completely, eg item 87 relating to fire plugs.

Additional BAU activities such as maintaining fire access tracks have been suggested, demonstrating the list is not complete.

As such, the MAV recommends the movement of the relevant emergency management items to the main table's deletion of the remainder of the BAU table.

3.4 Clarifying the purpose of the paper

The paper clearly describes the objectives of the three-phase project, however the purpose of the paper is less clear.

A strong theme coming out of the MAV Emergency Management Committee is that the paper could better articulate that this is a point-in-time document, and that the future phases of the project should consider councils' role and capability and capacity in light of changing community needs and anticipated increased frequency of natural disasters due to climate change.

Councils would also like the paper to articulate how findings from the first phase, as well as Phase 2, will be used by LGV to advocate for change to some contentious and outdated responsibilities (such as permits to burn and fire plugs).

3.5 Principles

The five principles listed on pages 36 and 37 are supported as the basis for determining whether responsibilities or activities are appropriate for councils**.**

While they are intended for future use, it should be noted that some of the current list, particularly in the 'during' table (Table 4) would not make the cut. The MAV would like to see these used as part of Phase Two.

3.6 Preparedness Framework – core capabilities

Feedback indicates that the relationship between the Preparedness Framework project and the Councils and Emergencies project remains unclear to many in local government.

The core capability descriptors continue to create confusion as most councils are not familiar with the project. The icons introduce a new element to the project, and may cause further confusion.

The MAV recommends reconsidering whether it is necessary to include so much information about the core capabilities in the position paper.

3.7 Phase Two

Councils recognise that the main objectives of the project – building council capability and capacity in emergency management – will be realised out of phases two and three.

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Councils believe it is critical that they have direct input into the assessment tool and process. Further, if phase two is to focus on council functions, it is the view of councils that there should be minimal emergency management agency involvement in its development. The MAV would still like to see a maturity model approach considered in this phase.

4 Recommendations

The MAV make the following recommendations to increase councils' level of comfort with the paper:

1 LGV should reconsider both the title of the paper as a position paper and using phrases such as 'clarified and confirmed responsibilities and activities' if the list includes responsibilities that are not mandatory. The final paper should include a clear statement about the purpose of the paper, as well as the aims of the project.

2 The tables should be separated or reformatted so that there is a clear hierarchy demonstrating what councils 'must do' verses discretionary activity.

3 Mandatory responsibilities should directly reflect legislation or statutory policy or funded activity (with funded activities removed once funding ceases).

4 Good practice should be highlighted, but not included in the same list as the mandatory responsibilities. If the term 'identified practice' is retained, it should be reworded to 'identified practice of one or more councils' in the table.

5 The business-as-usual table should be deleted.

6 The paper should outline opportunities for using the data collected through the project to advocate for changes to councils' current role

7 Remove reference to the core capabilities or move that section to an appendix. Alternatively, the paper could further emphasise that the descriptors are sector-wide emergency management capabilities.

5 Conclusion

The MAV recognises the importance of the Councils and Emergencies project and the need to move forward to the next phases of assessing council capability and capacity and developing strategies to address gaps.

We also appreciate the efforts of the project team to consult with the sector and acknowledge it would be virtually impossible to find the perfect set of words that satisfies everyone.

However, there has been a consistent message from our membership that councils are seeking clarity in what all councils must do in emergency management. Of real concern to the MAV and our members is the possibility that this document could be used as the baseline if there is a major disaster and local government has to appear before a Royal Commission to defend the

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standard of emergency management service being provided. The MAV firmly believes the sector will be ready to move to the next phase of the project if this primary concern is addressed.

The MAV is committed to working with LGV and councils throughout the next phases of the project and looks forward to continuing to provide input into this important initiative.

Appendix 1

1. **Specific comments regarding the paper's introduction and format:**

   - Page 11: Some councils have challenged the statement: 'When an emergency occurs, council staff must reallocate resources from their business-as-usual activities and take on duties specific to emergency management'. Although in practice this will occur, it is not a requirement.

   - It should be made clear in the introduction that this is a point-in-time role description and that Phases 2 and 3 will be more future-focused (taking into consideration the changing needs of the community and the increased likelihood of extreme weather events due to climate change)

   - Councils are not response agencies. Review 'During' table to ensure the list reflects this and suggest including a statement in the narrative to this effect.

   - The before, during, after tables could be made more easily distinguishable.

2. **Feedback on specific responsibilities and activities**

Emergency management responsibilities and activities – <u>before</u> an emergency

No.	Council responsibility /activity	Source	Notes
1	Prepare and maintain a municipal emergency management plan.	EM Act 1986 s20 (1)	
2	Appoint a municipal emergency planning committee constituted by persons appointed by the municipal council being members and employees of the municipal council, response and recovery agencies and local community groups involved in emergency management issues. *Note: the function of a municipal emergency planning committee is to prepare a draft municipal emergency management plan for consideration by the municipal council.*	EM Act 1986 s21 (3) (4)	Appoint a municipal emergency planning committee constituted by persons appointed by the municipal council being members and employees of the municipal council, response and recovery agencies and local community groups involved in emergency management issues. *Note: the function of a municipal emergency <u>management</u> planning committee is to prepare a draft municipal emergency management plan for consideration by the municipal council.*
3	Participate in an all-agencies approach to risk management planning	EMMV 6 s6.5	

4	Advocate for its community's emergency management needs and priorities.	Identified practice	
5	Gather knowledge about local assets, values and support systems (including its community's history and values), to inform risk management planning.	Identified practice	
6	Appoint a person or persons to be the municipal emergency resource officer or municipal emergency resource officers. *Note: a municipal emergency resource officer is responsible for ensuring the co-ordination of municipal resources to be used in emergency response and recovery.*	EM Act 1986 s21	
7	Identify the municipal resources (being resources owned by or under the direct control of the municipal council) and other resources available for use in the municipal district for emergency prevention, response and recovery.	EM Act 1986 s20	
8	Specify access and use arrangements of identified municipal resources for supporting the delivery of emergency mitigation, response and recovery activity.	EM Act 1986 s20	Could also reference the Practice Note: Sourcing Supplementary Emergency Response Resources from Municipal Councils
9	Appoint a municipal recovery manager.	EMMV Pt 4, s4.4.1	
10	Develop and maintain internal operational readiness to address capability and capacity needs for the delivery of relief and recovery responsibilities.	EMMV Pt 4, s5.2	Suggest changing to a more direct quote: develop and maintain internal operational plans that details their capacity and strategies for undertaking roles and responsibilities
11	Support the development and delivery of emergency management training for council staff involved in activities before, during and after emergencies.	Identified practice	
12	Work with local and regional partners to determine arrangements and processes to manage relief and recovery activities.	EMMV Pt 4, s4.4	

13	Identify, plan and document emergency relief centres or other locations to provide emergency relief services, and ensure they meet health and other community needs.	EMMV Pt 4, s6.4 EMMV Pt3, s5.2.6	
14	Plan for the housing of displaced and lost/stray companion animals.	EMMV Pt 4, s6.3.11	Plan for the emergency housing of displaced and lost/stray companion animals.
15	Develop secondary impact assessment processes and data collection systems.	EMMV Pt 4, s2.2 & s7.4.1.3	
16	Establish agreements, partnerships and systems with other councils to support surge requirements during emergencies including to: • share intelligence and information • exchange staff and other resources to maintain capacity • align activities with business continuity plans	Identified practice	
17	Collect, analyse and share information about local risks, hazards and consequences with emergency management partners, businesses, service providers and the community.	EMMV, Pt 6	
18	(For a council wholly or partly within the 'country area of Victoria') support the operation of the *Vulnerable people in emergencies policy* by: • developing and maintaining a list of facilities where vulnerable people are situated • appointing a vulnerable persons register (VPR) coordinator to administer the municipality's VPR • Undertaking emergency planning and VPR screening process for council's HACC PYP clients • Undertaking the VPR screening process for people not attached to a funded agency and verifying the details of any unattached person on the register twice annually	CFA Act 1958, s3 *(for the definition of 'country area of Victoria')* *Vulnerable people in emergencies policy (DHHS)*	(For a council wholly or partly within the 'country area of Victoria') support the operation of the *Vulnerable people in emergencies policy* by: • developing and maintaining a list of facilities where vulnerable people are situated • appointing a vulnerable persons register (VPR) coordinator to administer the municipality's VPR • Undertaking emergency planning and VPR screening process for council's HACC PYP clients • When referred by the Red Cross, uUndertaking the VPR screening process for people not attached to a funded agency and verifying the details of any unattached person on the register twice annually

No.	Council responsibility /activity	Source	Notes
19	Work with sector partners to integrate intelligence- and information sharing systems, tools and networks of trained personnel (such as by using Crisisworks and Emergency Management Common Operating Picture [EM-COP]), to deliver intelligence requirements and contribute to information-sharing forums, portals and committees	Identified practice	
20	Identify standards for the clean-up and recovery of council-managed assets.	Identified practice	
21	Identify the resources and equipment needed for council's recovery activities in the short, medium and long terms, and determine supply chains in consultation with other agencies, to ensure the resources and equipment are available when needed.	EMMV Pt 6, s6.2, s6.3 and s6.6	
22	Test, exercise and evaluate relief and recovery plans.	EMMV Pt 4, s5.1	
23	Develop and manage an emergency coordination system and/or council operations facilities that can be activated during an emergency.	EMMV Pt 4, s5.1	
24	Encourage and assist the community to participate in emergency management awareness programs.	Identified practice	24 and 25 could be combined. It should also be clear that in most cases (although there are some great examples of councils being proactive in this space) councils play a support role to EM agencies.
25	Support its community to engage with emergency management agencies, so people understand their regulatory responsibilities and can better prepare for, respond to and recover from an emergency.	Identified practice	As above

Emergency management responsibilities & activities - <u>during</u> an emergency

No.	Council responsibility /activity	Source	Notes

26	Respond to community requests for local relief and recovery assistance (including assistance with equipment, food, clothing, accommodation and health needs).	Identified practice	In partnership with other agencies, respond to…
27	Coordinate local relief and recovery, working with local partners to determine arrangements to manage local relief and recovery activities.	EMMV Pt 4, s4.4	
28	Coordinate and lead relief services locally by: • recording the details of attendees at emergency relief centres, to inform recovery planning • establishing and managing relief centres where appropriate • coordinating the provision of food, water and materials to affected communities, supported by the Red Cross and other agencies including Foodbank Victoria • providing temporary shelter/ short-term housing/ accommodation options for displaced people • coordinating and managing services to meet the physical and psychosocial needs of affected local people.	EMMV Pt 4 Ss3.1 & 7.4.1	Source incorrect. Relief service responsibilities are at Pt 4 s6.3.1-6.3.9 Coordinate and lead relief services locally by: - recording the details of attendees at emergency relief centres, to inform recovery planning *(note: while certainly good practice for council recovery planning)* - establishing and managing relief centres where appropriate - coordinating the provision of food, water and materials to affected communities, supported by the Red Cross and other agencies including Foodbank Victoria - providing temporary shelter/ short-term housing/ accommodation options for displaced people *(note: a number of councils have queried the provision of short term housing/ accommodation'. This is a DHHS responsibility in the EMMV.)* - coordinating ~~and managing~~ services to meet the physical and psychosocial needs of affected local people with DHHS.
29	Support, as needed, the efforts of Victoria Police and Red Cross to reunify family and others separated during an emergency.	EMMV Pt 4, s6.3.8	
30	Promote a single point of contact for residents to obtain information about available support, services and assistance	EMMV Pt 4, s7.4.5.1	
31	Support the dissemination of information about emergency financial assistance.	EMMV Pt 4, s4.4	Support DHHS with the dissemination of information about emergency financial assistance.

32	Support agencies where requested, with the facilitation of warnings to the community through council's communication channels and local networks.	Identified practice	Support agencies where requested, with the dissemination of warnings to the community through council's communication channels and local networks.
33	Support response agencies to effectively deliver emergency response services locally by: • making council resources, facilities available as needed by the community and response agencies, after consultation • providing council resources as requested by agencies to secure affected areas • providing a council liaison officer (emergency management liaison officer) to an emergency management team to: • sharing knowledge, data and information about community needs and consequences • ensuring council is consulted and involved in emergency decisions that will affect the council and community • supporting response agencies to access affected areas.	EMMV Pt 6, s6.6 EMMV Pt 7 Practice Note: Sourcing Supplementary Emergency Response Resources from Municipal Councils	Sourcing the practice note should clarify funding arrangements for agencies when councils provide resources to support response. While preferable, not all councils have resources to provide EMLOs. Identified practice at this stage.
34	Provide agencies with support and information to partially or fully close roads and determine alternative transport routes.	EMMV Pt 7	Suggest use of direct quote: "Support to VicRoads for partial/full road closures and determination of alternative routes"
35	Clear blocked drains and local roads including by removing trees on council land and on roads.	EMMV Pt 7	This statement currently reads like councils are responsible for tree removal on all roads. Suggest small change to clarify: Clear blocked drains and local roads including by removing trees on council land and on roads. If this remains in during an emergency (not after), it is recommended this be qualified as 'where critical, within council's resources and safe to do so'.
36	Where the council is the land manager, determine in consultation with relevant agencies whether to	Identified practice	Is the intention of this item to refer to Crown land managed by council as committee of management (which would be the

No	Council responsibility /activity	Source	Notes
	close areas (such as beaches) that could or have been impacted by an emergency, and erect signage and fences as required.		case for beaches) , or council land such as parks, or both? It is considered this should be clarified. It is also suggested this be clarified as applying 'where possible to do so taking into account resources and safety'.
37	Coordinate secondary impact assessment, including the collection of information about the scale and characteristics of the impact on the social, economic, built and natural environments.	EMMV Pt 4, s2.2	
38	Support agencies to use relevant council data and intelligence to inform relief and recovery requirements including verifying the loss of assets	Identified practice	
39	Support emergency management teams by making information about local community assets, values, support systems and history available for decision-making during emergencies.	Identified practice	

Emergency management responsibilities & activities – <u>after</u> an emergency

No.	Council responsibility /activity	Source	Notes
40	Participate in the transition from response to recovery. Where council is determined the appropriate recovery coordinator, ensure readiness to assume responsibility and have the appropriate resources assembled before the transition.	EMMV Pt 3, s4.6	
41	Lead and coordinate relief and recovery at the local level and escalate to regional or state level as required	EMMV 4 s5.3.1	
42	Establish and lead a municipal /community recovery committee.	EMMV Pt 4, s7.4.5.2	
43	Provide and staff a recovery centre. Councils could request various recovery support agencies to attend the recovery centre to provide advice and guidance.	EMMV Pt 4, s7.4.5.4	

44	As part of social recovery, consider appropriate support strategies including how individuals will access information, the coordination of services and case support.	EMMV Pt 4, s7.4	
45	Support DHHS in the assessment and delivery of services for the medium to long term psychosocial needs of the affected community.	EMMV Pt 4, s7.4.2	
46	Support DHHS in the coordination of medium to long term housing/accommodation options for displaced people.	EMMV Pt 4, s7.4.1	
47	Work in partnership with DHHS and other service providers to consider how best to engage with vulnerable groups	EMMV Pt 4, s7.4.2.2	
48	Support agencies to coordinate spontaneous volunteer efforts after emergencies.	EMMV Pt 4, s7.4.5.7	It is the responsibility of DHHS to offer municipal councils offers of spontaneous emergency volunteers.
49	Coordinate local outreach in partnership with other agencies to inform recovery planning.	Identified practice	
50	Develop and maintain internal operational readiness to address capability and capacity needs for the delivery of relief and recovery responsibilities.	EMMV Pt 4, s5.2	Repeats - #10
51	Analyse community needs to inform recovery messaging, planning and recovery services. Sources may include community meetings, call centres, emergency relief centres, debriefs and community recovery committees.	Identified practice	
52	Lead (in partnership with neighbouring councils and regional stakeholders) the provision of community information through appropriate channels (including community briefings and meetings, social media and notice boards) and promote a single point of contact for residents to obtain information about the support services and assistance that could be available to affected individuals in relief and recovery.	EMMV Pt 4, s7.4.5.1	

53	Support consistent messaging and advice on available community health programs.	Identified practice	
54	Survey and determine the occupancy of damaged buildings.	EMMV Pt 4, s7.4.1.3	
55	Coordinate post emergency needs assessments to inform longer term recovery planning.	EMMV Pt 4, s2.2	
56	Conduct a process to gather incident and impact intelligence from initial and secondary impact assessments to inform relief and recovery planning, including: longitudinal mapping of the consequences across the four recovery environments: built, social, economic and natural.	Identified practice	
57	Coordinate, assess, rehabilitate and monitor council-managed natural and cultural heritage assets after an emergency.	Identified practice	
58	Conduct safety assessments of council-owned essential and critical assets and infrastructure.	EMMV Pt 4, s7.6.5	
59	Support the Victorian Building Authority to provide building maintenance and safety information to affected persons.	EMMV Pt 4, s7.4.1.4	
60	Coordinate the housing of displaced, lost and stray companion animals and livestock (other than wildlife).	EMMV Pt 4, s6.3.11	Pt 4 s6.3.11: (direct quote) "Municipal councils are responsible for the housing of displaced animals and lost/stray animals" Several councils have objected to the addition of livestock and see this as a DEDJTR responsibility (see #62) which they could support
61	Coordinate clean-up activities including the disposal of dead domestic, native and feral animals.	EMMV Pt 4, s7.6.5.1	
62	Support DEDJTR in the coordination and management of services to meet the immediate needs of affected livestock at the local level.	EMMV Pt 4, s6.3.11	
63	Lead the management of environmental health issues at the local level (such as food safety, waste	Public Health &	Has been suggested this is BAU

	water management, air quality, drinking water quality, vermin and vector control), coordinating with relevant agencies.	Wellbeing Act 2008 Food Act 1984 Environment Protection Act 1970	
64	Engage the community in the development and delivery of recovery activities including by appointing community development officers.	EMMV Pt 4, s7.4.5.5	EMMV Pt 4 s7.4.5.5 (direct quote): "Municipal councils are responsible for engaging community members in the development and delivery of shared community activities. Municipal councils provide and manage community development services and activities. This can include the appointment of community development officers." It may not be possible for councils to appoint CDOs without external funding. Suggest adding 'when funded' after officers
65	Coordinate the rebuilding and redevelopment of council assets and infrastructure having regard for community needs and priorities.	Identified practice	
66	Support agencies to restore essential assets and infrastructure, ensuring the restored assets and infrastructure are sustainable and more resilient to future emergencies.	Identified practice	'Ensuring the restored assets and infrastructure are sustainable and more resilient to future emergencies' is aspirational. Funding is often not available. Suggest removing statement.
67	Oversee rebuilding and redevelopment works by: • facilitating planning scheme exemptions for emergency accommodation and clean-up works • streamlining planning and building construction approvals.	Identified practice	Exemptions are generally State standard provisions that cannot be either created or modified by councils. The Minister for Planning would be required to act. Suggest removing the first dot point.
68	Work with DEDJTR to implement appropriate actions and initiatives that encourage and bring forward the resumption of local economic activity, including: • tourism visitation when safe to do so • the use of local business in recovery activities		

No	Council responsibility /activity	Source	Notes
	• buy-local initiatives • events that attract visitation • other relevant activities.		
69	Assist business to recover by providing advice and referrals.	EMMV Pt 4, s7.5.1	
70	Work with community and recovery agencies to adapt recovery services to reflect newly identified or changing community needs and priorities.	Identified practice	
71	Transition local recovery activities back to business-as-usual activities and services.	EMMV Pt 4, s7.2	
72	Conduct reviews of municipal operations and community consequences, after an emergency to capture lessons and improve future outcomes, considering opportunities: • to inform future municipal plans and procedures • to conduct community engagement activities to implement lessons learnt • to share findings with other councils and agencies to cooperatively identify and implement solutions.	EMMV Pt3, s2.6	

Business-as-usual responsibilities & activities

No.	Council responsibility /activity	Source	Notes
73	Where council is a planning authority, prepare a municipal strategic statement with strategic planning, land use and development objectives for the municipality and related strategies and actions.	Planning & environment Act 1987, s12	
74	Where council is a planning authority, provide sound, strategic and co-ordinated planning of the use and development of land in its area.	Planning & environment Act 1987, s12	

| 75 | Where council is a road authority, ensure a safe, efficient network of roads is maintained, taking into account obligations under the Victoria Planning Provisions for managing roadside vegetation. | Road Management Act 2004, s20; s34; s40

Victorian Planning Provisions, VPP 52.17 | This states that where the council is a road authority 'ensure a safe, efficient network of roads is maintained'. The provisions in the Road Management Act do not specifically require this of councils.

S34: Road authority has functions to: "manage the use of roads having regard to the principle that the primary purpose of a road is to be used by members of the public and that other uses are to be managed in a manner which minimises any adverse effect on the safe and efficient operation of the road and on the environment"

Section 40 outlines the statutory duty of a road authority to inspect, maintain and repair public roads. This does not specify the standard. Rather it can be to the standard specified in a council's Road Management Plan (which all councils in Victoria currently have). It is also noted this section identifies that a road authority does not have a duty to upgrade or maintain a road to a higher standard.

It is suggested that instead this be replaced with wording along the lines of the following:

'Where council is the relevant road authority, it will provide and maintain a network of municipal roads for use by the community. It will inspect, maintain and repair municipal roads in accordance with the Road Management Act.'

The second part of number 75 refers to obligations under the VPPs for managing roadside vegetation. It is considered this should be a separate item, as it does not normally fall within the statutory duty of a road authority to inspect maintain and repair roads. There is a specific exemption for 'roadside'. See section 40(4)(b) of the RMA above. It would only possibly be relevant to the extent the vegetation affects the use of the road. Therefore suggest new and separate Item stating :

'Take into account obligations under the Victorian Planning Provisions for managing roadside vegetation' |

76	Where a council manages an airport: • establish and maintain an aerodrome emergency committee • conduct an emergency exercise at least every two years, assessing the response to any actual emergency response.	*CASA AC139-7(0)*	
77	Where a council manages a local port, prepare and implement a safety management plan and an environmental management plan for the port or part of the port the council manages	PMA s 91(c)	
78	**78** Where a council operates a mine or quarry, ensure the site remains safe and stable.	MRA s77Q & s81	
79	Seek to protect, improve and promote public health and wellbeing within the municipal district including by preparing a municipal public health and wellbeing plan.	Public Health & Wellbeing Act 2008, s24 & s26	
80	Develop and implement public health policies and programs.	Public Health & Wellbeing Act 2008, s24	
81	Appoint a person to be the municipal fire prevention officer.	CFA Act 1958, s96a MFB Act 1958, s5a	Suggest this should be in the Before table (table 3) as it is a requirement similar to appointing a MERO
82	(For a council wholly or partly within the 'country area of Victoria') at the direction of the Municipal Emergency Management Planning Committee and on advice from the fire services, establish a multi-agency municipal fire management planning committee to develop and maintain a municipal fire management plan.	CFA Act 1958, s3 & s55a EMMV Pt 6A	Suggest this should be in the Before table (table 3) and be considered in the capability and capacity assessment in Phase 2

83	(For a council wholly or partly within the 'country area of Victoria') identify, designate, ensuring signage, maintain and undertake an annual review of bushfire safer places and their plans, as well as report back annually to the CFA.	CFA Act 1958, s3 & s50	Suggest this should be in the Before table (table 3) and be considered in the capability and capacity assessment in Phase 2 It has also been suggested that CFA's role in certification could be referenced
84	(For a council wholly or partly within the 'country area of Victoria') work in partnership with CFA by issuing permits to burn during the fire danger period where appropriate.	CFA Act 1958, s3 & s38	This item refers to schedule 13 permits, which can be controversial for some councils. Therefore, it is suggested this be amended to reflect that councils can issue these permits, but are not required to. We also suggest adding 'essential agricultural purposes', because even though it is not in legislation, it is In the CFA guidance material and it provides clarity. The following wording is suggested: "(For a council wholly or partly within the country area of Victoria) it can work in partnership with CFA to issue permits to burn during the fire danger for essential agricultural purposes and where appropriate."
85	Take all practical steps (including burning) to prevent the occurrence of fires on, and minimise the danger of the spread of fires on and from, any land under council control or management and any road under its care and management.	MFB Act 1958, s5 CFA Act 1958, s48	The reference to section 48 of the CFA Act is incorrect. This should be section 43. It is recommended that some minor changes be made to reflect the wording in the legislation. This is only the words 'vested in it' It is recommended it be amended to read as follows: "Take all practical steps (including burning) to prevent the occurrence of fires on, and minimise the danger of the spread of fires on and from, any land vested in it, under its control or management and any road under its care and management."
86	If requested in writing by CFA, provide pillar (vertical, above ground) hydrants at specified locations in reticulated areas.	CFA Act 1958, s36	
87	Require the relevant water authority to install, mark and maintain fire plugs in suitable locations to supply water for fire-fighting purposes (at council's cost).	Water Act 1989, s165	

88	Serve a fire prevention notice on an owner or occupier (other than a public authority) in respect of anything that is or may be a danger to life or property from the threat of fire.	MFB Act 1958, s87 CFA Act 1958, s41	Suggest this should be in the Before table (table 3) and be considered in the capability and capacity assessment in Phase 2
89	Serve an infringement notice on a person who the municipal fire prevention officer has reason to believe has not lawfully complied with a fire prevention notice.	MFB Act 1958, s92 CFA Act 1958, s41E	Suggest this should be in the Before table (table 3) and be considered in the capability and capacity assessment in Phase 2
90	Make a copy of the most recent designated bushfire prone areas map available for inspection by the public without charge during business hours.	Building Interim Regulations 2017, reg:810(7)	Suggest this should be in the Before table (table 3) and be considered in the capability and capacity assessment in Phase 2
91	Develop community profiles to identify areas and types of vulnerabilities and ensure local arrangements support vulnerable people and assets.	Identified practice	
92	Develop council business continuity plans detailing procedures and systems to maintain critical functions during disruptions.	Identified practice	
93	Contribute to local flood warning services in partnership with other agencies where aligned with flood risk severity and community support.	Victorian Flood Management Strategy 2016	Suggest this should be in the Before table (table 3) and be considered in the capability and capacity assessment in Phase 2
94	Conduct risk-mitigation activities for council-owned and managed assets and infrastructure.	Identified practice	
95	Build community resilience through strengthening local partnerships with businesses and not for profit organisations.	Identified practice	
96	Consider emergency management as part of broader council planning such as in the preparation of the Council Plan and Strategic Resource Plan.	Identified practice	