

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE HINDMARSH SHIRE COUNCIL HELD 21 MARCH 2018 AT THE HEALTH AND FITNESS CENTRE, DIMBOOLA COMMENCING AT 3.00PM.

MINUTES

1. Acknowledgement of the Indigenous Community and Opening Prayer

2. Apologies

3. Confirmation of Minutes

4. Declaration of Interests

5. Public Question Time

6. Deputations

7. Activity Reports

8. Correspondence

9. Assembly of Councillors

9.1 Record of Assembly

10. Planning Permit Reports

No report

11. Reports Requiring a Decision

- 11.1 Fire Access Road Subsidy Scheme
- 11.2 Parks Victoria Land to be excised for Road Reserve including access to Amy Johnson Highway

12. Special Committees

- 12.1 Nhill Town Committee

13. Late Reports

No report

14. Other Business

No report

15. Confidential Matters

- 15.1 Business Assistance Grants Round 2
- 15.2 Community Action Grants Round 3

16. Meeting Close

Present:

Crs R. Ismay (Mayor), R. Lowe (Deputy Mayor), T. Schneider, R. Gersch, D. Nelson, D. Colbert

In Attendance:

Mr Greg Wood, (Chief Executive Officer), Ms Monica Revell (Director Corporate and Community Services), Mr Shane Power (Director of Infrastructure Services), Ms Shelley Gersch (Executive Assistant)

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

Cr Ismay opened the meeting at 3:00pm by acknowledging the Indigenous Community and offering the opening prayer.

MOVED: CRS R. Gersch/D. Nelson

That Council adjourns until 3:10pm.

CARRIED

Council resumed at 3:12pm.

2. APOLOGIES

No apologies

3. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 7 March 2018 in the Council Chamber, 92 Nelson Street Nhill, as circulated to Councillors be taken as read and confirmed.

MOVED: CRS D. Nelson/R. Lowe

That the Minutes of the Ordinary Council Meeting held on Wednesday 7 March 2018 in the Council Chamber, 92 Nelson Street Nhill, as circulated to Councillors be taken as read and confirmed.

CARRIED

Attachment: 1

4. DECLARATION BY COUNCILLORS OR OFFICERS OF ANY DIRECT OR INDIRECT INTEREST IN ANY ITEM ON THE AGENDA.

- Direct; or
- Indirect interest
 - a) by close association;
 - b) that is an indirect financial interest;
 - c) because of conflicting duties;
 - d) because of receipt of an applicable gift;
 - e) as a consequence of becoming an interested party; or
 - f) because of an impact on residential amenity.

Declaration of direct or indirect interest must also be advised by Councillors at the commencement of discussion of the specific item.

Cr Schneider declared an indirect financial interest in item 15.2 – Community Action Grants.

Shelley Gersch, Executive Assistant, declared an indirect interest by close association in item 15.1 – Business Assistance Grants.

5. PUBLIC QUESTION TIME

No questions

6. DEPUTATIONS

No deputations

7. ACTIVITY REPORTS

COUNCILLOR ACTIVITIES: DECEMBER 2017/JANUARY 2018

Cr ISMAY, Mayor

Attended:

- 02/02/2018 Friday Fiesta, Nhill
- 07/02/2018 Mayor/CEO meeting Nhill
- 07/02/2018 Council meeting Nhill
- 09/02/2018 Friday Fiesta, Nhill
- 16/02/2018 Hindmarsh Landcare AGM, Nhill
- 20/02/2018 Nhill Early Years Centre official opening, Nhill
- 21/02/2018 Mayor/CEO meeting Jeparit
- 21/02/2018 Council meeting Jeparit
- 21/02/2018 Boat tour of weir pool Jeparit
- 21/02/2018 Meeting with Andrew Broad MP/Greg Hunt MP, Horsham
- 23/02/2018 Northwest Municipalities Association meeting, Warracknabeal
- 26/02/2018 Travel to Canberra
- 27/02/2018 Meetings with various politicians, Canberra
- 28/02/2018 Meetings with various politicians, Canberra

Cr LOWE, DEPUTY MAYOR

Attended:

- 07/02/2018 Council Briefing and Meeting, Nhill
- 07/02/2018 Launch 2018 Hindmarsh Youth Council. Nhill
- 09/02/2018 Meet Brad McCabe, "Rowing for a cause," Renmark
- 10/02/2018 Inspect Murrayville Yanac Track, Big Billy Bore, Moonlight Tank
- 14/02/2018 Allambi Restaurant Night, Dimboola
- 15/02/2018 Citizenship Ceremony, Nhill
- 20/02/2018 Nhill Early Years Hub, Official Opening, Nhill
- 20/02/2018 Wimmera Mallee Pioneer Museum Meeting, Jeparit
- 21/02/2018 Council Briefing and Meeting, Jeparit
- 21/02/2018 River Cruise, upstream of boat ramp, Jeparit
- 21/02/2018 Tourism Forum, Rainbow
- 26/02/2018 Tourism Forum, Jeparit
- 28/02/2018 Tourism Forum, Nhill

Cr GERSCH

Attended:

- 07/02/2018 Council briefing and meeting, Nhill
- 07/02/2018 Youth Council launch
- 09/02/2018 RCV board meeting, Melbourne
- 10/02/2018 Parkrun official opening
- 13/02/2018 WDA board meeting
- 20/02/2018 Nhill Early Years Centre official opening

- 21/02/2018 Council briefing and meeting, Jeparit
- 21/02/2018 Wimmera River inspection, Jeparit
- 23/02/2018 NWMA meeting, Warracknabeal
- 28/02/2018 Meeting with Nhill Rotary re time capsule
- 28/02/2018 Tourism meeting, Nhill
Umpire West Wimmera cricket grand final /last game for association

Cr COLBERT

Attended:

- 13/02/2018 Historical Society monthly meeting
- 19/02/2018 Nhill Town Committee meeting
- 21/02/2018 Council briefing and meeting, Jeparit
- 21/02/2018 NAMPAC meeting
- 28/02/2018 Tourism meeting, Nhill

Cr NELSON

Attended:

- 01/02/2018 Wimmera Southern Mallee LLEN office, Horsham
- 02/02/2018 Friday Fiesta / New Residents event, Nhill
- 07/02/2018 Briefing meeting, Nhill
- 07/02/2018 Council meeting Nhill
- 07/02/2018 Youth Council Launch, Nhill
- 10/02/2018 Official opening Parkrun, Nhill
- 12/02/2018 Riverside Holiday Park Advisory Committee meeting, Dimboola
- 13/02/2018 Fundraiser for Allambi, Dimboola
- 13/02/2018 Wimmera Southern Mallee LLEN Finance Committee meeting, Horsham
- 13/02/2018 Wimmera Development Association meeting, Horsham
- 15/02/2018 Citizenship Ceremony, Nhill
- 19/02/2018 Tourism Forum, Dimboola
- 20/02/2018 Official opening Nhill Early Years Centre, Nhill
- 20/02/2018 Wimmera Southern Mallee LLEN COM meeting, Horsham
- 21/02/2018 Briefing meeting, Jeparit
- 21/02/2018 Council Meeting, Jeparit
- 21/02/2018 Tour of Jeparit weir pool, Jeparit
- 23/02/2018 CWA West Wimmera Group AGM, Dimboola

Cr SCHNEIDER

Attended:

- 05/02/2018 Dimboola Town Committee meeting
- 07/02/2018 Briefing and Council meeting, Nhill
- 07/02/2018 Youth Council launch
- 12/02/2018 Dimboola Riverside Holiday Park Advisory Committee meeting
- 14/02/2018 Allambi Elderly People's Home fundraising dinner, Dimboola
- 16/02/2018 Wimmera Regional Library Corporation Board meeting, Horsham

- 19/02/2018 Dimboola Memorial Secondary College School Council meeting
 - 21/02/2018 Briefing and Council meeting, Jeparit
 - 21/02/2018 Wimmera River inspection tour, Jeparit
-

SENIOR MANAGEMENT ACTIVITIES: FEBRUARY 2018

GREG WOOD, Chief Executive Officer:

Attended:

- 01/02/2018 Karen Community Support, Nhill
- 01/02/2018 Volunteer at movies
- 02/02/2018 Opening night of Friday night Fiestas, Nhill
- 07/02/2018 Mayor/CEO meeting Nhill
- 07/02/2018 Council briefing and meeting, Nhill
- 07/02/2018 Hindmarsh Shire Youth Council Launch, Nhill
- 08/02/2018 Wimmera Regional CEO meeting, Horsham
- 08/02/2018 Regional Partnership meeting, Horsham
- 08/02/2018 Volunteer at movies
- 13/02/2018 WDA meeting, Horsham
- 15/02/2018 Citizenship ceremony, Nhill
- 20/02/2018 Nhill Early Years Centre Official opening, Nhill
- 21/02/2018 Mayor/CEO meeting Jeparit
- 21/02/2018 Council briefing and meeting, Jeparit
- 21/02/2018 Wimmera River inspection tour, Jeparit
- 21/02/2018 Federal Minister for Health, The Hon Greg Hunt MP discussion in Horsham and Andrew Broad MP
- 26/02/2018 Travel to Canberra – CEO and Mayor deputations
- 27/02/2018 CEO and Mayor deputations
- 28/02/2018 CEO and Mayor deputations

SHANE POWER, Director Infrastructure Services:

Attended:

- 07/02/2018 Council Briefing, Nhill
- 07/02/2018 Council Meeting, Nhill
- 12/02/2018 Jeparit Township Committee Meeting, Jeparit
- 13/02/2018 Senior Management Team Meeting, Nhill
- 14/02/2018 OHS Committee Meeting, Nhill
- 20/02/2018 Senior Management Team Meeting, Nhill
- 13/02/2018 Official Opening Early Years Centre, Nhill
- 21/02/2018 Council Briefing, Jeparit
- 21/02/2018 Council Meeting, Jeparit
- 23/02/2018 Western Highway Action Committee, Beaufort
- 26/02/2018 2018/2019 Capital Works Planning Day, Shire wide
- 28/02/2018 Barengi Gadjin/State Land Use Agreement, Dimboola

MONICA REVELL, Director Corporate and Community Services:

Attended:

- 01/02/2018 Meeting with Nhill Neighbourhood House re Karen projects
 - 06/02/2018 West Wimmera Shire Council Audit Committee Meeting
 - 07/02/2018 Council Briefing
 - 07/02/2018 Council Meeting
 - 08/02/2018 MAV Teleconference regarding Local Government Act Review
 - 09/02/2018 South West Finance Forum
 - 12/02/2018 Riverside Holiday Park Advisory Committee Meeting
 - 16/02/2018 Wimmera Regional Library Corporation Board Meeting
 - 20/02/2018 Nhill Early Years Centre Official Opening
 - 21/02/2018 MAV Self Insurance Scheme Meeting
 - 21/02/2018 Council Briefing
 - 21/02/2018 Council Meeting
-

8. CORRESPONDENCE

8.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer

Attachment: 2

Introduction:

The following correspondence is tabled for noting by Council:

- Nhill and District Racing Club
 - o Congratulating the club on a successful 2017 Boxing Day races
- Maree Caldow
 - o Thanking her for her contribution as Hindmarsh Shire's 2018 Australia Day Ambassador
- Emma Kealy
 - o Inviting her to attend a Council briefing in April

RECOMMENDATION:

That Council notes the attached correspondence.

MOVED: CRS T. Schneider/R. Lowe

That Council notes the attached correspondence.

CARRIED

Attachment: 2

9. ASSEMBLY OF COUNCILLORS

Responsible Officer: Chief Executive Officer

Attachment: 3

Introduction:

The attached Assembly of Councillors Record is presented as an attachment to the Council agenda for the information of Councillors and recorded at the Council meeting as required under s80A Local Government Act 1989.

RECOMMENDATION:

That Council accepts the Assembly of Councillors Record as presented.

MOVED: CRS R. Gersch/D. Nelson

That Council accepts the Assembly of Councillors Record as presented.

CARRIED

Attachment: 3

10. PLANNING PERMITS

No permits

11. REPORTS REQUIRING A DECISION

11.1 FIRE ACCESS ROAD SUBSIDY SCHEME

Responsible Officer: Director Infrastructure Services

Introduction:

Hindmarsh Shire Council has been successful in obtaining funding through the Fire Access Road Subsidy Scheme, to install water supply infrastructure for firefighting purposes at Rainbow-Nhill Road, Lake Hindmarsh. The funding agreement requires financial contribution from Council. This report seeks Council approval to allocate funds from the 2017/2018 Grant Contribution Fund as required under the Fire Access Road Subsidy Scheme Agreement.

Discussion:

The Fire Access Road Subsidy Scheme (FARSS), is a State Government grant program administered by the Country Fire Authority (CFA) designed to financially assist Councils in providing appropriate road access and water provision for firefighting purposes.

FARSS applications are required to have endorsement from municipal fire planning committees (MFMP). The purpose of these committees is to plan for and provide advice on emergency response, relief and recovery functions specific to fire risks and emergencies resulting from fire within the municipality. Membership of the MFMP comprises representatives from Council, emergency services and state agencies.

The Hindmarsh Shire Council MFMP at its meeting Thursday 15 October 2017, moved to endorse Council's submission to the FARSS for the replacement of two leaking tanks and a faulty pump on the Rainbow-Nhill Road, Lake Hindmarsh. The proposal is to replace the existing tanks with new tanks with a capacity of 67,500 litres to be operated by a new pump.

Council was notified in February 2017 by the CFA, that its application for funding through the FARSS program has been successful.

Options

1. Council approves the allocation of approximately \$6,000 from the 2017/2018 Grant Contributions budget, to meet the funding requirements of the Fire Access Road Subsidy Scheme Agreement.
2. Council refers the required funding contribution of approximately \$6,000 to the 2018/2019 budget process.
3. Council does not proceed with the Fire Access Road Subsidy Scheme Agreement.

Link to Council Plan:

Objective 4.5:

“Support for the community in the areas of emergency preparedness, response and recovery”.

Financial Implications:

The proposed project cost for the installation of two water tanks to the capacity of 67,000 litres and provision of a new pump, is estimated to be approximately \$17,500 (ex GST). The FARSS grant provides Council with \$11,586 (ex GST) requiring a contribution from Council of approximately \$6,000 (ex GST).

The 2017/2018 adopted budget includes \$100,000 for grant contributions required for capital works and can accommodate the funding contribution requirement of the FARSS grant.

Risk Management Implications:

The FARSS grant is not required to be acquitted before 15 April 2019. There is a risk that income may not be received until the 2018/2019 financial year.

Water provision on the Rainbow-Nhill Road at Lake Hindmarsh has been identified by the MFMPC as an important asset for the CFA for fire suppression.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible and Author– Shane Power, Director Infrastructure Services
In providing this advice as the Officer Responsible and Author, I have no disclosable interests in this report.

Communications Strategy:

Member agencies of the MFMPC consult with the community in undertaking emergency planning and preparedness. The MFMPC will be notified when the project is completed.

Next Steps:

Execute the Fire Access Road Subsidy Scheme Agreement with the Country Fire Authority and schedule works to be completed before 30 June 2018.

RECOMMENDATION:

That Council approves the allocation of approximately \$6,000 from the 2017/2018 Grants Contribution budget to meet the funding obligation of the Fire Access Road Subsidy Scheme, for the installation of static water supply and pump on the Rainbow-Nhill Road, Lake Hindmarsh.

MOVED: CRS R. Gersch/D. Nelson

That Council approves the allocation of approximately \$6,000 from the 2017/2018 Grants Contribution budget to meet the funding obligation of the Fire Access Road Subsidy Scheme, for the installation of static water supply and pump on the Rainbow-Nhill Road, Lake Hindmarsh.

CARRIED

**11.2 PARKS VICTORIA LAND TO BE EXCISED FOR ROAD RESERVE
INCLUDING ACCESS TO AMY JOHNSON HIGHWAY**

Responsible Officer: Director Infrastructure Services

Attachment: 4, 5, 6, 7, 8

Introduction:

Council received a request from the landowners of the property known as 0 Amy Johnson Highway Rainbow, to have Amy Johnson Highway designated and upgraded to an all-weather access road.

Council further received an invitation from Parks Victoria to excise Parks Victoria land around Outlet Creek for the purpose of establishing a road reserve for the Amy Johnson Highway and Burma Road extension, to enable the Council to control and manage these roads for the facilitation of future Rainbow Desert Enduro off-road racing events.

This report informs Council of potential implications and available options in the consideration of assuming ongoing management of these roads.

Discussion:

Amy Johnson Highway is located immediately north of Lake Hindmarsh extending north from Rainbow-Nhill Road and terminating at Wedding Road. This road services four properties.

Abutting the Birdcage Nature Conservation Reserve, the management arrangements for Amy Johnson Highway are unusual, with the centre section being managed by Council and northern and southern sections being managed by Parks Victoria. The southern section is approximately 885 meters, the northern section is approximately 2.4 kilometers and the Council managed section is approximately 3.5 kilometers.

Current practice for the subdivision of land usually requires the landowner to construct or upgrade existing infrastructure to ensure appropriate access to properties prior to the release of land. This has not occurred along Amy Johnson Highway.

There is history of Council performing ad hoc maintenance works on the sections managed by Parks Victoria. The approval process for undertaking works on Parks Victoria managed land is subject to consent in accordance with Section 27 of the National Parks Act 1975 and can be a lengthy process time.

Where Council seeks to become the responsible authority for roads managed by Parks Victoria it must apply to the authority and seek approval from both Parks Victoria and the Department of Environment, Land, Water and Planning. If approval is granted, the land in question is require to be surveyed by a registered surveyor and a title transfer completed.

Should Council seek to excise the land managed by Parks Victoria along the southern and northern sections of Amy Johnson Highway its recommended that these sections be included on Councils Public Road Register, classified as 6R (as is the existing section managed by Council) and managed in accordance with the Hindmarsh Shire Council Road Management Plan.

Roads classified as 6R are defined as secondary property access which can be considered appropriate in this instance, given the section required for access to property is minimal as the northern end can be accessed via Wedding Road (for the most part). Classification 6R roads are inspected proactively every three years and following any customer request and are graded once every year.

Should Council seek to excise the land managed by Parks Victoria (as per attachments) in addition to, or independent of Amy Johnson Highway, for the purposes of undertaking works to facilitate the Rainbow Desert Enduro off-road racing event, that these roads not be added to the Public Road Register, and therefore not managed in accordance with the Hindmarsh Shire Council Road Management Plan. It is recommended that these roads be classified as 'reserve' roads, with works only carried out when required for the event in order to reduce risk of potential claims.

Options:

1. Council proceeds to create road reserves by seeking agreement from Parks Victoria to excise from their land the southern and northern sections of Amy Johnson Highway as illustrated in Attachment 5.
2. Council proceeds to create a road reserve by seeking agreement from Parks Victoria to excise from their land the northern section only of Amy Johnson Highway as illustrated in Attachment 5.
3. Council proceeds to create road reserves by seeking agreement from Parks Victoria to excise from their land the southern and northern sections of Amy Johnson Highway and the extensions of Burma and Ross Lake Roads to cater for rural property access and for the Rainbow Desert Enduro off-road event as illustrated in Attachments 6 - 8.
4. Council proceeds to create road reserves by seeking agreement from Parks Victoria to excise from their land the northern section only of Amy Johnson Highway and the extensions of Burma and Ross Lake Roads to cater for rural property access and for the Rainbow Desert Enduro off-road event as illustrated in Attachments 6 - 8.
5. Council proceeds to create road reserves by seeking agreement from Parks Victoria to excise from their land the extensions of Burma and Ross Lake Roads to cater for the Rainbow Desert Enduro off-road event as illustrated in Attachment 6 – 8 only.
6. Council does not seek to alter the existing management arrangements for either the southern or northern sections of Amy Johnson Highway or the extensions of Burma and Ross Lake Roads.

Link to Council Plan:

- 1.1.6 Continue to engage with our farming community on road and road related infrastructure maintenance and improvements.

- 2.1.3 Develop and prioritise detailed plans relating to new infrastructure, infrastructure upgrade and renewal (including roads, bridges, drains, footpaths and buildings) for each town.

Financial Implications:

The average approximate cost for maintenance grading (once plant is mobilized) is \$700 per kilometer. Should Council wish to assume management of the southern and northern sections of Amy Johnson Highway with a classification of 6R, expected annual costs would be approximately \$2,250.

Should additional works be required (such as road formation, compaction and drainage), annual cost to Council would be approximately \$4,500.

Should upgrade to an all-weather road (classification 5R) be sought, the costs of upgrade would be approximately \$115,000.

Costs associated with the preparation of roads associated with the Rainbow Desert Enduro off-road race can be accommodated in the 2018/2019 proposed budget of \$16,000.

There are surveying and legal costs associated with the transfer of title.

Risk Management Implications:

It is a requirement that the Shire provide road access to all properties within its municipal boundaries. Currently the four properties on Amy Johnson Highway are land-locked and do not have road access to their boundaries apart from through Parks Victoria land. There is a risk that by not acting Council is not meeting its obligations to the affected ratepayers and is legally liable for the lack of recognized property access.

Council's Road Management Plan sets out its road management policy and offers protection to Council from potential litigation should compliance with the plan be maintained.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Shane Power, Director Infrastructure Services

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Mike Coppins, Senior Assets Engineer

In providing this advice as the Author, I have no disclosable interests in this report.

Communications Strategy:

Council's decision will be communicated to affected property owners directly.

Next Steps:

Should Council endorse the recommendation, officers will commence the land excision process with Parks Victoria and the Department of Environment, Land, Water and Planning.

RECOMMENDATION:

That Council endorses option 3 and proceeds to create road reserves by seeking agreement from Parks Victoria, to excise from their land the following areas:

- ***The southern and northern sections of Amy Johnson Highway***
- ***the extensions of Burma and Ross Lake Roads,***
for the provision of rural property access and for the facilitation of the Rainbow Desert Enduro off-road event as illustrated in Attachments 6 - 8.

MOVED: CRS R. Lowe/T. Schneider

1. That Council endorses option 3 and proceeds to create road reserves by seeking agreement from Parks Victoria, to excise from their land the following areas:

- ***The southern and northern sections of Amy Johnson Highway***
- ***the extensions of Burma and Ross Lake Roads,***
for the provision of rural property access and for the facilitation of the Rainbow Desert Enduro off-road event as illustrated in Attachments 6 – 8, and

2. That the sections of Amy Johnson Highway be classified on the road register as 6R, and the extensions of Burma and Ross Lake Roads not be included on the road register.

CARRIED

Attachments: 4, 5, 6, 7 & 8

12. SPECIAL COMMITTEES

12.1 NHILL TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services

Attachment: 9

Introduction:

The Nhill Town Committee held its meeting on 19 February 2018. The purpose of this report is to note the minutes from these meetings. A copy of the minutes is included as an attachment for the information of Council.

RECOMMENDATION:

That Council notes the minutes of the Nhill Town Committee Meeting held on 19 February 2018.

MOVED: CRS T. Schneider/ R. Lowe

That Council notes the minutes of the Nhill Town Committee Meeting held on 19 February 2018.

CARRIED

Attachment: 9

13. LATE REPORTS

No reports

14. OTHER BUSINESS

MOVED: CRS R. Gersch/R. Lowe

That Council appoints Cr Colbert as the proxy vote for the MAV State Council on 18 May 2018.

CARRIED

15. CONFIDENTIAL REPORTS

In accordance with Section 89 (2) of the *Local Government Act 1989*, Council may close the meeting to the public if items to be discussed are deemed confidential, that is, if the items to be discussed relate to:

- a) Personnel matters;
- b) The personal hardship of any resident or ratepayer;
- c) Industrial matters;
- d) Contractual matters;
- e) Proposed developments;
- f) Legal advice;
- g) Matters affecting the security of Council property;
- h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) A resolution to close the meeting to members of the public.

RECOMMENDATION:

That the meeting be closed in accordance with Section 89 of the Local Government Act 1989, to consider:

- 15.1 *Business Assistance Grants***
15.2 *Community Action Grants*

MOVED: CRS R. Gersch/R. Lowe

That the meeting be closed in accordance with Section 89 of the Local Government Act 1989, to consider:

- 15.1 *Business Assistance Grants***
15.2 *Community Action Grants*

CARRIED

Council resumed in open session at 4.24pm.

16. MEETING CLOSE

There being no further business, Cr Ismay declared the meeting closed at 4.25pm.



Hindmarsh
Shire Council

**Administration
Centre**

PO Box 250
92 Nelson Street
NHILL VIC 3418
Ph: (03) 5391 4444

email:
info@hindmarsh.vic.gov.au

website:
www.hindmarsh.vic.gov.au

ABN 26 550 541 746

**Customer Service
Centres**

Jeparit
10 Roy Street
JEPARIT VIC 3423
Ph: (03) 5391 4450

Dimboola
101 Lloyd Street
DIMBOOLA VIC 3414
Ph: (03) 5391 4452

Rainbow
15 Federal Street
RAINBOW VIC 3424
Ph: (03) 5391 4451

26 March 2018

Mr and Mrs Crittenden
31 Dimboola Road
NHILL VIC 3418

Dear Geoff and Cheryl,

At its 7 March 2018 meeting, Hindmarsh Shire Council requested that I write on its behalf to thank you for the many years of service you have provided to Nhill and surrounding areas through your business Westmix Concrete.

Nearly every major infrastructure in Nhill alone has had the mark of Westmix Concrete, including Council's very own Shire offices, the West Wimmera Health Service building and the Nhill Supa IGA building. You should feel justifiably proud of being involved in so many projects that have benefited the community, and will continue to benefit the community into the future.

Running a sustainable business for 30 years is an absolute credit to you and Council commends you on servicing the municipality throughout this time. On behalf of Council, I would like to sincerely thank you for your contribution and wish you all the best in retirement.

Yours sincerely

Greg Wood
Chief Executive Officer



Hindmarsh
Shire Council

**Administration
Centre**

PO Box 250
92 Nelson Street
NHILL VIC 3418
Ph: (03) 5391 4444
Fax: (03) 5391 1376

email:
info@hindmarsh.vic.gov.au

website:
www.hindmarsh.vic.gov.au

ABN 26 550 541 746

**Customer Service
Centres**

Jeparit

10 Roy Street
JEPARIT VIC 3423
Ph: (03) 5391 4450
Fax: (03) 5397 2263

Dimboola

101 Lloyd Street
DIMBOOLA VIC 3414
Ph: (03) 5391 4452
Fax: (03) 5389 1734

Rainbow

15 Federal Street
RAINBOW VIC 3424
Ph: (03) 5391 4451
Fax: (03) 5395 1436

26 March 2018

Mr Ritchie Dodds
Chief Executive Officer
West Wimmera Health Service
PO Box 231
NHILL VIC 3418

Dear Ritchie

I write to congratulate you on your recent appointment as Chief Executive Officer of West Wimmera Health Service.

I look forward to working closely with you to achieve the best outcomes for our community.

I wish you all the best in your role. If I can be of any assistance to you, please contact me directly on 0417 153 749.

Yours sincerely

Greg Wood
Chief Executive Officer



ASSEMBLY OF COUNCILLORS RECORD

Assembly of Councillors means a planned or scheduled meeting of at least 3 councillors and one member of council staff which considers matters that are intended or likely to be:

- a) the subject of a decision of the Council; or*
- b) subject to the exercise of a function, duty of power of the council that has been delegated to a person or committee; but does not include a meeting of the Council, a special committee of the Council, a club, association, peak body, political party or other organisation.*

Requirements to be observed by an assembly of Councillors (Section 80A Local Government Act, 1989)

Title of Meeting: Council Briefing Session

Date: Wednesday 21 March 2018 **Time:** 1:00pm – 3:00pm

Assembly Location: Health and Fitness Centre, Dimboola

Present:

Crs. R. Ismay (Mayor), D. Nelson, R. Lowe, R. Gersch, T. Schneider. D. Colbert

Apologies:

In Attendance:

Mr. G. Wood (Chief Executive Officer), Mr. S. Power (Director Infrastructure Services) (2-5) Ms M Revell (Director of Corporate and Community Services) (2-5), Ms Shelley Gersch (Executive Assistant) (3-5)

Conflict of Interest Disclosures

1. Direct; or
2. Indirect interest
 - (a) by close association;
 - (b) that is an indirect financial interest;
 - (c) because of conflicting duties;
 - (d) because of receipt of an applicable gift;
 - (e) as a consequence of becoming an interested party; or
 - (f) because of an impact on residential amenity.

Declaration of direct or indirect interest must also be advised by Councillors at the commencement of discussion of the specific item.

Councillors:

Officers:

Nil

Matters Discussed:

No.	Detail	Presenter
1.	CEO Update	Greg Wood
2.	Wimmera CMA – Ross Lakes update	Wimmera CMA
3.	Community Development Update	Phil King/Simon Landrigan
4.	Riverside Holiday Park Update	Monica Revell
5.	Councillor question time	Greg Wood

Completed by: Greg Wood



Signed:

Date: 21/03/2018

Must be kept for four years from date of the assembly. Available for public inspection at Council Offices for 12 months after date of assembly.



ASSEMBLY OF COUNCILLORS RECORD

Assembly of Councillors means a planned or scheduled meeting of at least 3 councillors and one member of council staff which considers matters that are intended or likely to be:

- a) the subject of a decision of the Council; or*
- b) subject to the exercise of a function, duty of power of the council that has been delegated to a person or committee; but does not include a meeting of the Council, a special committee of the Council, a club, association, peak body, political party or other organisation.*

Requirements to be observed by an assembly of Councillors (Section 80A Local Government Act, 1989)

Title of Meeting: Council Briefing Session

Date: Wednesday 21 March 2018 **Time:** 4:25pm - 5:00pm

Assembly Location: Health and Fitness Centre, Dimboola

Present:

Crs. R. Ismay (Mayor), D. Nelson, R. Lowe, R. Gersch, T. Schneider. D. Colbert

Apologies:

In Attendance:

Mr. G. Wood (Chief Executive Officer), Mr. S. Power (Director Infrastructure Services)
Ms M Revell (Director of Corporate and Community Services), Ms Shelley Gersch
(Executive Assistant)

Conflict of Interest Disclosures

1. Direct; or
2. Indirect interest
 - (a) by close association;
 - (b) that is an indirect financial interest;
 - (c) because of conflicting duties;
 - (d) because of receipt of an applicable gift;
 - (e) as a consequence of becoming an interested party; or
 - (f) because of an impact on residential amenity.

Declaration of direct or indirect interest must also be advised by Councillors at the commencement of discussion of the specific item.

Councillors:

Officers:
Nil

Matters Discussed:

No.	Detail	Presenter
1.	Recycling update	Shane Power

Completed by: Greg Wood



Signed:

Date: 21/03/2018

Must be kept for four years from date of the assembly. Available for public inspection at Council Offices for 12 months after date of assembly.

Councils and emergencies position paper



Environment,
Land, Water
and Planning

© The State of Victoria Department
of Environment, Land, Water and Planning 2017



This work is licensed under a [Creative Commons Attribution 4.0 International licence](https://creativecommons.org/licenses/by/4.0/). You are free to reuse the work under that licence, on the condition that you credit the State of Victoria as author. The licence does not apply to any images, photographs or branding, including the Victorian Coat of Arms, the Victorian Government logo and the Department of Environment, Land, Water and Planning logo. To view a copy of this licence, visit creativecommons.org/licenses/by/4.0/

Local Government Victoria

Department of Environment, Land, Water and Planning

Level 35, 2 Lonsdale Street Melbourne
Victoria 3000 Australia

Telephone (03) 9948 8537

Published December 2017

ISBN 978-1-76047-772-1 (Print)

ISBN 978-1-76047-773-8 (pdf/online)

Disclaimer

The opinions, comments and/or analysis expressed in this paper are for discussion purposes only and are not expressions of Victorian Government policy or indications of a commitment to any particular course of action.

The State of Victoria makes no representations, either expressed or implied, as to the accuracy of the information in this position paper or its suitability for any particular purpose. Persons accessing the information in this position paper should not rely on such information and should make their own enquiries and seek their own advice to assess its relevance and accuracy.

The State of Victoria disclaims all liability for any loss, injury or damage suffered or incurred by any person arising from or in connection with the information provided in this position paper or incorporated into it by reference, except for any liability which cannot be excluded at law.

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

Hyperlinks

This paper contains references to other documents, including legislation. If you are reading this report on a screen, click on the underlined grey words to hyperlink to the relevant document.

Accessibility

If you would like to receive this publication in an alternative format, please contact DELWP Customer Service Centre on 136 186, email customer.service@delwp.vic.gov.au or use the National Relay Service on 33 677 and at relayservice.com.au.

This publication is also available online at [www.localgovernment.vic.gov.au/
councils-and-emergencies](http://www.localgovernment.vic.gov.au/councils-and-emergencies)

Contents

Foreword

Part 01	Part 02	Part 03
Introduction 05	Councils' emergency management responsibilities and activities 12	Next steps 35
The Councils and Emergencies Project 06		Principles to guide councils' future emergency management role 36
About the project 06	How we developed the list 12	Emergency management initiatives relevant to local government 38
Why clarify and confirm councils' responsibilities? 08	How to interpret the tables 13	Emergency Management Legislation Amendment (Planning) Bill 38
Community satisfaction with councils' emergency management 08	What the table columns mean 14	Emergency management planning guidelines 38
Councils and emergency management 09	Emergency management responsibilities & activities – before an emergency 20	Victorian Preparedness Goal and Framework 38
Councils are integral to emergency management 09	Emergency management responsibilities & activities – during an emergency 24	Resilient Recovery 38
Every council is different 09	Emergency management responsibilities & activities – after an emergency 26	Strategic review of incident control centres and regional control centres 38
Emergency management and business-as-usual responsibilities and activities 10	Business-as-usual responsibilities & activities with emergency management implications 31	Reform of the Natural Disaster Relief and Recovery Arrangements 39
		Auditor-General's audit of councils' natural disaster preparedness 39

Foreword

Emergencies are a fact of life in Victoria. As climate change gathers pace, we are more likely to see more frequent emergencies. This includes increased frequency of bushfires, floods, heatwaves and storms. The extent to which these events affect communities is determined by how well we all work together.

Councils, with their strong relationships with their communities, are well-placed to reduce the effects on Victorians of chronic stresses and acute shocks.

At a local level, we know that councils have an important role in helping their communities build resilience and prepare for the effects of climate change. They also face the challenge of prioritising emergency management responsibilities while continuing to ensure the ongoing viability of their normal business.

This *Councils and emergencies position paper* provides a comprehensive overview of the emergency management responsibilities and activities that councils undertake for the betterment of their local communities. It is important to note that the needs of communities differ and not all councils will or should carry out all of the responsibilities and activities identified in this paper.

Councils and the emergency management sector have contributed formally and informally to the consultative process resulting in this position paper. We thank all the emergency management practitioners from the local government and emergency management sectors who contributed to the consultation process.

The release of the *Councils and emergencies position paper* marks the completion of phase 1 of the project. The paper will help us better understand how to work together to manage emergencies across governments, resulting in better outcomes for Victorian communities. It will also inform future phases of the Councils and Emergencies Project.

In the next phase — phase 2 — of the project, we will work with councils to assess their individual emergency management capability and capacity, through face-to-face and self-assessment approaches. This will help identify gaps in capability and capacity and provide a strong foundation to develop strategies to further enhance councils' abilities, as part of phase 3, to deliver the important emergency management services they provide for their communities.

Thank you for taking the time to read this paper and we look forward to your future contribution.



Dr Graeme Emonson
Executive Director
Local Government
Victoria



Craig Lapsley PSM
Emergency Management
Commissioner

01 Introduction

Victoria's 79 local government areas (LGAs) are led by 637 elected councillors, and the local government sector employs over 40,000 people. Of the 79 LGAs, 31 are Melbourne metropolitan councils and 48 are regional and rural councils. LGAs vary in size from 11 km² to 22,000 km², and councils' annual budgets range from \$11.2 million to \$629 million.

Councils have a legislative and electoral mandate to manage local issues and to plan for their communities' needs. Councils provide more than 100 services across many areas including planning, building, roads, parking, health, waste management, animal management, recreation, culture and emergency management. They also enforce various federal, state and local laws for their communities.

Under the *Local Government Act 1989*, councils must have regard to the following objectives:

- promote the social, economic and environmental viability and sustainability of the municipal district
- use resources efficiently and effectively
- improve the quality of life of the local community
- promote business and employment opportunities
- ensure the services and facilities provided are accessible and equitable.

Local government plays a central and indispensable role in our federal system of government, and it is recognised in the Victorian Constitution as a distinct and independent tier of government. It is the level of government closest to the people and gives people a say in matters affecting their local area. Councils are governments — they provide a vehicle for the expression of local democracy.

'Meeting local community needs is a council's core business.'

Council officer

Part 1 of this paper provides the context and background to the project. Part 2 describes councils' current emergency management responsibilities and activities as well as their business-as-usual responsibilities and activities with emergency management implications. Part 3 details the next steps of the project and how it can inform emergency management initiatives currently underway.

The Councils and Emergencies Project

About the project

The Councils and Emergencies Project is being led by Local Government Victoria (LGV), which is part of the Department of Environment, Land, Water and Planning (DELWP). DELWP works to ensure the ongoing viability of councils' normal business and emergency management responsibilities and activities through governance and funding support.

The Councils and Emergencies Project is listed in the *Victorian Emergency Management Strategic Action Plan* as 'Priority B: Enhance the capability and capacity of local governments to meet their obligations in the management of emergencies', shown in Figure 1.

Figure 1:
Priority B, Victorian Emergency Management
Strategic Action Plan Update 2017-20

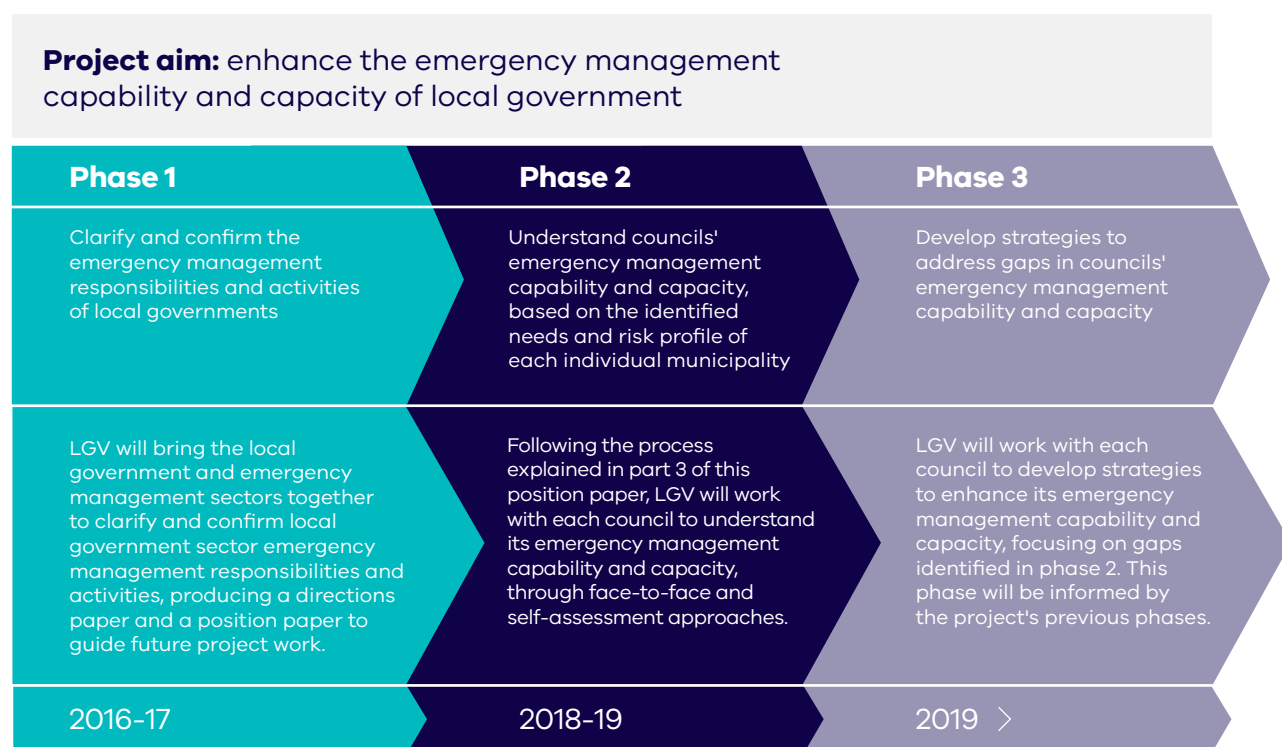


Several reviews and enquiries have noted the important role of local government in emergency management and its broader role of ensuring communities prepare for, respond to and recover from emergencies. These include the [Victorian Emergency Management Reform White Paper](#) in 2012 and more recently the [Hazelwood Mine Fire Inquiry Report 2015/16](#).

Priority B in the strategic plan reinforces the importance of local governments having adequate emergency management capability and capacity.

The project's three-phase approach emphasises consultation with councils and the desirability of partnering with them and the emergency management sector in implementing the priority. Figure 2 illustrates this approach.

Figure 2:
Phases of the Councils and Emergencies Project



'The Councils and Emergencies Project process is building a shared understanding of emergency management responsibilities and activities across the 79 councils.'

Council officer

For the first time in many years, the project has brought Victorian councils together with emergency management organisations to identify and discuss their shared responsibilities and activities. As the project has progressed, additional stakeholders

have been drawn into the process of clarifying councils' emergency management responsibilities and activities.

Consultations for the project began in 2016. The project has successfully engaged more than 400 council emergency management staff in more than 20 workshops and information sessions held to capture, clarify and confirm councils' current emergency management responsibilities and activities. This work was captured and shared with the sector in [Councils and Emergencies Workshop Feedback Analysis](#) (June 2016) and [Councils and emergencies directions paper](#) (January 2017).

Why clarify and confirm councils' responsibilities?

The purpose of this position paper is to provide a comprehensive overview of the emergency management responsibilities and activities that councils undertake for the betterment of their local communities. It is important to note that the needs of communities differ and not all councils will or should carry out all of the responsibilities and activities identified in this paper. The release of the paper marks the completion of phase 1 of the project. The paper will inform future phases of the project, in particular phase 2 which will assess the emergency management capability and capacity of councils.

Clarifying and confirming councils' emergency management responsibilities and activities is the essential first step to determining their capability and capacity 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. It standardises the language used to describe councils' emergency management responsibilities and activities and aligns it with the language of the Victorian Preparedness Goal. This will result in better communication between the emergency management and local government sectors, and will provide for improved support to councils during and after emergencies by regional and state incident managers.

Standardising language will also enable councils to more effectively influence emergency management policy in the future and to identify and benefit from funding opportunities and programs in areas of council responsibility and activity.

The project's consultation report, which will be released separately, provides the data about the level of support for the responsibilities listed in the *Councils and emergencies directions paper* and in some cases also summarises feedback received. All the feedback received through consultations will inform phase 3 of the project, which intends to enhance councils' emergency management capability and capacity.

'Rural Councils Victoria supports the need to clarify emergency management responsibilities ... clear roles and responsibilities are an important element to mitigating risks posed to our communities.'

Rural Councils Victoria, submission to the Councils and emergencies directions paper

Community satisfaction with councils' emergency management

Each year, LGV coordinates an optional statewide local government community satisfaction survey. The survey assesses the performance of councils across Victoria using a range of measures, and it seeks insight into ways to improve service delivery.

Since 2012, emergency management has consistently rated as one of the areas respondents see as most important for their councils. In the most recent survey, of the 27 service areas surveyed, emergency management had the highest percentage of respondents considering the area 'extremely important'. Respondents also said that emergency management was the fourth-best-performing area for councils of the 27 areas, indicating ratepayers are generally happy with their councils' emergency management performance.



The annual local government community satisfaction survey continues to show that communities see emergency and disaster management as an important responsibility, and one that councils perform well.

Councils and emergency management

Councils are integral to emergency management

Councils' emergency management responsibilities and activities are a key component of Victoria's emergency management system, and councils are often a conduit between state government agencies, local communities, not-for-profit organisations and service providers. Through their municipal emergency management planning committees, local emergency management practitioners identify risks in their LGAs and develop strategies to mitigate those risks. Emergency management agencies in partnership with councils, educate their local communities about the emergency risks they face and what they can do about the risks.

While councils have an essential role in emergency management planning and community engagement, and in leading relief and recovery efforts at the local level, the risks and consequences of emergencies are ultimately shared across all levels of government and the community.¹

Equally, councils' strengths are particularly in working with the community during and after emergencies, noting that councils are not a response agency.

'Having a strong connection to local service providers is essential to council's ability to effectively coordinate relief and recovery.'

Council officer

Every council is different

No two councils' approaches to emergency management are the same. Every council knows its community best, and its approach to emergency management responsibilities and activities will differ to that of others according to its community's emergency risk profile, its emergency management capability and capacity and other local factors. Councils' emergency risk profiles vary depending on the type and extent of their infrastructure, their

exposure to hazards, their history, the likelihood of an emergency and the effects on their community of an emergency.

As part of the consultation process, it has been made abundantly clear that the project should acknowledge that councils' service delivery varies, as do the relief and recovery needs of each community, and that a 'one-size-fits-all' approach doesn't work. Councils emphasised that while they recognise the responsibilities and activities in this paper represent the full gamut of emergency management responsibilities and activities (described across all tables in part 2), no council will undertake them all, and councils will carry them out in different ways and to different extents. Nuances in how responsibilities and activities are undertaken are often only well understood at the local level.



The inclusion of an emergency management responsibility or activity in a table in part 2 makes no assessment of a council's capability or capacity to undertake it. Assessment of capability and capacity will be considered in part of phase 2 of the project.

The project aims to increase the capability and capacity of councils to meet their emergency management responsibilities and activities. This doesn't mean all councils should have the same level of capability and capacity: it means the project will work with councils to determine the emergency management capability and capacity they need. It also will help identify gaps in their capability and capacity and to adopt strategies to address those gaps.

¹The [final report](#) of the 2009 Victorian Bushfires Royal Commission examined the concept of shared responsibility in some detail.

Although it stands to reason that councils' capabilities and capacities vary, these variances have never been fully understood, reported and assessed against what each council requires, to meet their community's needs.

For this reason, the project aims to identify the extent of the variances, considering the risk profile of each council, to determine where capability and capacity gaps exist and to develop strategies to address those gaps. We expect that some councils don't currently have the capability and capacity to deliver all their emergency management responsibilities, but it is in the best interests of the local government and emergency management sectors that we establish a statewide picture of the current emergency management capability and capacity (using a robust methodology) and develop strategies to address any gaps.

Adequate capability and capacity can be the difference between communities feeling safe, informed and supported through an emergency or feeling devastated by an emergency for which they weren't prepared; and for a council to be left floundering in the face of calls for information and assistance, and disconnected from their community.

Emergency management and business-as-usual responsibilities and activities

The tables in part 2 of this paper group councils' responsibilities and activities into:

- **emergency management responsibilities and activities before, during and after an emergency:** responsibilities and activities that require a council to provide services to meet community needs and which require a specific council emergency management capability and capacity
- **business-as-usual, with emergency management implications:** responsibilities and activities that relate to the delivery of normal, core services but which have secondary or indirect emergency management benefits and which ultimately improve a council's emergency management performance and outcomes as they help build strong and resilient places and people.

There are many overlaps and links between a council's emergency management responsibilities and activities and its business-as-usual activities, and different councils see the overlaps and links differently.

Land use planning, compliance, environmental health, regulatory services and infrastructure maintenance all involve business-as-usual responsibilities and activities that can also have emergency management benefits and outcomes. For example, when a council assesses a planning application for a new development in a bushfire management overlay area, the assessment addresses bushfire safety: in other words, the council is seeking to mitigate bushfire risk in the 'before' phase of an emergency.

Equally, there might be very few council responsibilities and activities with no emergency management implications whatsoever in the event of a major emergency, but the project is not examining these: it is only examining emergency management responsibilities and activities before, during and after an emergency. Throughout the consultation process responsibilities and activities that are business-as-usual with emergency management implications were also captured.

Under current legislation, a council must appoint a municipal emergency resource officer. It is also common for councils to direct other staff to undertake emergency management duties (such as work at an emergency relief centre or contribute to a municipal emergency management plan) in addition to their business-as-usual duties. Council staff with emergency management duties often benefit from a greater level of job satisfaction as well as exposure to professional development opportunities.

When a council officer has emergency management duties as well as their main duties, they must be allowed adequate time to undertake them. This is particularly important for council officers who are assigned statutory duties that include undertaking legislated emergency management obligations.

'The emergency management role of rural councils has shifted from response-based resource support to a more complex community resilience, relief and recovery role. This refocusing of emphasis brings greater demands and requires longer-term commitments from rural councils which face various challenges in providing this level of service — whether legislated or otherwise.'

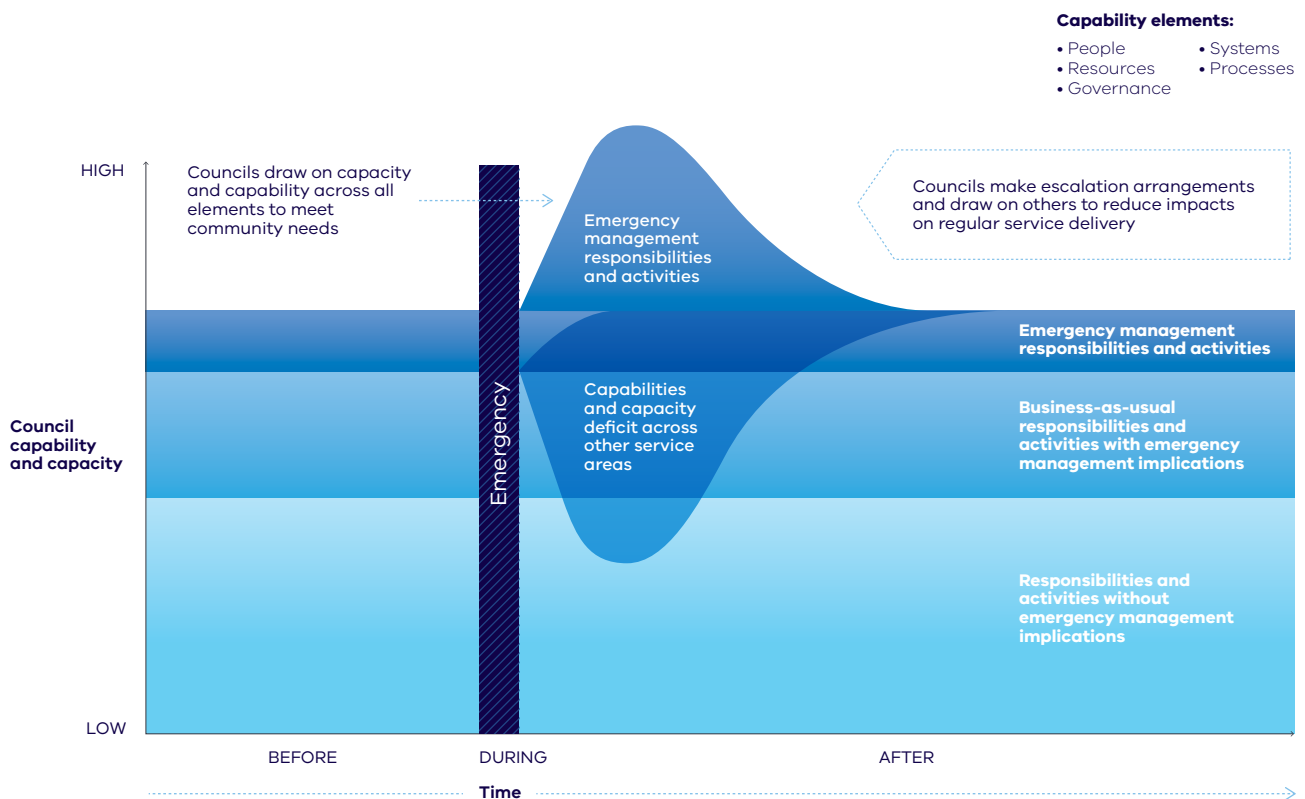
Rural Councils Victoria, submission to the Councils and Emergencies Project

When an emergency occurs, council staff may need to be reallocated from their business-as-usual activities and take on duties specific to emergency management. The extent of these duties depends on the scale of the emergency. History shows that a large emergency demands a significant surge in a council's capacity (and often capability), to meet the needs of an affected community. This reallocation of resources generally reduces a council's capacity to provide its business-as-usual (regular day-to-day) core services. While this reduction can to an extent be addressed by activating business continuity arrangements, it does create a capacity deficit; and councils when making escalation arrangements draw on the support of the State Government and

other councils to help with emergency management efforts (particularly relief and recovery activities) for their community, in order to reduce the impact on councils' business-as-usual activities.

Figure 3 shows the above points diagrammatically. It shows that during an emergency there may be impacts requiring capability and capacity from all three types of council responsibilities and activities, and that after an emergency there will be a high but gradually reducing demand from relief and recovery efforts. This may draw significant capability and capacity from business-as-usual activities, and is likely to have some effect on activities considered normally to be without emergency management implications.

Figure 3:
Council capability and capacity curve



02 Councils' emergency management responsibilities and activities

How we developed the list

This part lists the current emergency management responsibilities and activities of councils before, during and after emergencies. The list has been compiled by:

- undertaking a significant consultation process with the local government and emergency management sectors to understand the work councils do in emergency management, a process documented in the *Consultation Report – Councils and Emergencies Project 2017*
- examining requirements of councils in current legislation, regulations, policy and plans to publish an initial list in the *Councils and emergencies directions paper*
- amending the list in the directions paper following feedback from formal submissions to the directions paper and discussions with the project reference group.

Changes to this list will be made over time as councils' responsibilities and activities are ever evolving. Future changes will be guided by the principles outlined in part 3 of this position paper.

How to interpret the tables

The entire list of responsibilities and activities is organised into four tables:

- Table 3: Councils' emergency management responsibilities & activities **before** an emergency
- Table 4: Councils' emergency management responsibilities & activities **during** an emergency
- Table 5: Councils' emergency management responsibilities & activities **after** an emergency
- Table 6: Councils' business-as-usual responsibilities & activities with emergency management implications.

Some of the emergency management responsibilities and activities are carried out through more than one phase of an emergency. If so, they are in the table for the phase of the emergency during which they are most likely to be carried out.

Emergency management responsibilities and activities

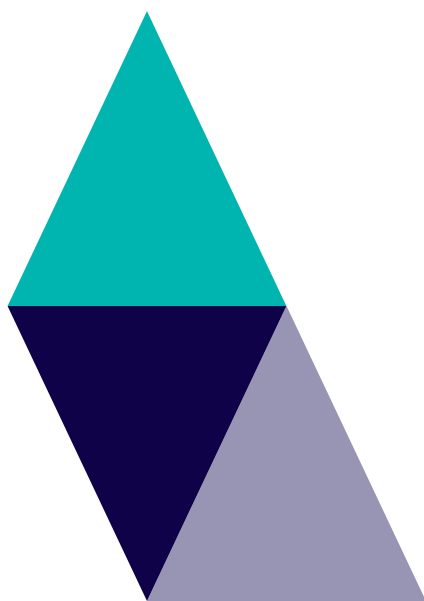
Emergency management responsibilities and activities require a council to proactively provide services to meet community needs and will generally require an increased council capability and capacity. They relate directly to emergency management and are undertaken before, during and after emergencies.

Business-as-usual responsibilities and activities with emergency management implications

Business-as-usual responsibilities and activities with emergency management implications are other activities that indirectly improve councils' emergency management performance and outcomes. They relate to councils' normal core service delivery but also have secondary or indirect emergency management benefits. These are activities that form part of a council's everyday service delivery, such as:

- developing and implementing public health policies and programs (delivered by the health, welfare and community services functions)
- undertaking fuel reduction and fire prevention works (delivered by the infrastructure, asset management and environment functions)
- providing strategic and land use planning (delivered by the strategic and statutory planning functions).

Business-as-usual responsibilities derive from legislation, regulations and policy not specific to emergency management (such as planning, building, fire management, health and wellbeing legislation) and are part of a broader, whole-of-government approach to improving community outcomes and may include responsibilities shared with other governments, the private sector and communities.





Councils' responsibilities and activities are not organised into 'mandatory' and 'non-mandatory'. Phase 2 of the project involves working with councils to understand their capability and capacity to undertake emergency management responsibilities and activities that are relevant to their community. The text below explains this in more detail.

What the table columns mean (tables 3-6)

Number column

There are 94 responsibilities and activities in tables 3-6. The number provides a reference for consultation and discussion purposes, and has no other significance.

Council responsibility / activity column

The list of responsibilities and activities was compiled through extensive consultation with the local government and emergency management sectors that sought to identify all the emergency management responsibilities and activities currently undertaken across the local government sector. In compiling the list, the project sought to identify all responsibilities and activities undertaken by one or more councils, without judgement as to whether they were legislative requirements or simply the custom of a few councils.

Accordingly, inclusion of an item in the list makes no inference about the relevance, prominence or intent of existing legislation, regulations or policy to convey any obligation in relation to the item. Insofar as any such inference can be made, the reader can identify the source of the listing and where relevant click on the link for further information. As part of phase 1 of the project it is not within the scope of the project to make judgements about the degree of requirement of a council to undertake any of the activities or responsibilities.

That said, some of the items are statutory requirements. Every council needs to understand its legislated responsibilities and plan to carry them out as efficiently and effectively as possible, having regard to available resources and community expectations. Councils are complex organisations, and how they prioritise responsibilities and activities to meet local community needs differs considerably from council to council.

For these reasons, the list of responsibilities and activities is not organised into 'mandatory' and 'non-mandatory'. Phase 2 of the project will work with councils to understand how each council considers the responsibilities and activities, and it will use a robust methodology to consider local risks, community needs and emergency management capability and capacity. Part 3 of this paper has more information about phase 2 of the project.

Source column

This column provides further information about the origin of the responsibility or activity. In many cases, the source is legislation (such as the *Emergency Management Act 1986*) or emergency management arrangements (such as the *Emergency Management Manual Victoria*).

Table 1 gives the full title of each source, with a URL link to the document. Links in the tables link where possible to the specific item within the document.



'Identified practice of one or more councils' items were 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.

Table 1:
Sources and references, with hyperlinks

Source	Full title
BIR r 810 (7)	<i>Building Interim Regulations 2017 (regulation 810)</i>
CASA AC139-7(0)	<i>Civil Aviation Safety Authority – Advisory Circular September 2012, AC 139-7(0)</i>
CFAA	<i>Country Fire Authority Act 1958</i>
EM Act	<i>Emergency Management Act 1986</i>
EMMV	<i>Emergency Management Manual Victoria</i>
EPA	<i>Environment Protection Act 1970</i>
FA	<i>Food Act 1984</i>
MRA	<i>Mineral Resources (Sustainable Development) Act 1990</i>
MFBA	<i>Metropolitan Fire Brigades Act 1958</i>
PEA	<i>Planning and Environment Act 1987</i>
PHWA	<i>Public Health and Wellbeing Act 2008</i>
Practice note	<i>Sourcing supplementary emergency response resources from municipal councils</i>
PMA	<i>Port Management Act 1995</i>
RMA	<i>Road Management Act 2004</i>
VFMS	<i>Victorian Floodplain Management Strategy</i>
VPP	<i>Victoria Planning Provisions</i>
WA	<i>Water Act 1989</i>

Victorian Preparedness Goal core capability column

The *Victorian Preparedness Goal* provides the foundation for Victoria’s emergency management preparedness system. The goal identifies 21 core capabilities the sector requires to deal with the challenges and risks of an emergency. The *Victorian Preparedness Framework* is a planning tool to achieve the goal to develop targets and identify the tasks required to achieve them. The goal and framework use common language to describe the core capabilities — people, resources, governance, systems and processes — required to manage a potential major emergency.

This project is aligned with the goal and framework to ensure consistency between the capabilities required by the emergency management sector and by councils to undertake their emergency management responsibilities and activities. This will ensure councils can work as one with the emergency management sector before, during and after an emergency.

Table 2 shows the 21 core capabilities in the Victorian Preparedness Goal and Framework, and the icons used in tables 3 to 6 to show the core capability each responsibility and activity addresses. The core capabilities in the table apply across the entire emergency management sector, and some may not be relevant for local government.

▼

The core capabilities in the table apply across the entire emergency management sector, and some are not relevant for local government. Some responsibilities and activities align with multiple core capabilities: if so, the table shows the main core capability.

Table 2:
Victorian Preparedness Goal
and Framework core capabilities

Victorian Preparedness Goal core capability	When	Description	Icon
Planning	<ul style="list-style-type: none"> ▲ Before ▲ During ▲ After 	Conduct a systematic process engaging the whole community as appropriate in developing executable strategic, operational and/or tactical level approaches to meet defined objectives.	
Community information and warnings	<ul style="list-style-type: none"> ▲ Before ▲ During ▲ After 	Deliver public information and warnings that are authoritative, consistently constructed and relevant for all Victorians and visitors in all emergencies. Provide timely and tailored information that supports the community to make informed decisions before, during and after emergencies.	
Operational management	<ul style="list-style-type: none"> ▲ Before ▲ During ▲ After 	Establish and maintain a unified and coordinated operational structure and process that appropriately integrates all critical stakeholders and supports the execution of core capabilities, including operational communications.	

Table continues on next page ►

Table 2:
Victorian Preparedness Goal and
Framework core capabilities (continued)

Victorian Preparedness Goal core capability	When	Description	Icon
Intelligence and information-sharing	<ul style="list-style-type: none"> ▲ Before ▲ During ▲ After 	Provide timely, accurate and actionable decision-support information resulting from planning, collecting, processing, analysis and evaluation from multiple data sources, which is needed to be more proactive in anticipating hazard activity and informing mitigation, response or recovery actions. It also includes the assessment of risks, threats and hazards so that decision-makers, responders and community members can take informed action to reduce their entity's risk and increase their resilience.	
Public order and community safety	<ul style="list-style-type: none"> ▲ Before ▲ During ▲ After 	Provide a safe, secure and orderly society through the active prosecution of regulations and laws related to the prevention of serious emergencies, to afford a safe environment for communities affected by an emergency and for any responding personnel engaged in emergency operations.	
Building community resilience	<ul style="list-style-type: none"> ▲ Before ▲ During ▲ After 	Building community safety and resilience includes working together at the local level. Communities can strengthen their lifelines by better connecting and working together with appropriate support from organisations.	
Fire management and suppression	<ul style="list-style-type: none"> ▲ Before ▲ During 	Provide firefighting capabilities to manage and suppress fires of all types, kinds and complexities while protecting lives, property and the environment in the affected (land and water) area.	
Fatality management	<ul style="list-style-type: none"> ▲ Before ▲ After 	Provide fatality management services, including search, recovery, victim identification (following Interpol Standards), and repatriation. As well as the sharing of accurate and timely information with other agencies and the community, and the provision of support to the bereaved.	
Critical transport	<ul style="list-style-type: none"> ▲ During ▲ After 	Plan for and provide response and recovery services during emergencies that affect the road network including alternative routes, emergency permits and escorts for responders, clearing and restoration of damaged roads. Provide response to major public transportation emergencies including infrastructure access and accessible transportation services to ensure community movement including coordination of all private rail, tram and bus services to support priority response objectives.	







Table continues overleaf ►

Table 2:
Victorian Preparedness Goal and
Framework core capabilities (continued)

Victorian Preparedness Goal core capability	When	Description	Icon
Logistics and supply chain management	<p>▲ During</p> <p>▲ After</p>	Deliver essential commodities, equipment and services in support of impacted communities and survivors including emergency power and fuel support and the coordination of access to community staples. Synchronise logistics capabilities and enable the restoration of impacted supply chains including removal of debris.	
Impact assessment	<p>▲ During</p> <p>▲ After</p>	Provide all decision-makers with relevant information about the nature and extent of the hazard and any potential consequences during and after an emergency to ensure efficient, timely and appropriate support for communities.	
Search and rescue	<p>▲ During</p>	Deliver traditional and atypical search and rescue capabilities, including people and resources with the goal of saving the greatest number of endangered lives in the shortest time possible.	
Health protection	<p>▲ During</p>	Promotes and protects the public health of Victorians by monitoring notifiable diseases and responding to any disease outbreaks in order to control and minimise the risk of infection. This includes regulating the safety of food, drinking water and human environmental health hazards such as radiation, Legionella and pesticides. Includes informing the community and health providers about public health risks and promoting behaviours and strategies to mitigate and avoid risk. It also includes the development of national policies, standards and strategies to promote improvements in public health generally and supports the health system to respond to national public health risks.	
Health emergency response	<p>▲ During</p>	The planning, provisioning, response and coordination of pre-hospital and health emergency care, including triage, treatment and distribution of patients, in a timely and structured manner, using all available resources to maximise positive health outcomes.	
Relief assistance	<p>▲ During</p>	The provision of well-coordinated, integrated and timely assistance to meet the immediate health, wellbeing and essential needs of affected communities, during and immediately after an emergency event, with the aim to support social cohesion and build resilience.	

Table continues on next page ►

Table 2:
Victorian Preparedness Goal and
Framework core capabilities (continued)

Victorian Preparedness Goal core capability	When	Description	Icon
Environmental response	▲ During	To assess and manage the consequences to the community, environmental values, domestic animals and livestock of a hazardous materials release, naturally occurring pests or biological hazard.	
Economic recovery	▲ After	Return economic and business activities including food and agriculture to a healthy state and develop new business and employment opportunities that result in a sustainable and economically viable community.	
Natural and cultural heritage rehabilitation	▲ After	Protect natural and cultural heritage resources through appropriate planning, mitigation, response and recovery actions to preserve, conserve, rehabilitate and restore them, consistent with post-disaster community priorities and best practices and in compliance with applicable environmental and heritage preservation laws.	
Built recovery	▲ After	Restore essential infrastructure and establish safe areas during and following an emergency, ensuring the provision of facilities and services to support and benefit communities.	
Social recovery	▲ After	The longer-term provision of assistance and access to services that allows individuals, families and communities to achieve an effective level of functioning after an emergency event. This includes safety, security, shelter, health and psychosocial wellbeing and re-establishment of those elements of society necessary for wellbeing.	
Assurance and learning	▲ After	Support continuous improvement to improve emergency management practice and community safety by extracting understanding from experience and research, reviewing community consequences, investigating causes and outcomes, providing assurance and translating lessons into behaviour change.	

Emergency management responsibilities & activities – before an emergency

Table 3:
Councils' emergency management responsibilities & activities **before** an emergency

-  Before
-  During
-  After

This table shows 'before an emergency' responsibilities & activities.

No.	Council responsibility / activity	Source	Victorian Preparedness Goal core capability
1	Prepare and maintain a municipal emergency management plan.	EM Act s 20 (1)	 Planning
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. <i>Note: the function of a municipal emergency planning committee is to prepare a draft municipal emergency management plan for consideration by the municipal council.</i>	EM Act s 21 (3) EM Act s 21 (4) <i>for the note</i>	 Planning
3	Appoint a person or persons to be the municipal emergency resource officer or municipal emergency resource officers. <i>Note: a municipal emergency resource officer is responsible for ensuring the coordination of municipal resources to be used in emergency response and recovery.</i>	EM Act s 21 (1) EM Act s 21 (2) <i>for the note</i>	 Operational management
4	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 s 20 (2)(a)	 Planning
5	Specify access and use arrangements of identified municipal resources for supporting the delivery of emergency mitigation, response and recovery activities.	EM Act s 20 (2)(b) EMMV pt 6.6 <i>Practice note</i>	 Planning

Table continues on next page ►

Emergency management responsibilities & activities – before an emergency

(continued)


No.	Council responsibility / activity	Source	Victorian Preparedness Goal core capability
6	Participate in an all-agencies approach to risk management planning.	EMMV pt 6 s6.5	 Planning
7	Appoint a municipal recovery manager.	EMMV pt 4 s 4.4.1	 Operational Management
8	Develop and maintain internal operational plans that detail their capacity and strategies for undertaking roles and responsibilities.	EMMV pt 4 s 5.2	 Planning
9	Work with local and regional partners to determine arrangements and processes to manage relief and recovery activities.	EMMV pt 4 s 4.4 & s 5	 Planning
10	Identify, plan and document emergency relief centres or other locations to provide emergency relief services and to ensure they meet health and other community needs.	EMMV pt 4 s 6.4 EMMV pt 3 s 5.2.6	 Planning
11	Plan for the emergency housing of displaced and lost / stray companion animals.	EMMV pt 4 s 6.3.11	 Planning
12	Develop secondary impact assessment processes and data-collection systems.	EMMV pt 4 ss 2.2 & 7.4.1.3	 Impact assessment
13	Collect, analyse and share information about local risks, hazards and consequences with emergency management partners, businesses, service providers and the community.	EMMV pt 6	 Planning
14	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 resources and equipment are available as needed.	EMMV pt 6.6 ss 6.2, 6.3 & 6.6	 Built recovery

Table continues overleaf ►

**Emergency management responsibilities
& activities – before an emergency**
(continued)







No.	Council responsibility / activity	Source	Victorian Preparedness Goal core capability
15	In conjunction with the Municipal Emergency Management Planning Committee, test, exercise and evaluate relief and recovery plans.	EMMV pt 4 s 5.1	 Planning
16	Develop and manage an emergency coordination system and/or council operational facilities that can be activated during an emergency.	EMMV pt 4 s 5.1	 Operational management
17	(For a council, wholly or partly within the country area of Victoria) support the operation of the vulnerable people in emergencies policy by: <ul style="list-style-type: none"> 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 and data verification for council's home and community care program for younger people (HACC PYP) clients when referred, undertaking emergency planning, VPR screening and data verification for people not receiving services in their municipality. 	CFAA s 3 for the definition of 'country area of Victoria' Vulnerable people in emergencies policy (Department of Health and Human Services [DHHS])	 Planning
18	Contribute to local flood warning services in partnership with other agencies in line with flood risk severity and community support.	VFMS ch 16	 Community information and warnings
19	Advocate for its community's emergency management needs and priorities.	Identified practice of one or more councils	 Building community resilience

Table continues on next page ►

Emergency management responsibilities & activities – before an emergency

(continued)

No.	Council responsibility / activity	Source	Victorian Preparedness Goal core capability
20	Gather knowledge about local assets, values and support systems (including its community's history and values), to inform risk management planning.	Identified practice of one or more councils	 Building community resilience
21	Support the development and delivery of emergency management training for council staff involved in activities before, during and after emergencies.	Identified practice of one or more councils	 Planning
22	Establish agreements, partnerships and systems with other councils to support surge requirements during emergencies including to: <ul style="list-style-type: none"> • share intelligence and information • exchange staff and other resources to maintain capacity • align activities with business continuity plans. 	Identified practice of one or more councils	 Planning
23	Work with sector partners to integrate intelligence- and information-sharing systems, tools and networks of trained personnel (such as by using Emergency Management Common Operating Picture [EM-COP]) to deliver intelligence requirements and contribute to information-sharing forums, portals and committees.	Identified practice of one or more councils	 Intelligence and information-sharing
24	Identify standards for the clean-up and recovery of council-managed assets.	Identified practice of one or more councils	 Planning
25	Encourage and support the community to engage with emergency management agencies to participate in emergency management awareness programs, so people understand their responsibilities and can better prepare for, respond to and recover from an emergency.	Identified practice of one or more councils	 Building community resilience

Emergency management responsibilities & activities – during an emergency

Table 4:
Councils' emergency management responsibilities & activities **during** an emergency

▲ Before

▲ During

▲ After

This table shows 'during an emergency' responsibilities & activities.


No.	Council responsibility / activity	Source	Victorian Preparedness Goal core capability
26	Coordinate local relief and recovery, working with local partners to determine arrangements to manage local relief and recovery activities.	EMMV pt 4 s 4.4	 Operational management
27	Coordinate and lead relief services locally by: <ul style="list-style-type: none"> • 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 • working with DHHS to provide temporary shelter / short-term housing / accommodation options for displaced people • coordinating and managing services with DHHS to meet the psychosocial needs of affected local people. 	EMMV pt 4 ss 3.1, 6.3.1 – 6.3.9 & 7.4.1	 Relief assistance
28	Support as needed the efforts of Victoria Police and Red Cross to reunify families and others separated during an emergency.	EMMV pt 4 s 6.3.8	 Relief assistance
29	Promote a single point of contact for residents to obtain information about available support, services and assistance.	EMMV pt 4 s 7.4.5.1	 Community information and warnings
30	Support response agencies to effectively deliver emergency response services locally by: <ul style="list-style-type: none"> • making council resources and 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: <ul style="list-style-type: none"> • share knowledge, data and information about community needs and consequences • ensure council is consulted and involved in emergency decisions that will affect the council and community • support response agencies to access affected areas. 	EMMV pt 6.6, EMMV pt 7-76 Practice note	 Operational management

Table continues on next page ►

Emergency management responsibilities & activities – during an emergency

(continued)

No.	Council responsibility / activity	Source	Victorian Preparedness Goal core capability
31	Provide support to VicRoads for partial/full road closures and determination of alternative routes.	EMMV pt 7-76	 Critical transport
32	Clear blocked drains and local roads including by removing trees on council land and roads.	EMMV p 7-76	 Critical transport
33	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 s 2.2	 Impact assessment
34	Coordinate community requests for local relief and recovery assistance including assistance with equipment, food, clothing, accommodation and health needs.	Identified practice of one or more councils	 Operational management
35	Support DHHS with the dissemination of information about emergency financial assistance.	Identified practice of one or more councils	 Relief assistance
36	Support agencies, where requested, with the dissemination of warnings to the community through council's communication channels and local networks.	Identified practice of one or more councils	 Community information and warnings
37	Where the council is the land manager, determine in consultation with relevant agencies whether to close areas (such as beaches) that could or have been impacted by an emergency, and erect signage and fences as required.	Identified practice of one or more councils	 Operational management
38	Support agencies to use relevant council data and intelligence to inform relief and recovery requirements including verifying the loss of assets.	Identified practice of one or more councils	 Impact assessment
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 of one or more councils	 Intelligence and information-sharing

Emergency management responsibilities & activities – after an emergency

Table 5:
Councils' emergency management responsibilities & activities **after** an emergency

▲ Before
▲ During
▶ After

This table shows 'after an emergency' responsibilities & activities.

No.	Council responsibility / activity	Source	Victorian Preparedness Goal core capability
40	Lead the management of environmental health issues at the local level (including food safety, waste and waste water management, infection control, air quality, drinking water quality, vermin and vector control), coordinating with relevant agencies.	PHWA, FA, EPA	 Operational management
41	Participate in the transition from response to recovery. Where council is determined to be the appropriate recovery coordinator, ensure readiness to assume responsibilities and have the appropriate resources assembled before the transition.	EMMV pt 3 s 4.6	 Planning
42	Lead and coordinate relief and recovery at the local level and escalate to regional or state level as required.	EMMV pt 4 s 5.3.1	 Operational management
43	Establish and lead a municipal / community recovery committee.	EMMV pt 4 s 7.4.5.2	 Operational management
44	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 s 7.4.5.4	 Operational management
45	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 s 7.4	 Social recovery
46	Support DHHS in the assessment and delivery of services for the medium- to long-term psychosocial needs of the affected community.	EMMV pt 4 s 7.4.2	 Social recovery

Table continues on next page ►

Emergency management responsibilities & activities – after an emergency

(continued)

No.	Council responsibility / activity	Source	Victorian Preparedness Goal core capability
47	Support DHHS in the coordination of medium- to long-term housing / accommodation options for displaced people.	EMMV pt 4 s 7.4.1	 Social recovery
48	Work in partnership with DHHS and other service providers to consider how best to engage with vulnerable groups	EMMV pt 4 s 7.4.2.2	 Planning
49	Support agencies to coordinate spontaneous volunteer efforts after emergencies.	EMMV pt 4 s 7.4.5.7	 Operational management
50	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 ss 6.1 & 7.4.5.1	 Community information and warnings
51	Survey and determine the occupancy of damaged buildings.	EMMV pt 4 s 7.4.1.3	 Built recovery
52	Coordinate post-emergency needs assessments to inform longer-term recovery planning.	EMMV pt 4 s 2.2	 Impact assessment
53	Conduct safety assessments of council-owned essential and critical assets and infrastructure.	EMMV pt 4 s 7.6.5	 Built recovery
54	Support the Victorian Building Authority to provide building maintenance and safety information to affected persons.	EMMV pt 4 s 7.4.1.4	 Built recovery

Table continues overleaf ►

**Emergency management responsibilities
& activities – after an emergency**
(continued)

No.	Council responsibility / activity	Source	Victorian Preparedness Goal core capability
55	Working with the Department of Economic Development, Jobs, Transport and Resources (DEDJTR), coordinate the housing of displaced, lost and stray companion animals (other than wildlife).	EMMV pt 4 s 6.3.11	 Relief assistance
56	Coordinate clean-up activities including the disposal of dead domestic, native and feral animals.	EMMV pt 4 s 7.6.5.1	 Relief assistance
57	Support DEDJTR in the coordination and management of services to meet the immediate needs of affected livestock at the local level.	EMMV pt 4 s 6.3.11	 Operational management
58	Engage the community in the development and delivery of recovery activities including by appointing community development officers (when funded).	EMMV pt 4 s 7.4.5.5	 Building community resilience
59	Work with DEDJTR to implement appropriate actions and initiatives that encourage and bring forward the resumption of local economic activity, including: <ul style="list-style-type: none"> • tourism visitation when safe to do so • the use of local business in recovery activities • buy-local initiatives • events that attract visitation • other relevant activities. 	EMMV pt 4 ss 7.5.1.3 & 7.5.2.4	 Economic recovery
60	Assist businesses to recover by providing advice and referrals.	EMMV pt 4 s 7.5.1	 Economic recovery

Table continues on next page ►







Emergency management responsibilities & activities – after an emergency

(continued)

No.	Council responsibility / activity	Source	Victorian Preparedness Goal core capability
61	Transition local recovery activities back to business-as-usual activities and services.	EMMV pt 4 s 7.2	 Operational management
62	Conduct reviews of municipal operations and community consequences after an emergency to capture lessons and improve future outcomes, considering opportunities to: <ul style="list-style-type: none"> inform future municipal plans and procedures conduct community engagement activities to implement lessons learned share findings with other councils and agencies to cooperatively identify and implement solutions. 	EMMV pt 3 s 2.6	 Assurance and learning
63	Coordinate local outreach in partnership with other agencies (such as Red Cross and the Victorian Council of Churches) to inform recovery planning.	Identified practice of one or more councils	 Social recovery
64	Collect information from community meetings, call centres, emergency relief centres, debriefs and community recovery committees after an emergency. Analyse community needs to inform recovery messaging, planning and recovery services.	Identified practice of one or more councils	 Community information and warnings
65	Support consistent messaging and advice about available community health programs.	Identified practice of one or more councils	 Social recovery

Table continues overleaf ►

**Emergency management responsibilities
& activities – after an emergency**
(continued)

No.	Council responsibility / activity	Source	Victorian Preparedness Goal core capability
66	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 of one or more councils	 Impact assessment
67	Coordinate, assess, rehabilitate and monitor council-managed natural and cultural heritage assets after an emergency.	Identified practice of one or more councils	 Impact assessment
68	Coordinate the rebuilding and redevelopment of council assets and infrastructure having regard for community needs and priorities.	Identified practice of one or more councils	 Built recovery
69	Support agencies to restore essential assets and infrastructure, ensuring the restored assets and infrastructure are sustainable and more resilient to future emergencies.	Identified practice of one or more councils	 Built recovery
70	Oversee rebuilding and redevelopment works by: <ul style="list-style-type: none"> • advocating for planning scheme exemptions for emergency accommodation and clean-up works • streamlining planning and building construction approvals. 	Identified practice of one or more councils	 Built recovery
71	Work with community and recovery agencies to adapt recovery services to reflect newly identified or changing community needs and priorities.	Identified practice of one or more councils	 Social recovery

Business-as-usual responsibilities and activities with emergency management implications

Table 6:
Councils' business-as-usual responsibilities & activities with emergency management implications






No.	Council responsibility / activity	Source	When	Victorian Preparedness Goal core capability
72	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.	PEA s 12A	▲ Before	 Planning
73	Where council is a planning authority, provide sound, strategic and coordinated planning of the use and development of land in its area.	PEA s 12 (1)(b)	▲ Before	 Planning
74	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.	RMA ss 20, 34 & 40, VPP 52.17	▲ Before	 Planning
75	Where a council manages an airport: <ul style="list-style-type: none"> • 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(O)	▲ Before	 Planning
76	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)	▲ Before	 Planning

Table continues overleaf ►

**Business-as-usual
responsibilities & activities**
(continued)

No.	Council responsibility / activity	Source	When	Victorian Preparedness Goal core capability
77	Where a council operates a mine or quarry, ensure the site remains safe and stable.	<u>MRA ss 77J, 77Q & 81</u>	▲ Before	 Planning
78	Seek to protect, improve and promote public health and wellbeing within the municipal district including by preparing a municipal public health and wellbeing plan.	<u>PHWA ss 24, PHWA s 26</u>	▲ Before ▲ During ▲ After	 Planning
79	Develop and implement public health policies and programs.	<u>PHWA ss 24</u>	▲ Before ▲ During ▲ After	 Planning
80	Appoint a person to be the municipal fire prevention officer.	<u>CFA s 96A, MFBA s 5A</u>	▲ Before	 Fire management & suppression
81	(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.	<u>CFAA s 3 for the definition of 'country area of Victoria'</u> <u>CFAA s 55A for the municipal fire prevention plan</u> <u>EMMV pt 6 ss 6.2 & 6.4 for the committee and plan</u>	▲ Before ▲ During	 Fire management & suppression

Table continues on next page ►

**Business-as-usual
responsibilities & activities**
(continued)







No.	Council responsibility / activity	Source	When	Victorian Preparedness Goal core capability
82	(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 Country Fire Authority (CFA).	CFAA s 3 for the definition of 'country area of Victoria' CFAA pt IIIA div 3 for neighbourhood safer places	▲ Before	 Fire management & suppression
83	(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.	CFAA s 3 for the definition of 'country area of Victoria' CFAA s 38 for issuing of permits	▲ Before ▲ During	 Fire management & suppression
84	Take all practicable 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 or under its control or management and any road under its care and management.	MFBA s 5, CFAA ss 43	▲ Before ▲ During	 Fire management & suppression
85	If requested in writing by CFA, provide pillar (vertical, above-ground) hydrants at specified locations in reticulated areas.	CFAA s 36	▲ Before ▲ During	 Fire management & suppression
86	Require the relevant water authority to install, mark and maintain fire plugs in suitable locations to supply water for firefighting purposes (at council's cost).	WA s 165	▲ Before	 Fire management & suppression
87	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.	MFBA s 87, CFAA s 41	▲ Before	 Fire management & suppression

Table continues overleaf ►

**Business-as-usual
responsibilities & activities**
(continued)

No.	Council responsibility / activity	Source	When	Victorian Preparedness Goal core capability
88	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.	MFBA s 92, CFAA s 41E	▲ Before	 Fire management & suppression
89	Make a copy of the most recent designated bushfire-prone-areas map available for inspection by the public without charge during business hours.	BIR r 810 (7)	▲ Before	 Planning
90	Develop community profiles to identify areas and types of vulnerabilities and ensure local arrangements support vulnerable people and assets.	Identified practice of one or more councils	▲ Before	 Planning
91	Develop council business continuity plans detailing procedures and systems to maintain critical functions during disruptions.	Identified practice of one or more councils	▲ Before	 Planning
92	Conduct risk-mitigation activities for council-owned and managed assets and infrastructure.	Identified practice of one or more councils	▲ Before	 Operational management
93	Build community resilience by strengthening local partnerships with businesses and not-for-profit organisations	Identified practice of one or more councils	▲ Before	 Building community resilience
94	Consider emergency management as part of broader council planning (such as when preparing the council plan and strategic resource plan).	Identified practice of one or more councils	▲ Before ▲ During ▲ After	 Planning

03 Next steps

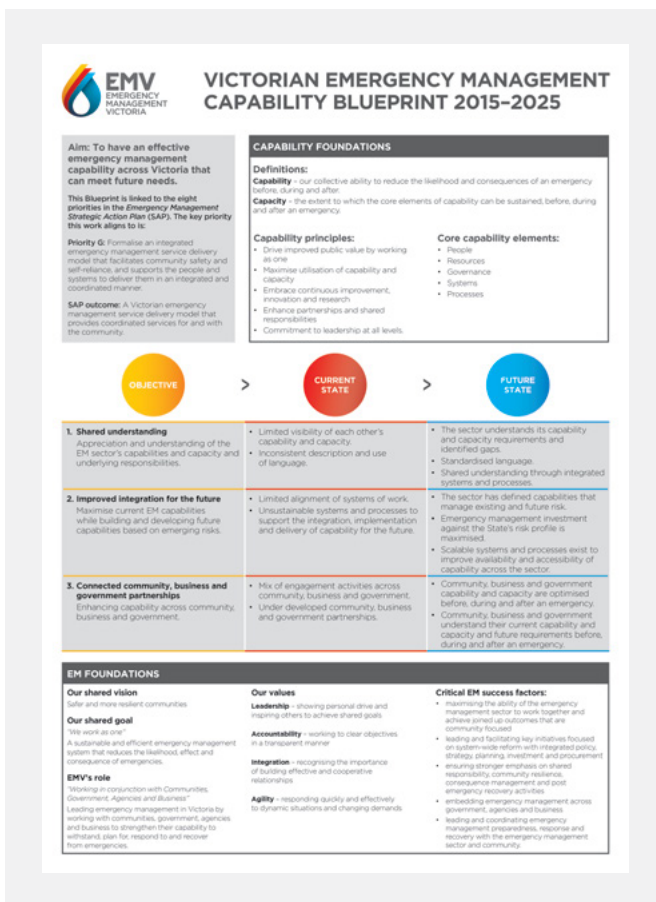
During phase 2 of the project, Local Government Victoria will work with each Victorian council to fully understand the approach each council takes to their emergency management responsibilities and activities, using face-to-face and self-assessment approaches.

Phase 2 will draw on the *Victorian Emergency Management Capability Blueprint 2015-2025* published by Emergency Management Victoria (EMV). We will use the blueprint and the responsibilities and activities in part 2 of this paper to assess each council's capabilities against the blueprint's core capability elements — people, resources, governance, systems and processes.



During phase 3 of the project, LGV will develop strategies and action plans in partnership with the local government sector to address gaps in capability and capacity. This phase will be informed by previous phases of the project, including the consultation undertaken thus far which has provided insight into councils' strengths and opportunities to address the challenges they face in supporting their communities before, during and after emergencies.

Figure 4:
The Victorian Emergency Management
Capability Blueprint 2015-2025



Principles to guide councils' future emergency management role

The *Councils and emergencies directions paper* set out principles for defining councils' emergency management responsibilities. A statement of principles will help guide any proposed changes to councils' responsibilities arising from future changes to legislation or policy, which include:

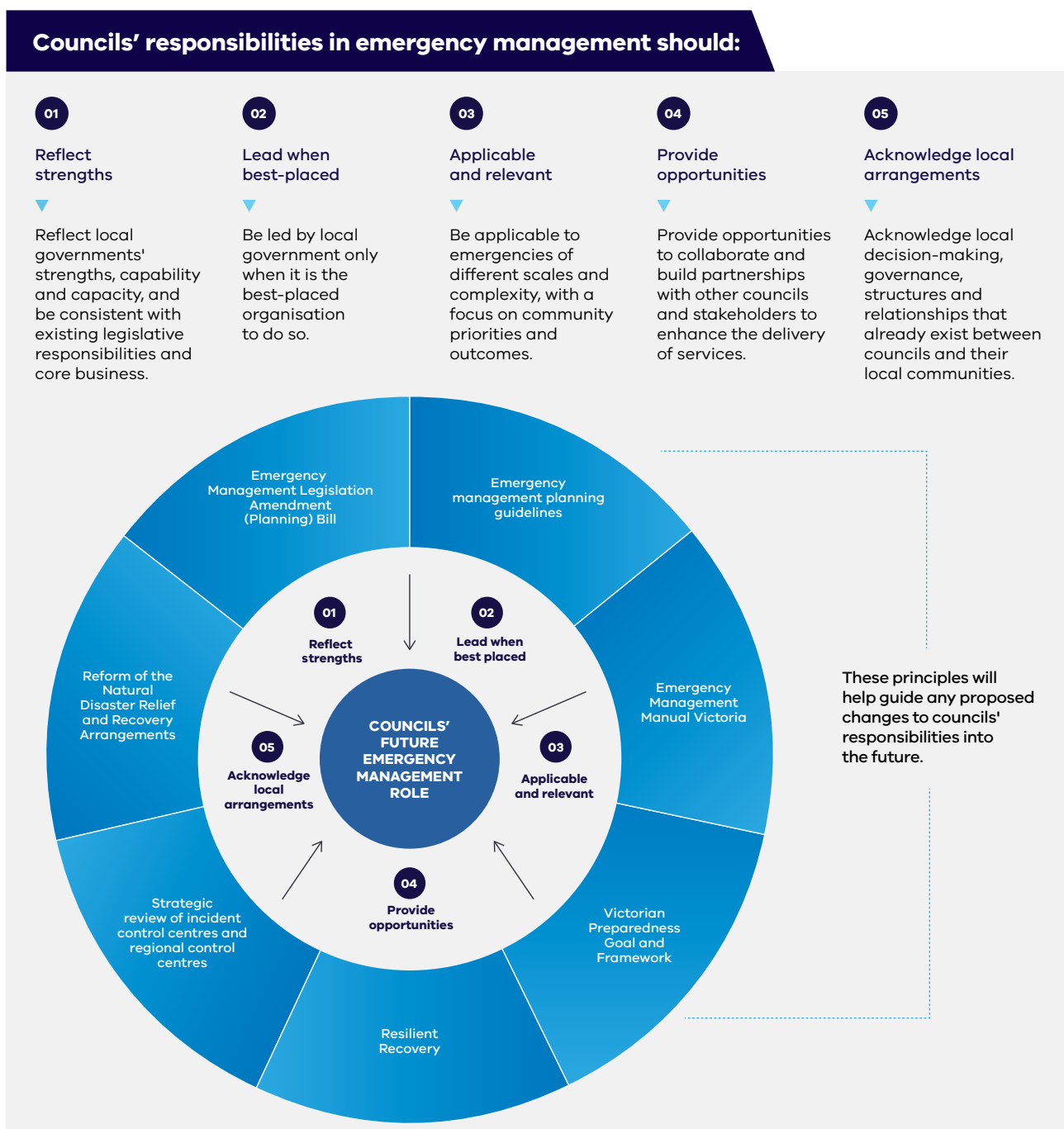
- Emergency Management Legislation Amendment (Planning) Bill
- Emergency management planning guidelines
- Victorian Preparedness Goal and Framework
- Resilient Recovery
- Strategic review of incident control centres and regional control centres
- Reform of the Natural Disaster Relief and Recovery Arrangements
- Auditor-General's audit of councils' natural disaster preparedness

▼ Councils' emergency management responsibilities and activities should:

- 01 Reflect local governments' strengths, capability and capacity, and be consistent with existing legislative responsibilities and core business.
- 02 Be led by local government only when it is the best-placed organisation to do so.
- 03 Be applicable to emergencies of different scales and complexity, with a focus on community priorities and outcomes.
- 04 Provide opportunities to collaborate and build partnerships with other councils and stakeholders to enhance the delivery of services.
- 05 Acknowledge local decision-making, governance, structures and relationships that already exist between councils and their local communities.

Figure 5:
Statement of emergency management principles

These principles have been derived from feedback to the project so far, including submissions in response to the *Councils and emergencies directions paper*. The principles have also been workshopped by the project reference group.



Emergency management initiatives relevant to local government

The emergency management sector is in an exciting period of reform, and many initiatives are occurring concurrently. Each initiative has consequences for the local government sector, and the sector's participation is therefore very important. While it is a challenge for smaller or less-resourced councils to provide feedback for all the reform projects, the participation of councils and the emergency management sector in this project has been considerable.

Brief details of the main reform initiatives currently underway in the emergency management sector, and relevant to local government, follow:

1. Emergency Management Legislation Amendment (Planning) Bill

In mid-2016, submissions on the exposure draft of the *Emergency Management Legislation Amendment (Planning) Bill 2016* closed. The exposure draft proposes amendments to the *Emergency Management Act 2013* to underpin new emergency management planning arrangements for Victoria. It envisages the *Emergency Management Act 1986* will be gradually repealed and new arrangements prescribed in the *Emergency Management Act 2013*. It proposes that emergency management planning guidelines would be issued to provide practical guidance about planning.

2. Emergency management planning guidelines

To support proposed legislative changes, the emergency management sector is developing new emergency management planning guidelines that will cover core concepts, processes, content and standards to develop emergency management plans at the state, regional and municipal levels. The planning process helps clarify and build understanding of the roles and responsibilities, standards and capabilities required before, during and after emergencies. This is an opportunity to fundamentally change the approach to emergency management, to focus more on the planning process.

3. Victorian Preparedness Goal and Framework

As described in part 2 of this paper, the *Victorian Preparedness Goal and Framework* provide the foundation for Victoria's emergency management preparedness system.

Table 2 in part 2 of this paper explains the core capabilities set out in the goal and framework, and the four tables in part 2 show which of the core capabilities each council responsibility and activity addresses.

Phases 2 and 3 of the project will continue to align with and inform the Victorian Preparedness Goal and Framework, as LGV and EMV continue to work in partnership to build councils' capability and capacity.

4. Resilient Recovery

EMV's *Resilient Recovery Discussion Paper* released in early 2017 proposed the Resilient Recovery Model, a model that looks at how the many, diverse components of a relief and recovery effort — individuals, communities, public and private sector organisations and governments — can be brought together, organised and empowered to deliver community recovery outcomes. It seeks to understand relationships between the components, how the actions of one affect others and how strong networks can be formed between them. It supports individuals, families and communities to be healthy and safe; to engage in and lead their recovery; to live, work and connect within their community; and to identify opportunities for growth, renewal and innovation.

The project's work will inform the development and implementation of Resilient Recovery, which will strengthen councils' role as local relief and recovery coordinators.

5. Strategic review of incident control centres and regional control centres

EMV is currently conducting a strategic review of the management of the state's network of incident control (ICCs) and regional control centres (RCCs). The review aims to ensure Victoria's emergency management system is efficient and effective and that it puts the community at the centre of everything it does in line with EMV's 'all communities, all emergencies' approach. This review is important for councils as they are increasingly involved in the operations of ICCs and RCCs.

6. Reform of the Natural Disaster Relief and Recovery Arrangements

The Department of Treasury and Finance (DTF) administers the Natural Disaster Financial Assistance (NDFA) scheme, which essentially mirrors the Australian Government – State Natural Disaster Relief and Recovery Arrangements (NDRRA). Acknowledging the significant cost of natural disasters, the Commonwealth Government established the NDRRA to provide a fiscal safety net to states and territories to facilitate the early provision of assistance to disaster-affected communities. Under the NDFA, councils and catchment management authorities can seek reimbursement from DTF for eligible relief and recovery expenditure on counter-disaster operations and to restore essential public assets after a natural disaster. The NDRRA allows the state to claim costs from the Commonwealth subject to meeting financial thresholds and conditions.

In May 2015, the Commonwealth Government released the Productivity Commission's *Inquiry report on Natural Disaster Funding* and the Australian National Audit Office's report on the *Administration of the NDRRA by Emergency Management Australia*. Since then, the Commonwealth Government has consulted with state and territory governments about reforming the NDRRA, with an emphasis on the processes of funding the restoration of essential public assets and increasing accountability and assurance arrangements. The Commonwealth is currently proposing to implement a new version of the arrangements on 1 July 2018.

7. Auditor-General's audit of councils' natural disaster preparedness

In 2018–19, the Victorian Auditor-General plans to conduct a performance audit to determine if local councils are sufficiently prepared to respond to and recover from natural disasters. Its annual plan notes the importance of building resilience and shared responsibility between communities, governments and others.



Environment,
Land, Water
and Planning

PARLIAMENT OF VICTORIA

**Emergency Management Legislation Amendment
Bill 2018**

TABLE OF PROVISIONS

<i>Clause</i>	<i>Page</i>
Part 1—Preliminary	1
1 Purposes	1
2 Commencement	3
3 Principal Act	3
Part 2—State level amendments	4
Division 1—General amendments	4
4 Definitions	4
5 Objectives of Act	5
6 Role of State Crisis and Resilience Council	6
7 Constitution of the State Crisis and Resilience Council	6
8 Chief Executive, Emergency Management Victoria	6
9 Provision of staff and contractors	6
10 Functions of the Emergency Management Commissioner	7
11 Definition	7
12 Functions of the Inspector-General for Emergency Management	7
13 Information gathering for the purposes of section 64(1)	7
14 Provisions for reviews and reports for the purposes of section 64(1)	8
15 Confidential information	8
16 Exercise by responsible entity	8
17 Responsible entity to conduct audit	8
18 New section 77 inserted	8
Division 2—New Part 6A of the Emergency Management Act 2013	9
19 New Part 6A inserted	9
Division 3—Consequential amendments to other Acts	16
20 Emergency Management Act 1986	16
21 Victoria State Emergency Service Act 2005	17

<i>Clause</i>	<i>Page</i>
Part 3—Further State level amendments	18
Division 1—General amendments	18
22 Definitions	18
23 Role of State Crisis and Resilience Council	18
24 Functions of the Emergency Management Commissioner	19
25 Information to be provided to Emergency Management Commissioner	19
26 Control of emergency response to Class 1 emergency	19
27 Control of emergency response to Class 2 emergencies	19
28 New sections 40A, 40B and 40C inserted	19
29 Emergency Management Commissioner to be responsible for recovery coordination	21
30 Repeal of Parts 5 and 6	22
31 New section 77A inserted	22
32 New sections 79 and 80 inserted—transitional provisions	23
Division 2—Amendments to Part 6A of the Emergency Management Act 2013	24
33 Heading to Division 4 of Part 6A substituted	24
34 Publication of emergency management plan	24
35 New sections 60AJ, 60AK, 60AL, 60AM and 60AN inserted	25
Division 3—Consequential amendments to other Acts	28
36 Alpine Resorts (Management) Act 1997	28
37 Emergency Management Act 1986	28
38 Marine (Drug, Alcohol and Pollution Control) Act 1988	29
39 Terrorism (Community Protection) Act 2003	30
40 Victoria State Emergency Service Act 2005	30
Part 4—Regional level amendments	32
Division 1—General amendments	32
41 Definitions	32
42 Objectives of Act	32
43 Functions of the Emergency Management Commissioner	33
44 Repeal of section 40C	33
45 Definition	33
46 Functions of the Inspector-General for Emergency Management	33
47 Guidelines for the purposes of Parts 5 and 6A	34
Division 2—Regional Emergency Management Planning Committees	34
48 New Part 5 inserted	34

<i>Clause</i>	<i>Page</i>
Division 3—Amendments to Part 6A of the Emergency Management Act 2013	42
49 Principles underlying the preparation and contents of emergency management plans	42
50 Definitions	43
51 New section 60ADA inserted	43
52 Consultation during preparation of state emergency management plan	44
53 New section 60AFA inserted	44
54 Urgent update of emergency management plan	45
55 Review of emergency management plan	46
Division 4—Consequential amendments to other Acts	46
56 Alpine Resorts (Management) Act 1997	46
57 Country Fire Authority Act 1958	46
Part 5—Municipal level amendments	48
Division 1—General amendments	48
58 Definitions	48
59 Objectives of Act	48
60 Definition	48
61 Functions of the Inspector-General for Emergency Management	49
62 Guidelines for the purposes of Parts 5, 6 and 6A	49
63 Declaration of regions—Orders in Council	49
64 New section 81 inserted—transitional provision	50
Division 2—Amendments to Part 5 of the Emergency Management Act 2013	50
65 Constitution of Regional Emergency Management Planning Committees	50
66 Chairperson of each Regional Emergency Management Planning Committee	51
67 Functions of Regional Emergency Management Planning Committees	51
Division 3—Municipal Emergency Management Planning Committees	52
68 New Part 6 inserted	52

<i>Clause</i>	<i>Page</i>
Division 4—Amendments to Part 6A of the Emergency Management Act 2013	63
69 Principles underlying the preparation and contents of emergency management plans	63
70 Definitions	63
71 New section 60ADB inserted	64
72 Consultation during preparation of regional emergency management plans	65
73 New section 60AFB inserted	65
74 Submission of statement of assurance to relevant approver	66
75 Publication of emergency management plan	67
76 When does an emergency management plan come into effect?	68
77 Urgent update of emergency management plan	68
78 Review of emergency management plan	68
Division 5—Consequential amendments to other Acts	68
79 Alpine Resorts (Management) Act 1997	68
80 Country Fire Authority Act 1958	72
81 Electricity Safety Act 1998	72
82 Emergency Management Act 1986	73
83 Victoria State Emergency Service Act 2005	73
Part 6—Miscellaneous amendments	74
Division 1—Amendment of Emergency Management Act 2013	74
84 Inspector-General for Emergency Management	74
85 New sections 61A, 61B, 61C, 61D and 61E inserted	74
86 New section 63A inserted	77
87 Functions of the Inspector-General for Emergency Management	78
88 Provisions relating to the monitoring and assurance framework	78
89 Delegation by relevant Minister	78
90 New Part 9 inserted—transitional provision	79
Division 2—Amendment of Alpine Resorts (Management) Act 1997	79
91 Operation of other Acts in relation to alpine resorts	79
92 New Division 6 of Part 6 inserted	80
Division 3—Amendment of Victoria State Emergency Service Act 2005	81
93 Section 53 substituted	81
94 New section 59 inserted	83
95 New Part 6 inserted	84

<i>Clause</i>	<i>Page</i>
96 New Schedule 1 inserted	86
Part 7—Repeal of amending Act	87
97 Repeal of amending Act	87
Endnotes	88
1 General information	88

PARLIAMENT OF VICTORIA

Introduced in the Assembly

Emergency Management Legislation Amendment Bill 2018

A Bill for an Act to amend the **Emergency Management Act 2013** to provide for new integrated arrangements for emergency management planning in Victoria at the State, regional and municipal levels, consequentially to amend the **Emergency Management Act 1986**, the **Alpine Resorts (Management) Act 1997**, the **Country Fire Authority Act 1958**, the **Electricity Safety Act 1998**, the **Marine (Drug, Alcohol and Pollution Control) Act 1988**, the **Terrorism (Community Protection) Act 2003** and the **Victoria State Emergency Service Act 2005**, to amend the **Alpine Resorts (Management) Act 1997** in relation to municipal councils and the Southern Alpine Resort Management Board, to amend the **Victoria State Emergency Service Act 2005** in relation to compensation and to revoke the permanent reservation of certain land and reserve it temporarily and for other purposes.

The Parliament of Victoria enacts:

Part 1—Preliminary

1 Purposes

The main purposes of this Act are—

- (a) to amend the **Emergency Management Act 2013**—

5

Part 1—Preliminary

- 5
- (i) to provide for new integrated arrangements for emergency management planning in Victoria at the State, regional and municipal levels; and
- (ii) to establish Regional Emergency Management Planning Committees; and
- 10
- (iii) to establish Municipal Emergency Management Planning Committees; and
- (iv) in relation to the appointment of the Inspector-General for Emergency Management and acting Inspector-General for Emergency Management and the assurance framework; and
- 15
- (b) consequentially to amend the **Emergency Management Act 1986**, the **Alpine Resorts (Management) Act 1997**, the **Country Fire Authority Act 1958**, the **Electricity Safety Act 1998**, the **Marine (Drug, Alcohol and Pollution Control) Act 1988**, the **Terrorism (Community Protection) Act 2003** and the **Victoria State Emergency Service Act 2005**; and
- 20
- 25
- (c) to amend the **Alpine Resorts (Management) Act 1997** in relation to deeming the Board of an alpine resort to be a municipal council and the municipal emergency management plan prepared by the Southern Alpine Resort Management Board; and
- 30

(d) to amend the **Victoria State Emergency Service Act 2005**—

- 5
- (i) in relation to compensation under that Act in respect of personal injury and loss of, or damage to, property; and
- 10
- (ii) to revoke the permanent reservation in relation to a part of the Fawkner Crematorium and Memorial Park land and to reserve that land temporarily for cemetery purposes.

2 Commencement

- 15
- (1) Subject to subsection (3), this Act (except Part 1, section 89, Divisions 2 and 3 of Part 6 and Part 7) comes into operation on a day or days to be proclaimed.
- (2) Part 1, section 89, Divisions 2 and 3 of Part 6 and Part 7 come into operation on the day after the day on which this Act receives the Royal Assent.
- 20
- (3) If a provision of this Act does not come into operation before 1 December 2020, it comes into operation on that day.

3 Principal Act

In this Act, the **Emergency Management Act 2013** is called the Principal Act.

Part 2—State level amendments

Division 1—General amendments

4 Definitions

- 5 (1) In section 3 of the Principal Act **insert** the following definitions—
- "*Ambulance Service—Victoria* has the same meaning as in section 3(1) of the **Ambulance Services Act 1986**;
- 10 *emergency management* means the arrangements for, or in relation to—
- (a) the mitigation of emergencies; and
 - (b) the response to emergencies; and
 - (c) the recovery from emergencies;
- 15 *emergency management plan* means the state emergency management plan;
- mitigation* means the elimination or reduction of the incidence or severity of emergencies and the minimisation of their effects;
- 20 *Municipal Association of Victoria* means the body corporate established under the **Municipal Association Act 1907**;
- municipal council* has the same meaning as Council in section 3(1) of the **Local Government Act 1989**;
- 25 *municipal district* has the same meaning as in section 3(1) of the **Local Government Act 1989**;

5 *state emergency management plan* means
the plan prepared by the Emergency
Management Commissioner in accordance
with Division 2 of Part 6A and includes an
updated state emergency management plan;

Victoria Police means the body established by
section 6 of the **Victoria Police Act 2013**;

(2) In section 3 of the Principal Act—

- 10 (a) in the definition of *Chief Officer*, in
paragraph (a)(iii), for "Environment
and Primary Industries" **substitute**
"Environment, Land, Water and Planning";
- 15 (b) in the definition of *fire services agency*, in
paragraph (c), for "Environment and Primary
Industries" **substitute** "Environment, Land,
Water and Planning";
- 20 (c) in the definition of *responder agency*, in
paragraph (d), for "Environment and Primary
Industries" **substitute** "Environment, Land,
Water and Planning";
- 25 (d) for the definition of *Secretary to the
Department of Environment and Primary
Industries* **substitute**—
"*Secretary to the Department of
Environment, Land, Water and
Planning* means the Secretary to the
Department of Environment, Land,
Water and Planning when performing
its fire suppression functions, including
30 under section 62(2)(a) of the **Forests
Act 1958**";

5 Objectives of Act

For section 5(c) of the Principal Act **substitute**—

- 5
- '(c) implement an "all communities—
all emergencies" approach to emergency
management; and
 - (d) establish integrated arrangements for
emergency management planning in
Victoria at the State level.'

6 Role of State Crisis and Resilience Council

- 10
- (1) In section 7(b) of the Principal Act, for
"approval." **substitute** "approval; and".
 - (2) After section 7(b) of the Principal Act **insert**—
15
"(c) to consider the state emergency
management plan submitted by the
Emergency Management Commissioner
to the State Crisis and Resilience Council
for approval; and
(d) when consulted, to provide advice on any
guidelines to be issued by the Minister under
section 77."

7 Constitution of the State Crisis and Resilience Council

In section 8(3) of the Principal Act, after
"Department of Justice" **insert** "and Regulation".

8 Chief Executive, Emergency Management Victoria

25
In section 20(3) of the Principal Act, after
"Department of Justice" **insert** "and Regulation".

9 Provision of staff and contractors

In section 23(1) of the Principal Act, after
"Department of Justice" **insert** "and Regulation".

10 Functions of the Emergency Management Commissioner

After section 32(1)(m) of the Principal Act
insert—

- 5 "(ma) issue guidelines in relation to community emergency management planning; and
- (mb) be responsible for the preparation of the state emergency management plan; and".

11 Definition

10 In section 60A of the Principal Act, in the definition of *relevant agency*, in paragraph (d) **omit** "as established by section 6 of the **Victoria Police Act 2013**".

12 Functions of the Inspector-General for Emergency Management

15

After section 64(1)(ga) of the Principal Act
insert—

- "(gb) monitor, review and assess emergency management planning at a system level undertaken in accordance with Part 6A; and".
- 20

13 Information gathering for the purposes of section 64(1)

25

(1) For the heading to section 69 of the Principal Act **substitute—**

"Information gathering for the purposes of section 64(1)".

(2) In section 69(1) of the Principal Act, for
"(g) or (ga)." **substitute** "(g), (ga) or (gb)".

**14 Provisions for reviews and reports for the purposes
of section 64(1)**

5 (1) For the heading to section 70 of the Principal Act
substitute—

**"Provisions for reviews and reports for the
purposes of section 64(1)".**

10 (2) In section 70(1) of the Principal Act, for
"(ca) or (ga)" **substitute** "(ca), (ga) or (gb)".

15 Confidential information

In section 72(2) of the Principal Act, for
"(ca) or (ga)" **substitute** "(ca), (ga) or (gb)".

16 Exercise by responsible entity

15 In section 74Q(1) and (8)(a) of the Principal Act,
for "prevention" **substitute** "mitigation".

17 Responsible entity to conduct audit

In section 74S(2) of the Principal Act, for
"prevention" **substitute** "mitigation".

20 **18 New section 77 inserted**

After section 76A of the Principal Act **insert—**

"77 Guidelines for purposes of Part 6A

(1) The Minister may issue guidelines for the
purposes of Part 6A.

25 (2) Without limiting the generality of
subsection (1), guidelines may be made
for, or with respect to, the following—

Part 2—State level amendments

- 5
- (a) the contents of an emergency management plan;
- (b) the consultation process in relation to an emergency management plan;
- 10
- (c) assurance of an emergency management plan;
- (d) the risk management methodology to be used in preparing an emergency management plan;
- 15
- (e) the review of an emergency management plan;
- (f) dispute resolution processes to resolve disputes arising from the exercise of powers or the performance of functions or duties under this Act in relation to emergency management planning.
- (3) Guidelines issued under subsection (1) must not be inconsistent with any regulations made under this Act.
- 20
- (4) Before issuing guidelines under subsection (1), the Minister must consult the State Crisis and Resilience Council."

Division 2—New Part 6A of the Emergency Management Act 2013

25 **19 New Part 6A inserted**

After Part 6 of the Principal Act insert—

"Part 6A—Emergency management plans

Division 1—General

60AA Principles underlying the preparation and contents of emergency management plans

- 5 (1) The following principles underlie the preparation of emergency management plans—
- 10 (a) emergency management plans are to be prepared in a collaborative manner;
- (b) emergency management plans are to be prepared efficiently and effectively;
- 15 (c) emergency management plans are to be prepared in a manner that acknowledges and reflects the importance of community emergency management planning.
- (2) The following principles underlie the contents of emergency management plans—
- 20 (a) the main aim of emergency management plans is to reduce—
- (i) the likelihood of emergencies; and
- (ii) the effect of emergencies on communities; and
- (iii) the consequences of emergencies for communities;
- 25 (b) emergency management plans are to ensure a comprehensive and integrated approach to emergency management;

Part 2—State level amendments

- 5 (c) emergency management plans are to promote community resilience in relation to emergencies;
- (d) emergency management plans are to promote appropriate interoperability and integration of emergency management systems.
- 10 (3) In performing any duties or functions or exercising any powers under this Part, the State Crisis and Resilience Council and the Emergency Management Commissioner are to have regard to the principles referred to in subsections (1) and (2).

60AB Definitions

- 15 In this Part—
- relevant approver* means, in relation to the state emergency management plan, the State Crisis and Resilience Council;
- 20 *relevant preparer* means, in relation to the state emergency management plan, the Emergency Management Commissioner.

Division 2—Preparation of emergency management plans

25 **60AC General requirement on relevant preparers**

- A relevant preparer must ensure that—
- 30 (a) an emergency management plan is prepared in accordance with this Act; and

- 5
- (b) any relevant guidelines issued under section 77 are had regard to in the course of preparing the emergency management plan; and
 - (c) to the extent possible, the emergency management plan does not conflict with, or duplicate, any other plans in relation to emergency management that are currently in force within Australia.

10 **60AD Preparation of state emergency management plan**

15 The Emergency Management Commissioner must arrange for the preparation of the state emergency management plan to provide for an integrated, coordinated and comprehensive approach to emergency management at a State level.

20 **60AE Contents of emergency management plans**

An emergency management plan must contain provisions—

- 25
- (a) providing for the mitigation of emergencies; and
 - (b) providing for the response to emergencies; and
 - (c) providing for the recovery from emergencies; and
 - (d) specifying the roles and responsibilities of agencies in relation to emergency management.

Division 3—Consultation during preparation

60AF Consultation during preparation of state emergency management plan

- 5 (1) During the course of preparing the state emergency management plan, the Emergency Management Commissioner—
- (a) must ensure that the following bodies are consulted—
- 10 (i) each responder agency;
- (ii) each Department;
- (iii) Victoria Police;
- (iv) Ambulance Service—Victoria;
- 15 (v) the Municipal Association of Victoria; and
- (b) may consult any other sector of the community that the Emergency Management Commissioner considers appropriate.
- 20 (2) A body referred to in subsection (1)(a) must cooperate with the Emergency Management Commissioner when it is consulted under that subsection.
- 25 (3) While the Emergency Management Commissioner is preparing the state emergency management plan—
- (a) the Department Head of each Department must consult any agency

that the Department Head considers appropriate and that has a role or responsibility under the proposed state emergency management plan; and

- 5 (b) each relevant Department (within the meaning of section 74B) must consult any responsible entity (within the meaning of section 74B) that the Department considers appropriate.

10 **Division 4—Approval and publication process**

60AG Submission of statement of assurance to relevant approver

- 15 (1) The relevant preparer, in relation to the emergency management plan it has prepared, must prepare a statement of assurance in accordance with this section, having regard to any guidelines issued under section 77 in relation to assurance.
- 20 (2) A statement of assurance must state—
- (a) the extent to which the emergency management plan was prepared in accordance with this Act; and
- 25 (b) in the case of an updated emergency management plan, the date on which the plan was last reviewed.
- 30 (3) The relevant preparer must submit to the relevant approver a statement of assurance in relation to the emergency management plan for which the relevant preparer seeks approval.

60AH Approval of emergency management plan

- 5
- (1) After an emergency management plan is prepared, the relevant preparer must submit the emergency management plan to the relevant approver for consideration.
- 10
- (2) The relevant approver may approve the emergency management plan if the relevant approver is satisfied that the relevant preparer has complied with the requirements of this Act in relation to the plan.
- (3) In determining whether to approve an emergency management plan, a relevant approver must have regard to the accompanying statement of assurance.

15

60AI Publication of emergency management plan

- 20
- (1) Subject to subsection (2), as soon as practicable after an emergency management plan is approved under section 60AH, the relevant preparer—
- 25
- (a) must provide the emergency management plan to Emergency Management Victoria for publication on its Internet site on behalf of the relevant preparer; and
- (b) may publish the emergency management plan in any other manner determined by the relevant preparer.
- 30
- (2) The relevant preparer and Emergency Management Victoria may exclude the following information from a published

emergency management plan, having regard to any relevant guidelines issued under section 77—

- 5 (a) information in relation to critical infrastructure (within the meaning of section 74B); or
- (b) personal information within the meaning of section 3 of the **Privacy and Data Protection Act 2014**; or
- 10 (c) information that is of a commercially sensitive nature.
- (3) As soon as practicable after the emergency management plan is published in accordance with this section, the relevant preparer must ensure that notice of the plan's publication is given to each Department and agency that has a role or responsibility under the plan."
- 15

Division 3—Consequential amendments to other Acts

20 Emergency Management Act 1986

- (1) In section 4(1) of the **Emergency Management Act 1986**, for the definition of *emergency management substitute*—
- 25 "*emergency management* means the arrangements for, or in relation to—
- (a) the mitigation of emergencies; and
- (b) the response to emergencies; and
- (c) the recovery from emergencies;".

5

- (2) In sections 4A(a), 5(1) and 20(2)(a) and (b) of the **Emergency Management Act 1986**, for "prevention" **substitute** "mitigation".
- (3) Section 39(b) of the **Emergency Management Act 1986** is **repealed**.

21 Victoria State Emergency Service Act 2005

In section 3 of the **Victoria State Emergency Service Act 2005**—

10

- (a) in the definition of *emergency management*, for "section 4(1) of the **Emergency Management Act 1986**" **substitute** "section 3 of the **Emergency Management Act 2013**";
- (b) the definition of *prevention* is **repealed**.

Part 3—Further State level amendments

Division 1—General amendments

22 Definitions

- 5 (1) In section 3 of the Principal Act **insert** the following definition—
- "*region* means (other than in Part 7A) 2 or more municipal districts (and, if relevant, any area or areas of the State that are not part of a municipal district) that are declared to be a region under section 77A;"
- 10 (2) In section 3 of the Principal Act—
- (a) in the definition of *Class 1 emergency*, in paragraph (b), for "state emergency response plan" **substitute** "state emergency management plan";
- 15 (b) the definition of *state emergency recovery plan* is **repealed**;
- (c) the definition of *state emergency response plan* is **repealed**.

20 23 Role of State Crisis and Resilience Council

- (1) Section 7(b) of the Principal Act is **repealed**.
- (2) In section 7(d) of the Principal Act, for "section 77." **substitute** "section 77; and".
- (3) After section 7(d) of the Principal Act **insert**—
- 25 "(e) when consulted, to provide advice to the Minister on declaring regions under section 77A."

24 Functions of the Emergency Management Commissioner

In section 32(1) of the Principal Act—

- 5 (a) in paragraph (b), for "response plan and any directions made under section 55A(4)" **substitute** "management plan and any directions made under section 60AL";
- (b) in paragraph (mb), after "preparation" **insert** "and review".

10 **25 Information to be provided to Emergency Management Commissioner**

In section 34(1) of the Principal Act, for "state emergency response plan" **substitute** "state emergency management plan".

15 **26 Control of emergency response to Class 1 emergency**

In section 37(1), (5), (6B) and (7) of the Principal Act, for "state emergency response plan" **substitute** "state emergency management plan".

20 **27 Control of emergency response to Class 2 emergencies**

In section 39(1) and (2) of the Principal Act, for "state emergency response plan" **substitute** "state emergency management plan".

25 **28 New sections 40A, 40B and 40C inserted**

After section 40 of the Principal Act **insert**—

**"40A Regional and municipal district
emergency response coordinators**

- 5
- (1) The Chief Commissioner of Police must, on the request of the Emergency Management Commissioner, appoint a police officer to be an emergency response coordinator for each region and municipal district.
- 10
- (2) In the event of an emergency, directions (in accordance with the state emergency management plan) which concern the allocation of resources in responding to that emergency may be given to all relevant agencies having roles or responsibilities in relation to the response to emergencies by—
- 15
- (a) in the case of an emergency which affects one municipal district only, the emergency response coordinator appointed for that municipal district; or
- 20
- (b) in the case of an emergency that affects more than one municipal district within a region, the emergency response coordinator appointed for that region; or
- 25
- (c) in the case of an emergency which affects more than one region, the Emergency Management Commissioner.

40B Senior Police Liaison Officer

- 30
- (1) The Chief Commissioner of Police must appoint a police officer to be the Senior Police Liaison Officer.

- 5
- (2) The functions of the Senior Police Liaison Officer are—
- (a) to provide advice to the Emergency Management Commissioner under subsection (3); and
 - (b) to deal with requests to, or from, any police officer appointed as an emergency response coordinator for a region or municipal district under section 40A.
- 10
- (3) If, as part of the Emergency Management Commissioner's function under section 32(1)(a), the Emergency Management Commissioner performs functions relating to the coordination of a regional or municipal emergency response, the Emergency Management Commissioner must take into account the advice of the Senior Police Liaison Officer.
- 15
- 40C Regional emergency response committees**
- The Emergency Management Commissioner may establish such committees as are necessary at regional levels to plan the coordinated response to emergencies by all agencies having roles or responsibilities in relation to the response to emergencies."
- 20
- 29 Emergency Management Commissioner to be responsible for recovery coordination**
- In section 46 of the Principal Act, for "state emergency recovery plan" **substitute** "state emergency management plan".
- 25
- 30

30 Repeal of Parts 5 and 6

Parts 5 and 6 of the Principal Act are **repealed**.

31 New section 77A inserted

After section 77 of the Principal Act **insert**—

5 **"77A Declaration of regions—Orders in Council**

(1) On the recommendation of the Minister,
the Governor in Council may, by Order
published in the Government Gazette,
10 declare 2 or more municipal districts
(and, if appropriate, any area or areas of
the State that are not part of a municipal

15 district) to be a region for the purposes of
this Act (other than Part 7A).

Note

Section 5 of the **Alpine Resorts (Management)
Act 1997** provides that alpine resorts are deemed to
be municipal districts for the purposes of this Act.

20 (2) Before making a recommendation under
subsection (1), the Minister must consult
the State Crisis and Resilience Council.

(3) An Order made under subsection (1) may
declare one or more regions.

25 (4) An Order made under subsection (1) must
specify—

- (a) the name of each region declared; and
(b) the 2 or more municipal districts
30 (and, if relevant, any area or areas of
the State that are not part of a municipal
district) comprising each region; and

- (c) the date on which the Order comes into operation.
- 5 (5) An Order made under subsection (1) must be published in the Government Gazette within 7 days after it is made.
- (6) Any alteration to the boundary of a municipal district correspondingly alters the boundary of the region concerned."

10 **32 New sections 79 and 80 inserted—transitional provisions**

After section 78 of the Principal Act **insert—**

"79 Regional and municipal district emergency response coordinators

- 15 (1) On and from the day on which Part 3 of the **Emergency Management Legislation Amendment Act 2018** comes into operation, a person who immediately before that day is appointed under section 56 of this Act (as in force immediately before that day) as an
- 20 emergency response coordinator for a region (defined for the purposes of that section) is taken to be appointed under section 40A of this Act as an emergency response coordinator for a region declared under
- 25 section 77A of this Act, if both regions referred to in this subsection have the same name.
- 30 (2) On and from the day on which Part 3 of the **Emergency Management Legislation Amendment Act 2018** comes into operation, a person who immediately before that day is an emergency response coordinator for a

Part 3—Further State level amendments

5 municipal district appointed under section 56
of this Act (as in force immediately before
that day) is taken to be appointed under
section 40A of this Act as an emergency
response coordinator for that municipal
district.

80 Senior Police Liaison Officer

10 On and from the day on which Part 3 of
the **Emergency Management Legislation
Amendment Act 2018** comes into operation,
a person who immediately before that day
is a Senior Police Liaison Officer appointed
under section 57 of this Act (as in force
immediately before that day) is taken to be
15 a Senior Police Liaison Officer appointed
under section 40B of this Act."

**Division 2—Amendments to Part 6A of the
Emergency Management Act 2013**

33 Heading to Division 4 of Part 6A substituted

20 For the heading to Division 4 of Part 6A of the
Principal Act **substitute—**

**"Division 4—Approval, publication
and review process".**

34 Publication of emergency management plan

In section 60AI(1) of the Principal Act, for "section 60AH," **substitute** "section 60AH or is urgently updated under section 60AM,".

5 **35 New sections 60AJ, 60AK, 60AL, 60AM and 60AN inserted**

After section 60AI of the Principal Act **insert**—

"60AJ When does an emergency management plan come into effect?

10 An emergency management plan comes into effect when it is published in accordance with section 60AI(1)(a) or on any later date specified in the plan.

60AK Compliance with emergency management plan

- 15 (1) Subject to subsection (3), an agency that has a role or responsibility under an emergency management plan must act in accordance with the emergency management plan.
- 20 (2) Subsection (3) applies if there is a conflict between the emergency management plan and any duty, function, power, responsibility or obligation conferred on an agency referred to in subsection (1) by—
- (a) the common law; or
 - 25 (b) an Act or regulation (whether of Victoria, another State or a Territory or the Commonwealth); or
 - (c) a licence granted under an Act or regulation referred to in paragraph (b);

30 or

- 5
- (d) an intergovernmental agreement, arrangement or plan that is specified in the state emergency management plan; or
- (e) a term or condition of an agreement in relation to emergency management to which an agency referred to in subsection (1) is a party.
- 10
- (3) The Act, regulation, common law, licence, intergovernmental agreement, arrangement or plan, or term or condition referred to in subsection (2) prevails to the extent of its inconsistency with the emergency management plan and the agency referred to in subsection (1) is taken to have complied with the emergency management plan if it performs that duty, function, power, responsibility or obligation.
- 15

60AL Direction to comply

20

In the case of the state emergency management plan, the Emergency Management Commissioner may direct in writing an agency referred to in section 60AK(1) to act in accordance with the state emergency management plan if the Emergency Management Commissioner is of the opinion that—

25

- 30
- (a) the agency has failed to act in accordance with the state emergency management plan; and
- (b) the agency's failure is likely to have significant consequences.

60AM Urgent update of emergency management plan

- 5
- (1) This section applies if the relevant preparer is of the opinion that—
- 10
- (a) an update to its emergency management plan is urgent; and
- (b) there is a significant risk that life or property will be endangered if the emergency management plan is not updated; and
- (c) complying with the requirements of sections 60AF, 60AG and 60AH is not practicable in the circumstances.
- 15
- (2) Despite sections 60AF, 60AG and 60AH, the relevant preparer may update its emergency management plan in accordance with this section.
- 20
- (3) An urgent update to the emergency management plan made by the relevant preparer under this section—
- (a) comes into effect when it is published in accordance with section 60AI(1)(a); and
- 25
- (b) remains in force for a period of 3 months after it is published.
- (4) The relevant approver may revoke any update made to the emergency management plan under this section.

60AN Review of emergency management plan

Part 3—Further State level amendments

- 5
- (1) The relevant preparer must ensure that the emergency management plan it prepared is reviewed—
- (a) as required; and
- (b) at least every 3 years.
- (2) The purpose of a review of an emergency management plan is—
- 10 (a) to ensure that the plan provides for a current, integrated, coordinated and comprehensive approach to emergency management at a State level; and
- (b) to consider the effectiveness of the plan.
- 15 (3) After a review of the emergency management plan it prepared, the relevant preparer may prepare an updated emergency management plan.

Note

20 The requirements of this Part in relation to emergency management plans also apply in relation to updated emergency management plans."

Division 3—Consequential amendments to other Acts

36 Alpine Resorts (Management) Act 1997

25 In section 5 of the **Alpine Resorts (Management) Act 1997**, for "1986" substitute "1986, the **Emergency Management Act 2013**".

37 Emergency Management Act 1986

30 In section 4(1) of the **Emergency Management Act 1986**—

- (a) in the definition of *emergency activity*, in paragraph (a), for "response plan or the state emergency recovery" substitute "management";
- 5 (b) in the definition of *volunteer emergency worker*, for "response plan or the state emergency recovery" substitute "management";
- (c) **insert** the following definition—
- 10 "*state emergency management plan* has the same meaning as in section 3 of the **Emergency Management Act 2013**";".
- 38 Marine (Drug, Alcohol and Pollution Control) Act 1988**
- 15 (1) In section 3(1) of the **Marine (Drug, Alcohol and Pollution Control) Act 1988**, in the definition of *Victorian Marine Pollution Contingency Plan*, for "response plan prepared under Part 6" substitute "management plan prepared under Part 6A".
- 20 (2) After section 107C of the **Marine (Drug, Alcohol and Pollution Control) Act 1988** insert—
- "108 Transitional provision—Emergency Management Legislation Amendment Act 2018**
- 25
- On and from the day that Part 3 of the **Emergency Management Legislation Amendment Act 2018** comes into operation, the Victorian Marine Pollution Contingency Plan as in force immediately before that day
- 30 is taken to be established in accordance with

the state emergency management plan prepared in accordance with Part 6A of the **Emergency Management Act 2013**".

39 Terrorism (Community Protection) Act 2003

- 5 (1) In section 19(1)(b) of the **Terrorism (Community Protection) Act 2003**, for "response" substitute "management".
- (2) The note at the foot of section 19(1) of the **Terrorism (Community Protection) Act 2003** is repealed.
- 10

40 Victoria State Emergency Service Act 2005

- (1) In section 3 of the **Victoria State Emergency Service Act 2005**—
- 15 (a) in the definition of *emergency operations*, for "response plan and the State emergency recovery" substitute "management";
- (b) insert the following definition—
- "*state emergency management plan* has the same meaning as in section 3 of the **Emergency Management Act 2013**";
- 20 (c) the definition of *State emergency recovery plan* is repealed;
- (d) the definition of *state emergency response plan* is repealed.
- 25 (2) For section 39 of the **Victoria State Emergency Service Act 2005** substitute—
- "39 Discharge by registered unit of function under state emergency management plan**
- A registered unit must not discharge a
- 30 function under the state emergency

Emergency Management Legislation Amendment Bill 2018

Part 3—Further State level amendments

management plan without the consent
of the Chief Officer, Operations.".

Part 4—Regional level amendments

Division 1—General amendments

41 Definitions

- 5 (1) In section 3 of the Principal Act, for the definition of *emergency management plan* substitute—
- "*emergency management plan* means one of the following—
- 10 (a) the state emergency management plan;
- (b) a regional emergency management plan;"
- (2) In section 3 of the Principal Act insert the following definitions—
- 15 "*regional emergency management plan*, in relation to a region, means a plan for that region prepared by the relevant Regional Emergency Management Planning Committee in accordance with Division 2 of Part 6A and includes any updated
- 20 regional emergency management plan for that region;
- Regional Emergency Management Planning Committee* means a body established by section 53;"

25 42 Objectives of Act

In section 5(d) of the Principal Act, for "State level" substitute "State and regional levels".

43 Functions of the Emergency Management Commissioner

After section 32(1)(mb) of the Principal Act
insert—

- 5 "(mc) consider any regional emergency
 management plan submitted by a Regional
 Emergency Management Planning
 Committee for approval; and
- 10 (md) provide guidance to Regional Emergency
 Management Planning Committees in
 relation to compliance with the requirements
 of Parts 5 and 6A; and
- 15 (me) share information with Regional Emergency
 Management Planning Committees to assist
 effective emergency management planning
 in accordance with Part 6A; and".

44 Repeal of section 40C

Section 40C of the Principal Act is **repealed**.

45 Definition

20 In section 60A of the Principal Act, after
 paragraph (b) of the definition of *relevant*
 agency **insert—**

"(ba) a Regional Emergency Management
 Planning Committee;".

25 **46 Functions of the Inspector-General for Emergency
 Management**

In section 64(1)(gb) of the Principal Act, for "Part" **substitute** "Parts 5 and".

47 Guidelines for the purposes of Parts 5 and 6A

- 5 (1) In the heading to section 77 of the Principal Act, for "Part" **substitute** "Parts 5 and".
- (2) In section 77(1) of the Principal Act, for "Part" **substitute** "Parts 5 and".
- (3) In section 77(2) of the Principal Act—
- 10 (a) in paragraph (f), for "planning." **substitute** "planning;"
- (b) after paragraph (f) **insert**—
- "(g) the conduct of business and meetings by Regional Emergency Management Planning Committees."

15 **Division 2—Regional Emergency Management Planning Committees**

48 New Part 5 inserted

After Part 4 of the Principal Act **insert**—

20 **"Part 5—Regional Emergency Management Planning Committees**

53 Establishment of Regional Emergency Management Planning Committees

25 There is established for each region a Regional Emergency Management Planning Committee.

54 Constitution of Regional Emergency Management Planning Committees

(1) Each Regional Emergency Management Planning Committee consists of—

(a) the following members—

- 5
- 10
- 15
- 20
- 25
- 30
- (i) a person, or the person holding a position or role for the time being, nominated by the Department Head of each Department (other than the Department of Premier and Cabinet and the Department of Treasury and Finance);
 - (ii) a person, or the person holding a position or role for the time being, nominated by the Chief Commissioner of Police;
 - (iii) in the case of a region that includes a metropolitan district or part of a metropolitan district (within the meaning of the **Metropolitan Fire Brigades Act 1958**), a person, or the person holding a position or role for the time being, nominated by the Metropolitan Fire and Emergency Services Board;
 - (iv) in the case of a region that includes part of the country area of Victoria (within the meaning of the **Country Fire Authority Act 1958**), a person, or the person holding a position or role for the time being, nominated by the Country Fire Authority;

- 5 (v) a person, or the person holding a position or role for the time being, nominated by the Secretary (within the meaning of section 3(1) of the **Ambulance Services Act 1986**) on behalf of Ambulance Service—Victoria;
- 10 (vi) a person, or the person holding a position or role for the time being, nominated by the Society incorporated by Royal Charter under the name of Australian Red Cross Society;
- 15 (vii) a person, or the person holding a position or role for the time being, nominated by the Chief Executive Officer of a municipal council of a municipal district within the relevant region;
- 20 **Note 1**
Section 5 of the **Alpine Resorts (Management) Act 1997** provides that, for the purposes of this Act—
- 25 (a) the Board of an alpine resort is deemed to be a municipal council; and
- (b) an alpine resort is deemed to be a municipal district; and
- 30 (c) a Board established for 2 or more alpine resorts is deemed to be a municipal council; and
- (d) 2 or more alpine resorts for which a single Board is established are

Part 4—Regional level amendments

deemed to be a municipal district;
and

- 5 (e) the chief executive officer of
the Board of one or more alpine
resorts that is deemed to be a
municipal council is deemed to
be the Chief Executive Officer
of that municipal council.

Note 2

10 Nothing in this section prevents
2 or more Chief Executive Officers
nominating the same person to
represent their municipal councils.

- 15 (viii) a person, or the person holding a
position or role for the time being,
nominated by the Victoria State
Emergency Service Authority;

- 20 (ix) a person, or the person holding
a position or role for the time
being, nominated by Emergency
Management Victoria; and

- 25 (b) after the election of the chairperson
under section 55(1), in addition to the
members referred to in paragraph (a),
the following members—

- 30 (i) one or more persons, or one or
more persons holding a position
or role respectively for the time
being, each nominated by an
agency (with a role or
responsibility in relation to
recovery from emergencies at a
regional level) in response to an

Part 4—Regional level amendments

- 5 invitation from the chairperson
of the Regional Emergency
Management Planning Committee
on behalf of the Committee to
make a nomination;
- 10 (ii) one or more persons, or one or
more persons holding a position
or role respectively for the time
being, each nominated by an
agency in response to an invitation
from the chairperson of the
Regional Emergency Management
Planning Committee on behalf of
the Committee to make a
15 nomination.
- (2) A body or person referred to in subsection
(1) nominating a representative for the
purposes of that subsection must give
notice in writing of the nomination to—
- 20 (a) the chairperson of the Regional
Emergency Management Planning
Committee; or
- 25 (b) if the Regional Emergency
Management Planning Committee
has no chairperson, the Emergency
Management Commissioner.
- 30 (3) As soon as practicable after the
commencement of Part 4 of the **Emergency
Management Legislation Amendment
Act 2018**, there shall be a first meeting of
each Regional Emergency Management
Planning Committee at which the members

of each Committee constituting the
Committee at that time must—

- 5
- (a) elect one of their number to be
chairperson of that Committee; and
 - (b) select agencies to make nominations
for the purposes of subsection (1)(b)(i)
and (ii).
- 10
- (4) The addition of a member referred to in
subsection (1)(b) to a Regional Emergency
Management Planning Committee is not
taken to be a reconstitution of the Regional
Emergency Management Planning
Committee.
- 15
- (5) A Regional Emergency Management
Planning Committee is not taken to be
invalidly constituted only because there
is a vacancy in the membership of the
Committee.
- 20
- (6) A Regional Emergency Management
Planning Committee must ensure that
a vacancy in the membership of the
Committee is filled as soon as practicable
after the vacancy arises.
- 25
- (7) Subsequent to the first meeting of a
Regional Emergency Management Planning
Committee referred to in subsection (3),
the Regional Emergency Management
Planning Committee may select agencies
for the purposes of subsection (1)(b) as
and when the Committee determines.
- 30

**55 Chairperson of each Regional Emergency
Management Planning Committee**

- 5
- (1) Every 2 years, or when determined by each Regional Emergency Management Planning Committee, the members of each Committee must elect one of their number (irrespective of whether that person is referred to in section 54(1)(a) or (b)) to be chairperson of that Committee.
- 10
- (2) The chairperson of each Regional Emergency Management Planning Committee has the following functions—
- 15
- (a) chairing meetings of the Regional Emergency Management Planning Committee;
- (b) facilitating the Regional Emergency Management Planning Committee to perform its functions;
- 20
- (c) on behalf of the Regional Emergency Management Planning Committee, providing information and recommendations to the Emergency Management Commissioner.

56 Procedure of Regional Emergency Management Planning Committees

25

Subject to this Act and having regard to any guidelines issued under section 77(2)(g), each Regional Emergency Management

Planning Committee may regulate its own procedure.

57 Functions of Regional Emergency Management Planning Committees

5 The functions of each Regional Emergency Management Planning Committee in relation to its region are—

- 10 (a) to be responsible for the preparation and review of its regional emergency management plan; and
- (b) to ensure that its regional emergency management plan is consistent with the state emergency management plan; and
- 15 (c) to provide reports or recommendations to the Emergency Management Commissioner in relation to any matter that affects, or may affect, emergency management planning in that region; and
- 20 (d) to share information with the Emergency Management Commissioner and other Regional Emergency Management Planning Committees to assist effective emergency management planning in accordance with Part 6A; and
- 25 (e) to consult other Regional Emergency Management Planning Committees to assist effective emergency management planning in accordance with Part 6A; and
- 30 and

- (f) to perform any other function conferred on the Regional Emergency Management Planning Committee by or under this or any other Act.

5

58 Powers of Regional Emergency Management Planning Committees

10

Each Regional Emergency Management Planning Committee has power to do all things that are necessary or convenient to be done for, or in connection with, the performance of its functions."

Division 3—Amendments to Part 6A of the Emergency Management Act 2013

15

49 Principles underlying the preparation and contents of emergency management plans

20

(1) In section 60AA(2)(d) of the Principal Act, for "systems." **substitute** "systems;".

(2) After section 60AA(2)(d) of the Principal Act **insert—**

"(e) the needs of local communities are to be met by providing for flexibility in emergency management plans."

25

(3) For section 60AA(3) of the Principal Act **substitute—**

30

"(3) In performing any duties or functions or exercising any powers under Part 5 or this Part, the State Crisis and Resilience Council, the Emergency Management Commissioner and each Regional Emergency Management Planning Committee are to have regard to

the principles referred to in subsections (1) and (2)."

50 Definitions

In section 60AB of the Principal Act—

5

- (a) for the definition of *relevant approver substitute*—

"*relevant approver* means—

10

- (a) in relation to the state emergency management plan, the State Crisis and Resilience Council; and

- (b) in relation to a regional emergency management plan, the Emergency Management Commissioner;";

15

- (b) for the definition of *relevant preparer substitute*—

"*relevant preparer* means—

20

- (a) in relation to the state emergency management plan, the Emergency Management Commissioner; and

- (b) in relation to a regional emergency management plan for a region, the Regional Emergency Management Planning Committee for that region."

25

51 New section 60ADA inserted

After section 60AD of the Principal Act **insert**—

"60ADA Preparation of regional emergency management plans

5

The Regional Emergency Management Planning Committee for a region must arrange for the preparation of a regional emergency management plan for that region to provide for an integrated, coordinated and comprehensive approach to emergency management in relation to that region."

10

52 Consultation during preparation of state emergency management plan

(1) In section 60AF(1)(b) of the Principal Act, for "appropriate." **substitute** "appropriate; and".

15

(2) After section 60AF(1)(b) of the Principal Act **insert—**

"(c) may consult any Regional Emergency Management Planning Committee."

53 New section 60AFA inserted

After section 60AF of the Principal Act **insert—**

20

"60AFA Consultation during preparation of regional emergency management plans

25

(1) During the course of preparing a regional emergency management plan, the Regional Emergency Management Planning Committee may consult—

(a) the municipal council of any municipal district within its region; and

Note

30

Section 5 of the **Alpine Resorts (Management) Act 1997** provides that, for the purposes of this Act—

Part 4—Regional level amendments

- 5
- 10
- 15
- 20
- 25
- 30
- (a) the Board of an alpine resort is deemed to be a municipal council; and
 - (b) an alpine resort is deemed to be a municipal district; and
 - (c) a Board established for 2 or more alpine resorts is deemed to be a municipal council; and
 - (d) 2 or more alpine resorts for which a single Board is established are deemed to be a municipal district.
- (b) any other sector of the community that the Regional Emergency Management Planning Committee considers appropriate.
- (2) While the Regional Emergency Management Planning Committee is preparing a regional emergency management plan—
- (a) the Department Head of each Department must consult any agency that the Department Head considers appropriate and that has a role or responsibility under the proposed regional emergency management plan; and
 - (b) each relevant Department (within the meaning of section 74B) must consult any responsible entity (within the meaning of section 74B) that the Department considers appropriate."

54 Urgent update of emergency management plan

In section 60AM(1)(c) and (2) of the Principal Act, after "sections 60AF" **insert** "or 60AFA (as the case may be)".

55 Review of emergency management plan

In section 60AN(2)(a) of the Principal Act, after "level" **insert** "or in relation to the relevant region, as the case may be".

5

Division 4—Consequential amendments to other Acts

56 Alpine Resorts (Management) Act 1997

In section 5 of the **Alpine Resorts (Management) Act 1997**—

10

(a) in paragraph (d), for "district." **substitute** "district; and";

(b) after paragraph (d) **insert**—

15

"(e) the chief executive officer of the Board of one or more alpine resorts that is deemed to be a municipal council is deemed to be the Chief Executive Officer of that municipal council.".

57 Country Fire Authority Act 1958

20

(1) In the heading to Part IV of the **Country Fire Authority Act 1958**, for "**Regional and municipal**" **substitute** "**Municipal**".

(2) Division 2 of Part IV of the **Country Fire Authority Act 1958** is **repealed**.

- 5
- (3) In section 55(g) of the **Country Fire Authority Act 1958**, for "regional fire prevention committee" **substitute** "Regional Emergency Management Planning Committee established under the **Emergency Management Act 2013** for the region in which the municipal district is located".
- 10
- (4) In section 56 of the **Country Fire Authority Act 1958** **omit** "regional or".
- (5) In section 60 of the **Country Fire Authority Act 1958**—
- (a) **omit** "every regional fire prevention committee and";
- 15
- (b) for "sections 52(2B) and" **substitute** "section".
- (6) Section 110(1)(bb) of the **Country Fire Authority Act 1958** is **repealed**.

Part 5—Municipal level amendments

Division 1—General amendments

58 Definitions

5 (1) In section 3 of the Principal Act **insert** the following definitions—

10 *"municipal emergency management plan*, in relation to a municipal district, means a plan for that municipal district prepared by the Municipal Emergency Management Planning Committee for that municipal district in accordance with Division 2 of Part 6A and includes any updated municipal emergency management plan for that municipal district;

15 *Municipal Emergency Management Planning Committee* means a body established by section 59;".

(2) In section 3 of the Principal Act, in the definition of *emergency management plan*, after paragraph (b) **insert**—

20 "(c) a municipal emergency management plan;".

59 Objectives of Act

In section 5(d) of the Principal Act, for "State and regional" **substitute** "State, regional and municipal".

25 60 Definition

In section 60A of the Principal Act, after paragraph (ba) of the definition of *relevant agency* **insert**—

"(bb) a Municipal Emergency Management Planning Committee;".

61 Functions of the Inspector-General for Emergency Management

5 In section 64(1)(gb) of the Principal Act, for "Parts 5" **substitute** "Parts 5, 6".

62 Guidelines for the purposes of Parts 5, 6 and 6A

- (1) In the heading to section 77 of the Principal Act, for "**Parts 5**" **substitute** "**Parts 5, 6**".
- 10 (2) In section 77(1) of the Principal Act, for "Parts 5" **substitute** "Parts 5, 6".
- (3) In section 77(2) of the Principal Act—
- (a) in paragraph (g), for "Committees." **substitute** "Committees;";
- 15 (b) after paragraph (g) **insert**—
- "(h) the conduct of business and meetings by Municipal Emergency Management Planning Committees;
- (i) collaboration between Municipal Emergency Management Planning Committees;
- 20 (j) the responsibilities of municipal emergency management officers and municipal recovery managers."

25 **63 Declaration of regions—Orders in Council**

For the note at the foot of section 77A(1) of the Principal Act **substitute**—

"**Note**

Part 5—Municipal level amendments

Section 5(2) of the **Alpine Resorts (Management) Act 1997** provides that, for the purposes of this Act—

- 5
- (a) the area of certain alpine resorts is taken to be a municipal district; and
 - (b) the area of certain alpine resorts together with certain municipal districts is taken to be a municipal district."

64 New section 81 inserted—transitional provision

After section 80 of the Principal Act **insert**—

10 **"81 Municipal emergency management plan**

15 On and from the day on which Part 5 of the **Emergency Management Legislation Amendment Act 2018** comes into operation, a municipal emergency management plan for a municipal district (which immediately before that day is in force under section 20 of the **Emergency Management Act 1986**) is taken to be a municipal emergency management plan for that district prepared, approved and published in accordance with Part 6A of this Act."

20

Division 2—Amendments to Part 5 of the Emergency Management Act 2013

25 **65 Constitution of Regional Emergency Management Planning Committees**

For note 1 at the foot of section 54(1)(a)(vii) of the Principal Act **substitute**—

"Note 1

30 Section 5(2) of the **Alpine Resorts (Management) Act 1997** provides that, for the purposes of this Act—

Part 5—Municipal level amendments

- 5
- (a) the Board of certain alpine resorts is taken to be a municipal council; and
- (b) the area of certain alpine resorts is taken to be a municipal district; and
- (c) the area of certain alpine resorts together with certain municipal districts is taken to be a municipal district; and
- 10 (d) the chief executive officer of the Boards of certain alpine resorts taken to be a municipal council is taken to be the Chief Executive Officer of that municipal council."

66 Chairperson of each Regional Emergency Management Planning Committee

In section 55(2) of the Principal Act—

- 15 (a) in paragraph (c), for "Commissioner." **substitute** "Commissioner;";
- (b) after paragraph (c) **insert**—
- 20 "(d) on behalf of the Committee, providing information and guidance to Municipal Emergency Management Planning Committees."

67 Functions of Regional Emergency Management Planning Committees

- (1) After section 57(b) of the Principal Act **insert**—
- 25 "(ba) to consider any municipal emergency management plan submitted by a Municipal Emergency Management Planning Committee for approval; and
- 30 (bb) to provide guidance to Municipal Emergency Management Planning Committees operating in the region in relation to compliance with the requirements of Parts 6 and 6A; and".

- 5 (2) In section 57(d) of the Principal Act, for
"Commissioner and other Regional Emergency
Management Planning Committees" **substitute**
"Commissioner, other Regional Emergency
Management Planning Committees and Municipal
Emergency Management Planning Committees".

**Division 3—Municipal Emergency
Management Planning Committees**

68 New Part 6 inserted

10 After Part 5 of the Principal Act **insert—**

**"Part 6—Municipal
Emergency Management
Planning Committees**

15 **59 Establishment of Municipal Emergency
Management Planning Committees**

The municipal council of each municipal
district must establish a Municipal
Emergency Management Planning
Committee for that municipal district.

20 **Note**

Section 5(2) of the **Alpine Resorts (Management)
Act 1997** provides that, for the purposes of this Act—

Part 5—Municipal level amendments

- 5
- 10
- (a) the Board of certain alpine resorts is taken to be a municipal council; and
 - (b) the area of certain alpine resorts is taken to be a municipal district; and
 - (c) the area of certain alpine resorts together with certain municipal districts is taken to be a municipal district; and
 - (d) the chief executive officer of the Boards of certain alpine resorts taken to be a municipal council is taken to be the Chief Executive Officer of that municipal council.

59A Constitution of Municipal Emergency Management Planning Committees

- 15
- 20
- 25
- (1) Each Municipal Emergency Management Planning Committee consists of—
 - (a) the following members—
 - (i) the person nominated under section 59B to be the chairperson of the Municipal Emergency Management Planning Committee;
 - (ii) a person, or the person holding a position or role for the time being, nominated by the Chief Commissioner of Police;

Part 5—Municipal level amendments

- 5 (iii) in the case of a municipal district that is wholly or partly in a metropolitan district (within the meaning of the **Metropolitan Fire Brigades Act 1958**), a person, or the person holding a position or role for the time being, nominated by the Metropolitan Fire and Emergency Services Board;
- 10 (iv) in the case of a municipal district that is wholly or partly in the country area of Victoria (within the meaning of the **Country Fire Authority Act 1958**), a person, or the person holding a position or role for the time being, nominated by the Country Fire Authority;
- 15
- 20 (v) a person, or the person holding a position or role for the time being, nominated by the Secretary (within the meaning of section 3(1) of the **Ambulance Services Act 1986**) on behalf of Ambulance Service—Victoria;
- 25 (vi) a person, or the person holding a position or role for the time being, nominated by the Victoria State Emergency Service Authority;

Part 5—Municipal level amendments

- 5 (vii) a person, or the person holding a position or role for the time being, nominated by the Society incorporated by Royal Charter under the name of Australian Red Cross Society;
- 10 (viii) a person, or the person holding a position or role for the time being, nominated by the Department Head of the Department of Health and Human Services; and
- 15 (b) after the first meeting of the Municipal Emergency Management Planning Committee referred to in subsection (3), in addition to the members referred to in paragraph (a), the following members—
- 20 (i) one or more community representatives who accept an invitation given by the chairperson of the Municipal Emergency Management Planning Committee on behalf of the Committee;
- 25 (ii) one or more persons, or one or more persons holding a position or role respectively for the time being, each nominated by an agency (with a role or responsibility in relation to
- 30 recovery from emergencies at a municipal level) in response to

Part 5—Municipal level amendments

- 5 an invitation from the chairperson
of the Municipal Emergency
Management Planning Committee
on behalf of the Committee to
make a nomination;
- 10 (iii) one or more persons, or one or
more persons holding a position
or role respectively for the
time being, each nominated by
an agency in response to an
invitation from the chairperson
of the Municipal Emergency
Management Planning Committee
on behalf of the Committee to
make a nomination.
- 15
- 20 (2) A body or person referred to in subsection
(1) nominating a representative for the
purposes of that subsection must notify the
chairperson of the Municipal Emergency
Management Planning Committee in writing
of the nomination.
- 25 (3) As soon as practicable after the
commencement of Part 5 of the **Emergency
Management Legislation Amendment
Act 2018**, there shall be a first meeting of
each Municipal Emergency Management
Planning Committee at which the members
of each Committee constituting the
Committee at that time must select—
- 30 (a) one or more community representatives
for the purposes of subsection (1)(b)(i);
and

- (b) agencies to make nominations for the purposes of subsection (1)(b)(ii) or (iii).
- 5 (4) The addition of a member referred to in subsection (1)(b) to a Municipal Emergency Management Planning Committee is not taken to be a reconstitution of the Municipal Emergency Management Planning Committee.
- 10 (5) A Municipal Emergency Management Planning Committee is not taken to be invalidly constituted only because there is a vacancy in the membership of the Committee.
- 15 (6) A Municipal Emergency Management Planning Committee must ensure that a vacancy in the membership of the Committee is filled as soon as practicable after the vacancy arises.
- 20 (7) Subsequent to the first meeting of a Municipal Emergency Management Planning Committee referred to in subsection (3), the Municipal Emergency Management Planning Committee may select community representatives or agencies for the purposes of subsection (1)(b) as and when the
- 25 Committee determines.
- 59B Chairperson of each Municipal Emergency Management Planning Committee**
- 30 (1) The municipal council for a municipal district must nominate one of the following to be the chairperson of the Municipal

Emergency Management Planning
Committee for that municipal district—

- 5 (a) in the case of a body taken to be a
municipal council under section
5(2)(a)(i), (ii) or (iii) of the **Alpine
Resorts (Management) Act 1997**,
an employee of that body; or
- 10 (b) in any other case, the Chief Executive
Officer of the municipal council or a
member of the municipal council staff
nominated by the Chief Executive
Officer.
- 15 (2) The chairperson of a Municipal Emergency
Management Planning Committee has the
following functions—
- (a) chairing meetings of the Municipal
Emergency Management Planning
Committee;
- 20 (b) facilitating the Municipal Emergency
Management Planning Committee to
perform its functions;
- 25 (c) on behalf of the Municipal Emergency
Management Planning Committee,
providing information and
recommendations to the Regional
Emergency Management Planning
Committee for the region that includes
the municipal district.

30 **59C Procedure of Municipal Emergency
Management Planning Committees**

Subject to this Act and having regard to
any guidelines issued under section 77(2)(h),

each Municipal Emergency Management Planning Committee may regulate its own procedure.

59D Functions of Municipal Emergency Management Planning Committees

5

The functions of each Municipal Emergency Management Planning Committee in relation to its municipal district are—

10

(a) to be responsible for the preparation and review of its municipal emergency management plan; and

15

(b) to ensure that its municipal emergency management plan is consistent with the state emergency management plan and the relevant regional emergency management plan; and

20

(c) to provide reports and recommendations to the Regional Emergency Management Planning Committee for the region in which the municipal district is located in relation to any matter that affects, or may affect, emergency management planning in that municipal district; and

25

(d) to share information with the Regional Emergency Management Planning Committee for the region in which the municipal district is located and with other Municipal Emergency Management Planning Committees to assist effective emergency management planning in accordance with Parts 6 and 6A; and

30

Part 5—Municipal level amendments

5 (e) to collaborate (having regard to
any guidelines issued under section
77(2)(i)) with any other Municipal
Emergency Management Planning
Committee that the Municipal
Emergency Management Planning
Committee considers appropriate in
relation to emergency management
planning, including preparing
10 municipal emergency management
plans; and

15 (f) to perform any other function conferred
on the Municipal Emergency
Management Planning Committee
by or under this or any other Act.

**59E Powers of Municipal Emergency
Management Planning Committees**

20 Each Municipal Emergency Management
Planning Committee has power to do all
things that are necessary or convenient to
be done for, or in connection with, the
performance of its functions.

59F Functions of municipal councils

25 For the purposes of emergency management
planning, the functions of a municipal
council under this Act include—

30 (a) facilitating emergency management
planning for emergencies in relation to
its municipal district by establishing a
Municipal Emergency Management
Planning Committee; and

Part 5—Municipal level amendments

- 5 (b) in collaboration with other agencies
and by the establishment of a Municipal
Emergency Management Planning
Committee for its municipal district,
enabling community participation in
emergency preparedness, including
mitigation, response and recovery
activities; and
- 10 (c) nominating one of the following
persons to be the chairperson of the
Municipal Emergency Management
Planning Committee for the municipal
council's municipal district—
- 15 (i) in the case of a body taken to
be a municipal council under
section 5(2)(a)(i), (ii) or (iii) of the
**Alpine Resorts (Management)
Act 1997**, an employee of that
body; or
- 20 (ii) in any other case, the Chief
Executive Officer of the
municipal council or a member
of the municipal council staff
nominated by the Chief Executive
Officer; and
- 25 (d) appointing one or more municipal
emergency management officers
under section 59G; and
- 30 (e) appointing one or more municipal
recovery managers under section 59H.

59G Municipal emergency management officers

- 5
- (1) A municipal council must appoint one or more municipal emergency management officers for its municipal district.
- (2) A municipal emergency management officer is responsible for—
- 10
- (a) liaising with agencies in relation to emergency management activities for the municipal district; and
- (b) assisting in the coordination of emergency management activities for the municipal council.

59H Municipal recovery managers

- 15
- (1) A municipal council must appoint one or more municipal recovery managers for its municipal district.
- (2) A municipal recovery manager is responsible for—
- 20
- (a) coordinating, in consultation with agencies, the resources of the municipal council and the community for the purposes of recovery; and
- 25
- (b) liaising with any municipal emergency management officer appointed for the municipal district in relation to the use of the municipal council's resources for the purposes of recovery; and
- 30
- (c) assisting any municipal emergency management officer appointed for the

municipal district with planning and preparing for recovery."

**Division 4—Amendments to Part 6A of the
Emergency Management Act 2013**

5 **69 Principles underlying the preparation and contents
of emergency management plans**

For section 60AA(3) of the Principal Act
substitute—

10 "(3) In performing any duties or functions or
exercising any powers under Part 5, 6 or
this Part, the State Crisis and Resilience
Council, the Emergency Management
Commissioner, each Regional Emergency
15 Management Planning Committee and
each Municipal Emergency Management
Planning Committee are to have regard to
the principles referred to in subsections (1)
and (2)."

70 Definitions

20 In section 60AB of the Principal Act—

- (a) in the definition of *relevant approver*,
in paragraph (b), for "Commissioner;"
substitute "Commissioner; and";
- (b) in the definition of *relevant approver*, after
25 paragraph (b) **insert—**
- "(c) in relation to a municipal emergency
management plan, the Regional
Emergency Management Planning
Committee for the region in which the
30 relevant municipal district is located;"

- 5
- (c) in the definition of *relevant preparer*, in paragraph (b), for "region." **substitute** "region; and";
- (d) in the definition of *relevant preparer*, after paragraph (b) **insert**—
- 10 "(c) in relation to a municipal emergency management plan for a municipal district, the Municipal Emergency Management Planning Committee for that municipal district."

71 New section 60ADB inserted

After section 60ADA of the Principal Act
insert—

15 "**60ADB Preparation of municipal emergency management plans**

- 20 (1) The Municipal Emergency Management Planning Committee for a municipal district must arrange for the preparation of a municipal emergency management plan to provide for an integrated, coordinated and comprehensive approach to emergency management in relation to that municipal district.
- 25 (2) Two or more Municipal Emergency Management Planning Committees may collaborate when each preparing a municipal emergency management plan which may include incorporating, replicating or referring to documents developed in collaboration.
- 30 (3) Although 2 or more Municipal Emergency Management Planning Committees may plan and act jointly in relation to each

5 Committee's municipal emergency management plan, each Committee is separately responsible for ensuring that its municipal emergency management plan is prepared in accordance with this Act."

72 Consultation during preparation of regional emergency management plans

10 (1) In section 60AFA(1)(a) of the Principal Act, for "municipal council of" **substitute** "Municipal Emergency Management Planning Committee for".

(2) For the note at the foot of section 60AFA(1)(a) of the Principal Act **substitute**—

"Note

15 Section 5(2) of the **Alpine Resorts (Management) Act 1997** provides that, for the purposes of this Act—

- 20 (a) the area of certain alpine resorts is taken to be a municipal district; and
- (b) the area of certain alpine resorts together with certain municipal districts is taken to be a municipal district."

73 New section 60AFB inserted

After section 60AFA of the Principal Act **insert**—

25 **"60AFB Consultation during preparation of municipal emergency management plans**

- (1) During the course of preparing a municipal emergency management plan, the Municipal Emergency Management Planning Committee—

Part 5—Municipal level amendments

- 5 (a) must consult any sector of the community that the Municipal Emergency Management Planning Committee considers appropriate; and
- 10 (b) must have regard to any relevant community emergency management plan that is prepared wholly or partly in relation to the relevant municipal district; and
- (c) may consult any body, Department or other agency that the Municipal Emergency Management Planning Committee considers appropriate.
- 15 (2) In subsection (1)(b)—
- 20 *community emergency management plan* means a plan in relation to preparing for emergencies that is prepared by the community, or a sector of the community, located within one or more municipal districts."

74 Submission of statement of assurance to relevant approver

25 After section 60AG(3) of the Principal Act
insert—

- "(4) Each Municipal Emergency Management Planning Committee that has prepared a

5 municipal emergency management plan
(whether or not in collaboration with one or
more Municipal Emergency Management
Planning Committees) must prepare and
submit a statement of assurance in relation
to that plan in accordance with this section."

75 Publication of emergency management plan

- 10 (1) In section 60AI(1)(a) of the Principal Act, for
"provide" **substitute** "provide, other than in the
case of a municipal emergency management
plan,".
- (2) After section 60AI(1)(a) of the Principal Act
insert—
- 15 "(ab) in the case of a municipal emergency
management plan, must provide the relevant
municipal council with a copy of the plan
in a form suitable for publication on the
municipal council's Internet site on behalf
of the relevant Municipal Emergency
20 Management Planning Committee; and".
- (3) At the foot of section 60AI(1) of the Principal Act
insert—
- "**Note**
- 25 Section 5(2) of the **Alpine Resorts (Management)
Act 1997** provides that, for the purposes of this Act, the
Board of certain alpine resorts is taken to be a municipal
council."
- (4) In section 60AI(2) of the Principal Act, after
30 "Emergency Management Victoria" **insert**
"(or, in the case of a municipal emergency

management plan, the relevant municipal council)".

76 When does an emergency management plan come into effect?

5 In section 60AJ of the Principal Act, after "section 60AI(1)(a)" **insert** "or (ab)".

77 Urgent update of emergency management plan

10 (1) In section 60AM(1)(b) and (2) of the Principal Act, for "sections 60AF or 60AFA" **substitute** "sections 60AF, 60AFA or 60AFB".

(2) In section 60AM(3)(a) of the Principal Act, after "section 60AI(1)(a)" **insert** "or (ab), as the case may be".

78 Review of emergency management plan

15 In section 60AN(2)(a) of the Principal Act, after "region" **insert** "or municipal district".

Division 5—Consequential amendments to other Acts

79 Alpine Resorts (Management) Act 1997

20 (1) In section 5 of the **Alpine Resorts (Management) Act 1997**—

(a) **omit** "the **Emergency Management Act 1986**, the **Emergency Management Act 2013** and";

25 (b) in paragraph (d), for "district; and" **substitute** "district.";

(c) paragraph (e) is **repealed**.

(2) At the end of section 5 of the **Alpine Resorts (Management) Act 1997** insert—

"(2) For the purposes of the **Emergency Management Act 2013**—

- 5 (a) the following are taken to be a municipal council—
- (i) the Board of an alpine resort not referred to in subsection (3) or (5);
 - 10 (ii) a Board established for 2 or more alpine resorts not referred to in subsection (3) or (5);
 - (iii) a principal Board that is appointed under subsection (3);
 - 15 (iv) a principal municipal council that is appointed under subsection (5); and
- (b) the following are taken to be a municipal district—
- 20 (i) the area of an alpine resort whose Board is not referred to in subsection (3) or (5);
 - (ii) the whole area of 2 or more alpine resorts for which a single Board is established that is not referred to in subsection (3) or (5);
 - 25 (iii) the whole area of all the alpine resorts whose Board appoints a principal Board under subsection (3);
 - 30 (iv) the whole area of—

Part 5—Municipal level amendments

- 5
- (A) all the alpine resorts whose Board appoints a municipal council as a principal municipal council under subsection (5); and
- (B) the municipal district of the municipal council referred to in sub-subparagraph (A); and
- 10 (c) the following are taken to be the Chief Executive Officer of the relevant municipal council referred to in paragraph (a)—
- 15 (i) the chief executive officer of the Board of an alpine resort not referred to in subsection (3) or (5);
- (ii) the chief executive officer of the single Board established for 2 or more alpine resorts not referred to in subsection (3) or (5);
- 20 (iii) the chief executive officer of a principal Board appointed under subsection (3).
- 25 (3) For the purposes of the **Emergency Management Act 2013**, 2 or more Boards may appoint one of the Boards to be the principal Board in relation to emergency management.
- 30 (4) An appointment under subsection (3) is subject to the approval of the Regional Emergency Management Planning Committee for each region in which an

Part 5—Municipal level amendments

alpine resort whose Board is referred to in that subsection is located.

5

(5) For the purposes of the **Emergency Management Act 2013**, one or more Boards may appoint a municipal council to be the principal municipal council in relation to emergency management.

10

(6) An appointment under subsection (5) is subject to the approval of—

15

(a) the municipal council that is proposed to be appointed; and

(b) the Regional Emergency Management Planning Committee for the region in which the relevant municipal district is located; and

20

(c) the Regional Emergency Management Planning Committee for each region in which an alpine resort whose Board is referred to in that subsection is located."

(3) After section 79 of the **Alpine Resorts (Management) Act 1997** insert—

"80 Principal Boards

25

On and from the commencement of Part 5 of the **Emergency Management Legislation Amendment Act 2018**, a principal municipal council appointed by 2 or more Boards under section 19 of the **Emergency Management Act 1986** (as in force immediately before that commencement) is taken to be appointed

30

as a principal Board under section 5(3) of this Act.

81 Principal municipal councils

5 On and from the commencement of
Part 5 of the **Emergency Management
Legislation Amendment Act 2018**, a
principal municipal council appointed
by one or more Boards and a municipal
10 council under section 19 of the **Emergency
Management Act 1986** (as in force
immediately before that commencement)
is taken to be appointed as a principal
municipal council under section 5(5) of
this Act."

15 **80 Country Fire Authority Act 1958**

(1) Part IV of the **Country Fire Authority Act 1958**
is **repealed**.

(2) Section 110(1)(zb) of the **Country Fire
Authority Act 1958** is **repealed**.

20 **81 Electricity Safety Act 1998**

(1) In the heading to Division 2A of Part 8 of
the **Electricity Safety Act 1998**, for
"fire prevention" substitute "emergency
25 management".

(2) In the heading to section 86B of the **Electricity
Safety Act 1998**, for "fire prevention" substitute
"emergency management".

(3) In section 86B of the **Electricity Safety Act 1998**,
for "section 55A of the **Country Fire Authority
Act 1958**, a Council must, in a municipal fire
30 prevention plan required to be prepared and
maintained under that section" substitute

5

"section 60ADB or 60AN of the **Emergency Management Act 2013**, a Municipal Emergency Management Planning Committee must, in a municipal emergency management plan prepared under section 60ADB or in an updated municipal emergency management plan prepared under section 60AN (as the case may be)".

82 Emergency Management Act 1986

10

(1) Section 4A of the **Emergency Management Act 1986** is repealed.

(2) Part 4 of the **Emergency Management Act 1986** is repealed.

(3) Section 39(c) of the **Emergency Management Act 1986** is repealed.

15

83 Victoria State Emergency Service Act 2005

(1) Sections 5(1)(a) and 6(3)(a) of the **Victoria State Emergency Service Act 2005** are repealed.

(2) For section 34(1) of the **Victoria State Emergency Service Act 2005** substitute—

20

"(1) An application for the registration of a group of persons as a unit of the Service may be made to the Authority by a municipal council."

Part 6—Miscellaneous amendments

Division 1—Amendment of Emergency Management Act 2013

84 Inspector-General for Emergency Management

5 For section 61(2) of the Principal Act
substitute—

10 "(2) Subject to subsection (3) and on the advice
of the Minister, the Governor in Council
may appoint a person as Inspector-General
for Emergency Management.

15 (3) A person is not eligible for appointment
unless the Governor in Council is satisfied
that the person has appropriate management,
professional, technical and operational
expertise in emergency management and
appropriate skills to perform the functions
of the Inspector-General for Emergency
Management set out in section 64."

85 New sections 61A, 61B, 61C, 61D and 61E inserted

20 After section 61 of the Principal Act **insert—**

"61A Remuneration and allowances

25 (1) The Inspector-General for Emergency
Management is entitled to be paid the
remuneration and allowances that are
determined by the Governor in Council.

30 (2) The remuneration of the Inspector-General
for Emergency Management cannot be
reduced during the Inspector-General's term
of office unless the Inspector-General
consents to the reduction.

61B Terms and conditions

(1) The Inspector-General for Emergency Management—

- 5 (a) holds office for the period, not exceeding 5 years, specified in the Inspector-General's instrument of appointment; and
- (b) is eligible for re-appointment; and
- 10 (c) holds office on the terms and conditions determined by the Governor in Council.

(2) The Inspector-General for Emergency Management must be appointed on a full-time basis.

61C Resignation or vacancy in office

15 The Inspector-General for Emergency Management ceases to hold office if the Inspector-General—

- (a) resigns by notice in writing delivered to the Governor in Council; or
- 20 (b) becomes an insolvent under administration; or
- (c) is convicted of an indictable offence or an offence that, if committed in Victoria, would be an indictable offence; or
- 25 (d) nominates for election for the Parliament of Victoria or of the Commonwealth or of another

State or a Territory of the
Commonwealth; or

- (e) is suspended or removed from
office under section 61D.

5

61D Suspension and removal from office

The Governor in Council may suspend or
remove the Inspector-General for Emergency
Management from office on any of the
following grounds—

10

- (a) misconduct;
(b) neglect of duty;
(c) inability to perform the duties of the
office;
(d) any other ground on which the
Governor in Council is satisfied that
the Inspector-General for Emergency
Management is unfit to hold office.

15

**61E Acting Inspector-General for Emergency
Management**

20

- (1) If the Inspector-General for Emergency
Management ceases to hold office in
accordance with section 61C, the Minister
must appoint a person to act in the office
of Inspector-General for Emergency
Management.

25

- (2) The Minister may appoint a person to act
in the office of the Inspector-General for
Emergency Management during a period
when the Inspector-General for Emergency
Management is absent from duty.

30

- 5
- (3) Subject to this section, a person appointed under subsection (1) or (2) can be appointed for a period not exceeding 12 weeks.
- (4) If the Minister considers it necessary to do so, the Minister may extend the period of appointment under subsection (3) for a further period not exceeding 12 weeks or further periods each of which must not exceed 12 weeks.
- 10
- (5) While a person is acting in the office of Inspector-General for Emergency Management, the person—
- 15
- (a) has and may exercise all the powers and must perform all the functions of that office; and
- (b) is entitled to be paid the remuneration and allowances which the Inspector-General for Emergency Management would have been entitled to."

20 **86 New section 63A inserted**

After section 63 of the Principal Act **insert**—

"63A Provision of staff and contractors

- 25
- (1) The Secretary for the Department of Justice and Regulation must ensure that persons employed under Part 3 of the **Public Administration Act 2004** are made available to assist the Inspector-General for Emergency Management in the performance of the functions and the exercise of the powers of the Inspector-General for Emergency Management.
- 30

- 5 (2) The Inspector-General for Emergency Management may enter into agreements or arrangements with a person or body for the purpose of obtaining appropriate expertise to assist the Inspector-General for Emergency Management in the performance of the functions and the exercise of the powers of the Inspector-General for Emergency Management."

10 **87 Functions of the Inspector-General for Emergency Management**

- (1) In section 64(1)(a) of the Principal Act—
 (a) for "a monitoring and" **substitute** "an";
 (b) after "be" **insert** "monitored and".
- 15 (2) In section 64(1)(b) of the Principal Act **omit** "monitoring and".

88 Provisions relating to the monitoring and assurance framework

- 20 (1) In the heading to section 65 of the Principal Act **omit** "monitoring and".
- (2) In section 65(2) of the Principal Act—
 (a) for "a monitoring and" **substitute** "an";
 (b) **omit** "monitoring and".
- 25 (3) In section 65(3) and (4) of the Principal Act **omit** "monitoring and".

89 Delegation by relevant Minister

In section 74G(1)(b) of the Principal Act, for "section 74E" **substitute** "section 74E(2)".

90 New Part 9 inserted—transitional provision

After Part 8 of the Principal Act **insert**—

5 **"Part 9—Transitional provisions**

78 Assurance framework

10 On and from the day on which section 87 of the **Emergency Management Legislation Amendment Act 2018** comes into operation—

15 (a) for the purposes of Part 7, a monitoring and assurance framework referred to in that Part (as in force immediately before that day) is taken to be an assurance framework; and

20 (b) unless the context otherwise requires, a reference to a monitoring and assurance framework in any Act (other than this Act), subordinate instrument or other document is taken to be construed as a reference to an assurance framework."

Division 2—Amendment of Alpine Resorts (Management) Act 1997

91 Operation of other Acts in relation to alpine resorts

In section 5 of the **Alpine Resorts (Management) Act 1997**—

- 5 (a) in paragraph (a), for "board" **substitute**
"Board";
- (b) in paragraph (b), for "district." **substitute**
"district; and";
- (c) after paragraph (b) **insert**—
- 10 "(c) a Board established in relation to 2 or
more alpine resorts is deemed to be a
municipal council; and
- (d) 2 or more alpine resorts for which a
single Board is established are deemed
to be a municipal district."

92 New Division 6 of Part 6 inserted

15 At the end of Part 6 of the **Alpine Resorts**
(Management) Act 1997 insert—

**"Division 6—Transitional provisions—
Emergency Management Legislation
Amendment Act 2018**

20 **79 Audit of municipal emergency
management plan—Southern Alpine
Resort Management Board**

5 Despite anything to the contrary in section
 21A(1) of the **Emergency Management
 Act 1986**, the first municipal emergency
 management plan prepared under section 20
 of that Act by the Southern Alpine Resort
 Management Board after the commencement
 of section 6 of the **Alpine Resorts
 Legislation Amendment Act 2016** must
 be audited before 31 January 2019."

10 **Division 3—Amendment of Victoria State
 Emergency Service Act 2005**

93 **Section 53 substituted**

 For section 53 of the **Victoria State Emergency
 Service Act 2005** substitute—

15 **"53 Entitlement where damages otherwise
 payable**

 (1) If compensation under this Part is paid to a
 registered member or probationary member
 in respect of personal injury or loss of,
20 or damage to, property and an award of
 damages is made to the registered member
 or probationary member against a person
 other than the Authority in respect of the
 same injury, loss or damage, the Minister
25 may bring a proceeding against the
 registered member or probationary member
 in a court of competent jurisdiction to
 recover as a debt due by the registered
 member or probationary member to the
30 Crown whichever of the following amounts
 is the less—

 (a) the amount of compensation received;

- (b) the amount of damages received.
- 5 (2) If compensation under this Part is paid to a registered member or probationary member in respect of personal injury or loss of, or damage to, property and a compromise or a settlement is reached with the registered member or probationary member by a person other than the Authority in respect of the same injury, loss or damage, the Minister may bring a proceeding against that person in a court of competent jurisdiction to recover as a debt due by the registered member or probationary member to the Crown whichever of the following amounts is the less—
- 10
- 15 (a) the amount of compensation received;
- (b) the amount received under the compromise or settlement.
- 20 (3) If compensation under this Part is paid to a registered member or probationary member in respect of personal injury or loss of, or damage to, property and, subsequently, an award of damages is made to the registered member or probationary member in respect of the same injury, loss or damage against the Authority, the amount of damages to be paid must be reduced by the amount of compensation received.
- 25
- 30 (4) If compensation under this Part is paid to a registered member or probationary member in respect of personal injury or loss of, or damage to, property and, subsequently, a compromise or a settlement is reached with

- 5 the registered member or probationary member by the Authority in respect of the same injury, loss or damage, the amount to be paid under the compromise or settlement must be reduced by the amount of compensation received.
- 10 (5) If a registered member or probationary member is entitled to compensation under this Part in respect of personal injury or loss of, or damage to, property and an award of damages is made to the registered member or probationary member in respect of the same injury, loss or damage against a person or the Authority, the amount of compensation to be paid must be reduced by the amount of damages received.
- 15 (6) If a registered member or probationary member is entitled to compensation under this Part in respect of personal injury or loss of, or damage to, property and a compromise or a settlement is reached with the registered member or probationary member by a person or the Authority in respect of the same injury, loss or damage, the amount of compensation to be paid must be reduced by the amount received under the compromise or settlement."
- 20
- 25

94 New section 59 inserted

After section 58 of the **Victoria State Emergency Service Act 2005** insert—

59 Transitional provision—Emergency Management Legislation Amendment Act 2018

5

10

15

Despite the substitution of section 53 by section 93 of the **Emergency Management Legislation Amendment Act 2018**, section 53 as in force immediately before the day on which section 93 of the **Emergency Management Legislation Amendment Act 2018** comes into operation applies to compensation under Part 4 and damages in respect of personal injury or loss of, or damage to, property incurred before that day."

95 New Part 6 inserted

After Part 5 of the **Victoria State Emergency Service Act 2005** insert—

20

"Part 6—Fawkner Crematorium and Memorial Park land

60 Revocation of reservation

25

30

The reservation of land described in Schedule 1 by section 86(1)(b) of the **Cemeteries Act 1958** as in force immediately before its repeal is revoked to the extent that it applies to the land shown as Crown Allotment 2038 on the plan numbered OP124572 lodged in the Central Plan Office.

61 Consequences of revocation

On the revocation of the reservation referred to in section 60 of the land shown as Crown Allotment 2038 on the plan numbered OP124572—

5

- (a) that land is taken to be unalienated land of the Crown, freed and discharged from all trusts, limitations, reservations, restrictions, encumbrances, estates and interests; and
- (b) the appointment of any committee of management of that land is revoked to the extent that it relates to that land; and
- (c) subject to section 62(c), the appointment of any trustee of that land is revoked to the extent that it relates to that land; and
- (d) any regulations under section 13 of the **Crown Land (Reserves) Act 1978** are revoked to the extent that they apply to that land.

10

15

20

62 Temporary reservation for cemetery purposes

On the revocation of the reservation referred to in section 60 of the land shown as Crown Allotment 2038 on the plan numbered OP124572—

25

- (a) that land is taken to be temporarily reserved under section 4(1) of the **Crown Land (Reserves) Act 1978** for cemetery purposes; and

30

- 5
- (b) that land is taken to be a public cemetery established under section 4 of the **Cemeteries and Crematoria Act 2003**; and
- 10
- (c) the Greater Metropolitan Cemeteries Trust continues to administer that land as the cemetery trust for the Fawkner Crematorium and Memorial Park under the **Cemeteries and Crematoria Act 2003** as if it had been appointed as a cemetery trust for that land under section 8(1)(a) of that Act."

96 New Schedule 1 inserted

15

After Part 6 of the **Victoria State Emergency Service Act 2005** insert—

"Schedule 1—Land in respect of which reservation is revoked

Fawkner Crematorium and Memorial Park land

Situation and area of land:	Parish of Will-will-rook, being 152.9 hectares less authorised excisions.
Instrument of reservation:	Section 86(1)(b) of the Cemeteries Act 1958 , as in force immediately before its repeal.
Purpose of reservation:	A place for the interment of the dead.
Extent of revocation:	Crown Allotment 2038 on plan OP124572 lodged in the Central Plan Office.

20

Part 7—Repeal of amending Act

97 Repeal of amending Act

This Act is **repealed** on 1 December 2021.

Note

5

The repeal of this Act does not affect the continuing operation of the amendments made by it (see section 15(1) of the **Interpretation of Legislation Act 1984**).

Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

Yurunga Committee of Management Meeting

Yurunga Dining Room – 15.02.2018 7.30pm

Present: J Solly (Chairperson) D Saul, H Fisher, G Nuske, J Edelsten, J Woodward-Tourism Officer
Hindmarsh Shire

Apologies: K Fisher, L Gould, R Ismay – Mayor Hindmarsh Shire.

Moved H Fisher, 2nd J Edelsten C/D

Jeff Woodward: Jeff gave an extensive report on the following

- Jeff explained to the meeting his position as far as minor maintenance was concerned. That Simon Landrigan would remain as the major maintenance and grants person
- That Simon had put in a budget submission for replacement of the north verandah as well as stage two of the coach house.
- The Committee again spoke to Jeff about the poor condition of the vestibule flooring. Jeff asked that all previous correspondence be email to him so he was able to get a full story. Graham to do this.
- Jeff asked that the Committee put together a list of priorities. A wish list as such and submit it to him for consideration.
- Jeff as Tourism Officer said he saw Yurunga as Unique and a vital part of the Shires Tourism trail.
- Jenny gave an overview of the videoing that Lynne McKenzie had done of past Committee Members of Yurunga's History.
- Jan explained that she had visited a similar property where they had a "Friends List". Jeff said that this could be a good way of getting donations from those residents that aren't living in Rainbow.
- Jeff asked that we let him know of any events coming up and he would include in on the Shire's Website

Jeff was excused from the meeting at this point.

Additional Items:

- Spray from Ewan
- Painting the Dining Room on the 19th of February
- Friends of Yurunga.

Previous Minutes: The Previous minutes were accepted on the motion of

D Saul, 2nd H Fisher C/D

Correspondence:

Correspondence In

(Emails)

-) Nov 21: Simon to Graham re asbestos roof tiles in Coach House
-) Nov 24: Simon to Jenny & Graham re clearing Coach House
-) Nov 27: Simon to Jenny re Grant works
-) Dec 5: Simon to Jenny & Graham re Engineer Bruce Hilton's report on laundry issues
-) Dec 8: Simon to Jenny re Grant works
-) Jan 2: Simon to Jenny re visit to check Grant works
-) Jan 22: Simon to Jenny & Graham re fascia board quote (\$4,378.00). Approved
-) Jan 23: Simon to Jenny & Graham re Andrew Stotten's quote for painting dining room: \$2,640.00. Purchase order given. Quote for painting house fascia boards: \$11,440.00 (not now)
-) Jan 23: Simon to Jenny re Local History Grant & Grant works
-) Feb 1: Simon to Jenny & Graham re update on Grant works spending. Will still have \$5,665.60 to spend. Suggests asking Andrew for a quote to paint exterior window frames.
-) Feb 2: Simon to Jenny & Graham re timber mouldings in dining room
-) Feb 8: Simon to Jenny re timber moulding design, painting dining room & bricklayer
-) Feb 13: Simon to Jenny & Graham re dates for dining room painting

Correspondence Out

(Emails)

-) Nov 21: Graham to Simon re asbestos roof tiles in Coach House
-) Nov 24: Graham to Simon re clearing Coach House
-) Nov 27: Jenny to Simon re update & queries on Grant works
-) Dec 6: Jenny to Simon re Engineer's report on laundry issues & possibility of filling cracks
-) Jan 4: Jenny to Simon re Grant works & postponing Local History Grant application
-) Jan 22: Jenny to Simon re fascia board, film project & Grant works
-) Jan 25: Jenny to Simon re Builder Trevor has visited & will quote on North verandah & back step. Suggest painting windows on outside
-) Feb 1: Jenny to Simon re background to fitting timber mouldings & suggest replacing moulding in dining room before painting
-) Feb 7: Jenny to Simon re painting dining room, and tuckpointing red brick trim with Grant funds
-) Feb 8: Jenny to Simon re timber moulding & determining dining room original colours
-) Feb 14: Jenny to Simon re Grant works
-) Feb 15: Jenny to Simon re plaster vents & Coach House funding

Correspondence was moved on the motion of J Edelsten 2nd G Nuske C/D

Financial: Graham Presented a report from Kaylene Fisher as Treasurer.

Kaylene's report showed the following:

- Term Deposit \$5,114.63

- Coach House A/C \$20,059.61
- TOTAL BALANCE \$27,308.61

Income: Door Takings \$352.00
 Mugs x 2 \$30
 Fruit Sold \$20
 TOTAL \$402.00

Legacy Dinner: Income \$500
 Costs \$129.35
 Profit \$370.65

Moved G Nuske 2nd D Saul C/D

General Business:

1: Garden out the front of the house had been completed. Dawn said she had organised Ian to rotary hoe. Dawn said the garden would be planted out at a more appropriate time.

2: BBQ for Orchard Volunteers. The meeting suggested that this be put on the next meetings agenda.

3: Claim on Writing Desk. Jan gave details of how Paul Newcombe had put a claim on the desk via her. After discussions the meeting agreed that we wait for further correspondence from the Newcombe Family before further action was taken.

It was suggested that a form similar to one at the Rainbow Archives be given to people donating items to Yurunga telling people that they have no claim on donated items. Dawn said she would get a form from the Archives for the next meeint.

4: Volunteer Forms. Jenny reported that she had received the new Volunteer forms from the Shire and that all our Volunteers needed to sign them. After discussion Jenny was asked to contact Council to clarify points. Jenny to bring back findings for next meeting

5: New Roster. Dawn to contact those on the Roster to see if they are happy to go on the next one. Graham to organize new one.

6: Oil Verandah: As Ewan was no longer able to oil the verandah, a working bee was to be organized at a future date to do this job. Jenny to get "recipe" for oil.

7: Public Policy Thank-you. Helen said she had been approached by a member of the public who was concerned we were missing people that had helped on various projects, and that maybe we should make just General Public Thank-yous. Helen then moved the following motion.

" In a Public Forum we thank the leader of the project and their many helpers rather than individual names."

The motion lapsed due to no seconder. The meeting took on board Helens comments as asked by a community member.

8: Visiting Ewan. Now that Ewan Christian was back in the Rainbow Hospital, Graham suggested that we as a committee could possibly meet with him for a small morning tea or something in his room to thank him for his years of service. Dawn said she would follow up with the family to see if this was appropriate.

9: Article in Rainbow Argus. Graham would put something in the next edition of the paper outlining all the happening at Yurunga.

10: Yurunga Mugs. The Committee agreed that we don't keep any for catering purposes, but rather to sell the lot

11: New Tree Labels. Due to the deterioration of the signs that the school had made for the trees in the Orchard, Jan said she would follow up with Bevan Art and see what options we had to have new ones made. Jan would bring her findings and quotes to the next meeting.

12: Watering System. Dawn reported that there had been some issues with the watering system coming on. That her and Peter Solly had managed to get it working again. It was suggested that the instructions be enlarged so that they could be easily read. It was also suggested that the batteries be changed every November.

13: Orchard Volunteers. Jenny said she would check with Mal Drendel that everything was going OK with his work in the Orchard. Catherine Fuller has indicated that she is happy to continue with the pruning.

14: Garden Items: The meeting agreed that Dawn be allowed to purchase a new timer and a spray unit for the garden.

15: Dining Room Painting: With the Dining Room due to be painted during the coming week a working bee would take place at 4.00pm on Sunday to remove the items. It was suggested that another working bee happen on Thursday to put everything back. Times for this to be advised once the painting was finished.

16: Moustache Holder. Helen gave a report on this and her findings to have it preserved. Helen reported that it was being framed at a cost of \$401.50.

Meeting Closed 10.00pm

RAINBOW TOWN COMMITTEE MEETING MONDAY 26TH FEBRUARY 2018

Held at Civic Centre Small Meeting room @8.00pm

Visiting: Liaison Officer Wayne Schulz.

Members attending: Michael Sullivan, Julie McLean, Ross Heinrich, Bill Hutson, Greg Roberts, Adriane Bennet, Peta Bennet

Chairperson: declares meeting open and welcome to all attending.

Apologies: Leonie Clarke, Leanne Cox, Ben Gosling, Deputy Mayor Cr Ron Lowe, Dianne Dickson, Mayor Cr Ron Ismay

Motion: to accept apologies

Moved: Phillip Molesworth / Michael Sullivan - carried

Declaration by members of any conflict of interest in any item of the agenda, either,

-) Direct; or
-) Indirect interest of one of five types;
 1. a close association;
 2. an indirect financial interest;
 3. a conflicting duty;
 4. an applicable gift or
 5. a party to the matter in any term on the agenda
 6. An impact on residential amenity.

Chairman requests members declare any known conflicts of and/or pecuniary interests.

Minutes from January as circulated.

Business: arising from last meeting.

Motion: to adopt circulated January minutes as correct

Moved: Michael Sullivan / Julie Mc Lean – carried

Rainbow treasures Report:

28.11.17 – 26.02.18

Opening Balance	\$22,898.63
Income	\$9,500.00
Payments	\$594.04
Closing Balance	\$31,804.59

Income

HSC \$7,500.00 (2017 Grant & Admin)
VORRA \$2,000.00 (RDE)

Payments

M Keller Newsagent \$151.75 (Ink)
IGA \$170.34 (New Res Day 17)
Clugston Butchers \$238.35 (New Res Day 17)
Bow Bakery \$13.60 (New Res Day 17)
Lions Club \$20.00 (new Res Day 17)

Rainbow Town Committee Projects & Commitments

Day on the Lake \$816.75

Lawn \$802.75

Pella Project \$7,682.29

Grave Seat \$50.00

Open Spaces project \$614.37 (*may be used for Federal street tables*)

Town Traders \$3,017.38

Men's Shed \$2600.00

Historic Film Farming in the Mallee \$710.00 (Drought Response Funding)

Rainbow Desert Enduro \$2100.00

New Residence BBQ 2017 \$57.71

Hindmarsh Shire Grant: 2017 \$6,500.00 (Unallocated).

Committed funds \$24,951.25

Uncommitted funds \$6,853.34

Cheque Account \$31,778.19

Petty Cash Account \$26.40

Accounts

Australia Post \$127.00 (PO Box rent)

Motion: to receive treasures report and approve payment of accounts

Moved: Adriane Bennet / Greg Roberts – carried

Liaison Officer Report: Wayne Schulz

-) *Pool Closes*
-) *Completed a proposed capital works inspection for the next financial year*
-) *Discussion with Vic roads re repairs to Taverner Street not being completed to a sufficient standard.*
-) *There are a number of positions vacant in Rainbow for council related work such as Rainbow Caravan Park Caretaker, relief Caretaker and a relief caretaker for the transfer Station.*
-) *This Thursday night Residents consultation to be held at the supper room*
-) *Reseal and final seal on the Rainbow Nhill road*
-) *Reseal on the Rainbow rises road starts just past Solly road and continues out to the Pella bridge.*
-) *Reconstruction: of the Pigick bus route.*
-) *Albert St foot path reconstruction near the school discussion re trees reconstruction will commence from King Street to Taverner Street and around to drive way entrance.*
-) *Replacing fire fitting tanks out at Hindmarsh.*

Pre Budget submission of \$10 000 for Masterplan Development for the Rainbow Caravan park appears to have been successful.

Motion: to Receive Liaison Officer Report

Moved: Phillip Molesworth / Greg Roberts - carried

Inwards correspondence:

Invitation: to Tourism Forum Poster (fw)

Outwards correspondence:

-) Letter to Liaison Officer Wayne Schulz: Re Rainbow Caravan Park Request consideration of upgrades to Park (fw)
-) Application: pre budget for \$10,000 to develop Rainbow Caravan Park Master Plan development (fw)

Chairperson Ross Heinrich asked was there any questions regarding correspondence.

Motion: to receive inwards correspondence and endorse outward correspondence

Moved: Julie McLean / Adriane Bennet - carried

General Business

Discussion: Re writing a letter to Emma Keely re our arterial roads (Greg Roberts)

Motion: RTC write letter to Emma Keely Re condition of roads in the Rainbow area.

Moved: Greg Roberts / Phillip Molesworth – carried

Discussion: future and replacement of Tourist Info flag maybe even location? New proprietors of the Rainbow 50's Café have indicated a desire to have the tourism info at this location in Federal Street. Further discussion and visit to be held with Tourism Officer Jeff Woodward.

Motion: that RTC approval is granted to move all visitor information consisting of Flag, brochure cabinets and brochures to the Rainbow 50's Café, request supported by Tourism Officer Jeff Woodward and Community Development.

Moved: Phillip Molesworth / Peta Bennet - carried

Phil Molesworth: Suggest relocation of council TV screen from Shire office to Café as it would more visible by a greater number of people, after some discussion a motion was put forward.

Motion: it was suggested to approach Council / tourism Officer to see what can be done in regards to shifting TV to be more visible to a greater number visitors and community.

Moved: Phillip Molesworth / Michael Sullivan – carried

Greg Roberts: would like to know if wheel chair / gopher access improvements to shops in Federal Street qualify for Council shop front grants and if so should it be promoted more prominently.

Caroline Cocks: one of the support letter writers for the main sections of Federal / Taverner St intersection has suggested repairs have not been done to the standard that was suggested initially, are Council aware of this. (This comment was received verbally)

Liaison Officer: Wayne Schulz had already had a discussion with Infrastructure Director Shane Power who was going to talk to Vic roads.

Julie McLean: current marked car parks difficult to see at the Hospital needing to be repainted, disabled parking is also required at the doctors surgery

Liaison Officer Wayne Schulz: will speak to Daniel tomorrow re line marking at Hospital

Chairperson Ross Heinrich suggested: that letters supporting and congratulating Clugston Butchers and Rainbow 50's café be forwarded from RTC.

Moved: Phillip Molesworth / Greg Roberts - carried

As there was no further business Chairperson Ross Heinrich thanked all for their attendance and closed meeting@ 8.43pm