

TRANSCRIPT

LEGISLATIVE COUNCIL ENVIRONMENT AND PLANNING COMMITTEE

Inquiry into the 2022 Flood Event in Victoria

Melbourne – Wednesday 11 October 2023

MEMBERS

Sonja Terpstra – Chair

David Ettershank – Deputy Chair

Ryan Batchelor

Melina Bath

Gaelle Broad

Wendy Lovell

Samantha Ratnam

Rikkie-Lee Tyrrell

Sheena Watt

PARTICIPATING MEMBERS

John Berger

Ann-Marie Hermans

Joe McCracken

Evan Mulholland

Rachel Payne

WITNESSES

Cr Sarah Carter, Mayor,

Celia Haddock, Chief Executive Officer,

Laura-Jo Mellan, Director, Planning and Environment, and

Kirsten Tanner, Coordinator Emergency Management, Maribyrnong City Council;

Cr Pierce Tyson, Mayor,

Helen Sui, Chief Executive Officer,

Brett Walters, Director, Strategy and Planning, and

Ben McManus, Manager, Enterprise Project Management Office and Accountability, Moonee Valley City Council; and

Evan Counsel, General Manager, Strategy, Planning and Climate Change, and

Dean Robertson, Director, City Safety, Security and Amenity, Melbourne City Council.

The CHAIR: I declare open the committee's public hearing for the Inquiry into the 2022 Flood Event in Victoria. This public hearing is for the Environment and Planning Committee, an all-party committee of the Parliament looking into the October flood event. We will be providing a report to Parliament which will include recommendations to the government. Please ensure that mobile phones have been switched to silent and that background noise is minimised.

I would like to begin this hearing by respectfully acknowledging the Aboriginal peoples, the traditional custodians of the various lands we are gathered on today, and pay my respects to their ancestors, elders and families. I particularly welcome any elders or community members who are here today to impart their knowledge of this issue to the committee. I welcome any members of the public in the gallery and remind those in the room to please be respectful of proceedings and to remain silent at all times.

For those of you that are giving evidence today, all evidence taken is protected by parliamentary privilege as provided by the *Constitution Act 1975* and the provisions of the Legislative Council's standing orders. Therefore the information you provide during the hearing is protected by law. You are protected against any action for what you say during this hearing, but if you go elsewhere and repeat the same things, those comments may not be protected by this privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

All evidence is being recorded, and you will be provided with a proof version of the transcript following the hearing. Transcripts will ultimately be made public and posted on the committee's website.

At this point I will take the opportunity to introduce myself, and then committee members will also introduce themselves to you. My name is Sonja Terpstra, I am the Chair of the Environment and Planning Committee, and I am also a Member for the North-Eastern Metropolitan Region. Over to you.

David ETTERS HANK: David Ettershank, Western Metropolitan Region.

Samantha RATNAM: Morning, everyone. Samantha Ratnam, Member for Northern Metropolitan.

Melina BATH: Good morning. Eastern Victoria Region, Melina Bath.

Rikkie-Lee TYRRELL: Rikkie-Lee Tyrrell, Member for Northern Victoria Region.

Gaëlle BROAD: Hi, I am Gaëlle Broad, Member for Northern Victoria.

Wendy LOVELL: Wendy Lovell, Member for Northern Victoria. There are five of us.

Ryan BATCHELOR: Ryan Batchelor, Member for Southern Metropolitan.

The CHAIR: Thank you, everybody. With that, I welcome you to make your opening remarks. Make sure they are kept to the minimum time, as required. I know there are a lot of you, so it is up to you. Also, for the Hansard record, could you please state your name and the organisation you are appearing on behalf of. Over to you.

Sarah CARTER: Thank you, and good morning. I am Cr Sarah Carter, the Mayor of the City of Maribyrnong. With me today from Maribyrnong are Celia Haddock, the CEO; Laura-Jo Mellan, Director of Planning and Environment; and Kirsten Tanner, Coordinator Emergency Management. Today I will provide a brief overview of council's experience of the event and our response to the floods. Given the constraints on time this morning, we will outline only our top three recommendations, which does not of course diminish or take from the importance of the other recommendations contained within our submission.

In the days leading up to the flood of Friday 14 October, information for the community on the VicEmergency app and the information provided to council from VICSES fluctuated between notifications of the potential for a major and minor flooding event. The final advice issued to council on the afternoon of 13 October regarding consequences for Maribyrnong was limited to a flood event that would impact the Anglers Tavern and two residential properties. At 3 am on 14 October 2022 council was directed by the Victoria State Emergency Service to activate and open an emergency relief centre to support the evacuation of residents from rising floodwaters in the Maribyrnong River. Working with the Salvation Army, Cohealth and Highpoint management, the emergency relief centre provided a hot breakfast, warm clothes for those who had been rescued from floodwaters and the coordination of support services for the complex needs of residents impacted by the sudden and devastating onset of this extreme weather event.

From a projected three homes impacted, the reality could not have been more contrasting or different. A total of 512 homes were damaged or made uninhabitable by floodwaters. Later that afternoon the floodwaters receded, and the following day council gained access and, with the assistance of our local government colleagues – one of whom sits beside me here today – we started the long and arduous clean-up of roads, pathways, driveways and community infrastructure. To put this in some perspective, 150,000 cubic metres of mud, silt, household material and other flood debris were removed from private property and public land. The flood displaced well more than 1000 residents overnight, impacting 31 kilometres of local roads, 30 kilometres of stormwater drains, 70 kilometres of footpaths, 8 kilometres of walking trails, three treasured playgrounds and two sports pavilions that are home to a local youth club and taekwondo, soccer and cricket clubs.

During this time the relief centre was a central point for residents seeking advice, guidance and support, with a number of agencies there, including Services Australia; the Department of Families, Fairness and Housing; Disaster Relief Australia, Emergency Recovery Victoria, Victoria insurance agents, the Victorian Council of Churches; and the Australian Red Cross. We transitioned to a recovery centre on 31 October and continued to provide the support to residents.

Twelve months on we continue to see a broad range of ongoing impacts across the Maribyrnong community. Some residents are still in temporary accommodation, some are living in half-restored homes and others have sold their properties and moved on. We now see a community with new home owners and tenants who may not understand the flood risk – that it is the same today as it was on 14 October 2022 – and they will be in the same position as flood-affected residents were last year. Council has established since then a community recovery committee – it is community led – where we hope that the lived experience of the flood can provide insight and learnings that inform the recovery and future preparedness of our community, recognising that everyone's experience is vastly different. We meet monthly as part of that recovery committee. We work closely with GenWest, Cohealth, Anglicare and our state government recovery partners.

Our submission responded to each of these areas as set out in the committee's terms of reference and outlined a number of recommendations, of which we would like to highlight three very briefly: one, the need for a catchment-wide mitigation plan for the Maribyrnong River, which is critical and must be appropriately funded, because of course the modelling was way off. But hand in hand with that come those early warning systems and mitigation plans. We request a commitment to state emergency management planning that is inclusive of the diversity of the local community. At a municipal level we plan with the local community in mind; however,

some concerns raised by our residents can only be improved at the state level, and I speak specifically to those early warning systems.

The CHAIR: Very quickly – your time has expired – if you just want to get your third one in.

Sarah CARTER: Okay. Culturally appropriate – following on from the above point, where local emergency planning needs a more nuanced approach, then it needs to be resourced and funded accordingly. So the SES –

The CHAIR: Thank you. Your time has expired. Over to Moonee Valley now. Five minutes, please.

Pierce TYSON: Thank you. Good morning, Chair, Deputy Chair and committee members. My name is Pierce Tyson, Councillor and Mayor of Moonee Valley City Council. Thanks for the opportunity to talk to you today about the October 2022 floods and the Moonee Valley experience. I am here today with our CEO Helen Sui as well as council's Director of Strategy and Planning Brett Walters behind me, and Mr Ben McManus too. I will note that while we did not put our submission formally to this inquiry, it is a public document endorsed by council, and I am more than happy to table that to this committee if required and if it assists.

Compared to Mayor Carter in Maribyrnong, Moonee Valley's riverfront is much less dense residentially. However, approximately 180 residents were impacted by the floods across Ascot Vale and Avondale Heights, specifically the Rivervue retirement village. Many residents have been in temporary accommodation, some for up to 12 months, and the trauma of being evacuated from and the subsequent destruction of their homes has had a significant detrimental effect on their health and wellbeing. Residents have experienced social isolation, financial stress, emotional trauma and harm to welfare.

Council's sporting, leisure and parkland assets were significantly impacted. We estimate the council has removed at least 250,000 litres of mud from our roads. Twenty-five tonnes of hard waste and general waste from upstream became dislodged and stuck on trails and open spaces across our facilities, and the cost of council's clean-up is currently \$2.385 million. Residents, community organisations and sporting clubs were unable to access and use council spaces and facilities for up to three months, and repairs remain ongoing to council assets impacted by flood damage. The flood event also impacted power, water and sewerage in Ascot Vale and Avondale Heights, with significant health and environmental risks due to contaminated waste. I know this inquiry may ask about council's position on the Flemington Racecourse flood wall; our position remains what was resolved on 15 February 2005 in opposing that project.

With respect to recommendations and future planning, I would focus on these three areas: zoning and the land subject to inundation overlay, the LSIO; modelling; and warning systems. The LSIO and zoning around Rivervue retirement village is a case study in Melbourne Water's referral and determining authority obligations to planning permits. There have been many changes to Rivervue's planning permit over the last decade and a half, many of which were under secondary consent provisions. As well, the LSIO was changed through a planning scheme amendment in 2016, which council opposed. In most cases Melbourne Water was a referral authority, meaning that advice was not binding on decision-making either at the council or VCAT level. In any case Moonee Valley followed all suggestions from Melbourne Water where we were involved. However, this could be reviewed to tighten that agency's power and their responsibility for best outcomes around sensitive waterways. Additionally, to update the planning scheme with new LSIOs and flood mapping requires significant consultation, bureaucracy and money. Moonee Valley would welcome a review of how LSIOs are updated in planning schemes by Melbourne Water and the Minister for Planning to dynamically reflect present and future modelling for flooding.

The most recent flood mapping and information for the LSIO was incorporated into the *Moonee Valley Planning Scheme* in 2016, and the October 2022 floods demonstrated that this is outdated and inaccurate. This will be particularly relevant as the impacts of climate change worsen, and the LSIO must incorporate climate change modelling and draw upon the most up-to-date data. It is necessary for Melbourne Water to conduct hydraulic modelling based on the latest site conditions, climate change projections and industry standards and update that LSIO accordingly. The modelling needs to be future looking, incorporating climate change, and cognisant of past flood events.

Finally, Moonee Valley echoes other submitters in that warning systems did not work during the event. It was a significant burden on our already drained and under-resourced local emergency services to doorknock

residents. The effectiveness and reach of text message alerts from emergency services was not universal, but with the event occurring during the early hours of the morning residents were not even awake to respond. It has even been suggested to me that we consider physical air-raid sirens around Ascot Vale and Maribyrnong for inevitable future events. I acknowledge that the Bureau of Meteorology has taken on additional responsibilities recently with respect to warnings, and time will tell whether this fixes problems and double-up from the October 2022 event. If I have more time –

The CHAIR: About 40 seconds.

Pierce TYSON: If I have, then I might just touch on insurance from our residents' perspective. I am concerned that we find ourselves in a situation similar to that along the Brisbane River in that vast swathes of houses are uninsurable or will be uninsurable in the future. Residents have told me that their premiums have gone up anywhere from 28-plus per cent to close to 100 per cent, so I think that is worth touching on as well. Thanks.

The CHAIR: Right. Thank you. City of Melbourne, 5 minutes, please.

Evan COUNSEL: Thank you, Chair, and through you a good morning to other members and the Deputy Chair. Thank you for the invitation to talk to City of Melbourne's submission to this inquiry into the flood event. My name is Evan Counsel. I am a General Manager at the City of Melbourne. I am here with Dean Robertson, who is our Director of city safety and amenity and who also managed our emergency response.

Our council's submission outlines the impacts and damages caused by the flooding of the lower reaches of the Maribyrnong River, and I refer you to our submission and a number of images which detail the extent of flooding, particularly in the suburbs of Kensington and West Melbourne. The main cause of this flood was the water level rise in the Maribyrnong's lower reach. This meant that our local stormwater catchments were unable to discharge due to the increased water levels in the river being above the outfall pipes, and these were fully submerged so were not able to operate as intended.

Within the City of Melbourne, three businesses were severely impacted, five businesses had light to medium impact and one residential apartment block had a basement-level flood, which included approximately 80 vehicles and personal belongings in storage cages being damaged. The costs direct to council were mainly focused on cleaning up of debris on roads, footpaths and public spaces as well as mud in council pit and pipe infrastructure, which was required to be cleaned in the weeks following the event, and we incurred costs directly of just over \$100,000.

There are a number of challenges and recommendations that we have raised in our submission, and I will focus on three today. We have taken the opportunity through the submission to raise some of the challenges that we particularly faced. Some align with those of our neighbouring councils and others, particularly around preparing local community for these types of flood events. The information that community members relied upon from the SES local flood guide was positive, but it did have some inaccuracies at the time and was not necessarily as up to date as it could have been.

We suggest any information provided to communities needs to be clearer about how flood will impact them so that they can be prepared. This includes information about how deep and how fast floodwaters are. We have been conducting local community resilience assessments with our neighbourhoods in many of our areas, including Kensington, and our community have been asking for better information on disaster risk that may impact them in the future, and that includes flooding following the recent events. This information needs to be prominent, in a trusted place and in multiple languages.

The following issue is more around broader catchment management. We have a strong flood management strategy for Port Phillip and Western Port that we have worked together with multiple council partners and Melbourne Water to develop in recent years. The strategy emphasises the need to empower community, improve land use planning and provide more tools for flood risk management. What is important in our suggestions and in our submission is that we now need to focus on the implementation of this strategy and ensure that it is properly funded and that we are better prepared for flooding in this regard in the future.

The last issue is partly more specific to the City of Melbourne and our urban development and urban renewal areas but also very relevant to the planning and building framework and regulations more broadly. In the City

of Melbourne our major growth in the decades ahead is going to happen in our urban renewal areas of Arden, Macaulay and Fishermans Bend, which are all traditionally low-lying areas and will face significant flood risk. Development has commenced, while not all flood mitigation measures are in place.

One of the contributing challenges to managing flooding in these inner-urban renewal precincts is the municipal urban stormwater institutional arrangements. The institutional arrangements have been designed for the greenfield development areas rather than urban renewal in this brownfield-type environment. We will be much better placed for flood management outcomes in the future if we work with Melbourne Water to focus on what is best for future communities that will live in these areas and work in these areas, rather than apply greenfield arrangements or thinking to inner-urban renewal precincts. What is also important is that our planning and building frameworks, which both cover flooding in different ways, are integrated and aligned and that we have state oversight of that that is appropriate. To put it in the simplest way to the committee I would say that the statewide approach to bushfire management, from an emergency response and early warning response but also particularly in terms of planning frameworks, has been much improved over the last decade, and there is perhaps a strong opportunity to align the approach to flooding in a similar way. Our outer metro and regional communities are much more attuned to that type of bushfire risk and that would be the same for flooding. However, there is a unique challenge for inner-Melbourne and inner-urban communities, who are not as attuned to these types of natural risks but do face flooding risks as we have seen.

There are also elements of our submission that touch on the flood wall and flood wall modelling for the Flemington Racecourse, which is within our municipality. Council has made previous decisions which are detailed within our submission with that regard, and I will rely on that. Thank you, Chair.

The CHAIR: No worries, thank you very much. All right, now it is over to questions from all of us, and I will start perhaps with some opening questions. Thank you all very much for those opening remarks, which were comprehensive in the 5 minutes that you were allocated, so thank you. You were talking about LSIOs, so the overlays, and then we have also been talking a lot about flood studies today and updating them, because what we are learning and understanding is that often when you have got a particular area that may be subject to an overlay, different things can happen within that area. So there might be changes to roads, to drainage, to those sorts of things, and that can impact then ultimately how floodwaters might move. We are hearing that things can change rapidly, depending obviously on the area, so is it feasible for example to have something like an overlay or a planning scheme that has an overlay in it be updated in real time – that somehow there can be changes mapped so that it triggers warnings to planning managers to say, ‘Actually we need to review our previous flood study because there have been significant changes’? I will put that question to each of you, so perhaps we will start over here.

Pierce TYSON: This was sort of part of our recommendation. As much as it can be in real time as possible is what we would seek. The current system requires extensive consultation and a planning scheme amendment, which is costly and usually takes at least a year to do. As I said, the last one that we did incorporating that modelling was in 2016. Ideally you would have a system where emergency services and the SES actually rely on that mapping, whereas it was completely irrelevant for our SES during the event. Helen, do you have anything to add?

Helen SUI: Absolutely, I agree. I think it is a great idea, Chair. The planning scheme itself – the process is very lengthy. If we could have some flexibility, say with the schedule or whatever, allowing very frequent updating of the flood modelling or other types of modelling required for similar situations, I think that would be a great way forward. Thank you.

Sarah CARTER: We do not have current time monitoring, but if I could ask our Director, Planning and Environment, Laura-Jo Mellan to come up to the table?

Laura-Jo MELLAN: Hi. Laura-Jo Mellan, I am from the Maribyrnong City Council. I think probably just building on what has been said by the other councils, and from Evan in his statement, it probably needs a wholesale review of the current planning system. Is an LSIO in fact the best tool, or is there another tool that has to be created? I think that real-time data, as a planner, would be amazing. But again, whether there is the resource and the capability to keep something like that up to date in terms of the changes is probably something that could be picked up as part of that review. I think the most critical thing about it is that it is a catchment-wide approach. As Evan mentioned, the changes that were made after the 2009 bushfires and have continued to

be made – taking that statewide approach – actually mean that there is consistency in information, albeit there might be nuances for particular areas, which means that everybody kind of understands what they should be doing. Whereas at the moment, someone like Melbourne Water has to do a planning scheme amendment with Melbourne and they have to do it with us and then they have to do it with Moonee Valley, and then –

The CHAIR: It is complex.

Laura-Jo MELLAN: It is very complex and time consuming, and it means that by the time you get round all the councils, Melbourne's stuff might be out of date by that point but ours is up to date, which makes it difficult for emergency services as well.

The CHAIR: Yes. Would you like to add anything else?

Evan COUNSEL: Yes, absolutely. Thank you, Chair. I think in response to the specific question I would say that perhaps real-time modelling might not be warranted but most certainly much more frequent modelling at a broader scale is from a catchment perspective rather than municipal boundary perspective, aligned with planning and building frameworks.

The other point I would make is that I think perhaps the planning and building systems frameworks and regulations are not the tool to provide information to community, and there needs to be thinking around what is the best way to provide information around potential flooding that may be more frequent to community versus what is in our built-form frameworks. The built-form frameworks may not benefit from real-time information, because obviously developments are approved through different gateways through the building process and planning process at different points in time that can sometimes be years apart, and a real-time model may not benefit that framework in that way. However, in our submission we do point to an absolute minimum of around five years for modelling to be updated by Melbourne Water and implemented through the various frameworks to ensure consistency and continuity, and that methodology would need to be clear and consistent and transparent, account for climate change into the future and be clear enough in its methodology that I think insurance companies and the like are able to consider the implications of what it actually means for residents on the ground and those immediate cost implications that might be borne.

The CHAIR: Sure. Just because my time is going to run out in a sec, very quickly on warnings, do you think people are actually comprehending the gravity of warnings and acting? Are they comprehending that they are living in a flood plain and that waters can rise very quickly?

Pierce TYSON: I would probably point to a specific example during the event where, the afternoon and night before, the danger was downgraded from severe to moderate, and I think that has a substantial effect on the community's thinking. One of the residents actually even said to me yesterday that during that time, within the space of 20 minutes the sports field opposite his house was fine, empty, and within 20 minutes there was 1.1 metres of water within his house. So I think downgrading in that way was substantially dangerous.

The CHAIR: I am sorry, my time has expired. I am going to have to pass to Mr Ettershank, but thank you for those answers.

David ETTERS HANK: What have we got, Chair?

The CHAIR: Eight minutes.

David ETTERS HANK: Okay. Thank you. Thank you very much for coming along today. It is much appreciated. Can I start with just getting a very succinct answer from each of the councils. Do you retain any confidence in the current Melbourne Water flood management plan for the middle and lower Maribyrnong?

Pierce TYSON: Do you mean with respect to modelling or warnings or –

David ETTERS HANK: Is it a reliable tool for you to work with as a council?

Pierce TYSON: I think with Melbourne Water obviously there have been substantial changes recently. I touched on that during my opening statement about referral powers. I think that needs to be tightened to make Melbourne Water more responsible when they are making judgements on planning applications, as an example. We have seen with a recent planning permit where Melbourne Water as a referral authority have sat on their

decision-making on that for two or three months. But they did end up coming back, so that maybe demonstrates to me going forward that there is more thought and effort put into it.

David ETTERS HANK: So is that a no, you do not have that confidence in the plan or the current arrangements?

Pierce TYSON: Well, as I said, I think probably previously no. Going forward remains to be seen. I might ask our CEO if she has anything to add to that.

David ETTERS HANK: I am going to try and keep it quick, because we have obviously got very tight time.

Sarah CARTER: There obviously have been changes, but do I feel that we are still vulnerable as a community now as much as we were this time last year? Absolutely, and that has been made really clear by residents. We were thrown off by the modelling, which when combined with the alert system – I mean, to go from one venue and two homes to over 500 homes, something is really wrong. Now, do I have absolute faith that the recent changes have addressed that? I would not want to test it. So that is why we keep pressing about mitigation as well, because we are a little bit – we are very bruised by this, and the trauma that residents are still living with, I can understand that they have lost confidence. But I think those early warning systems and the modelling have to be done, and in light of climate change, we know these unpredictable weather events – the increased likelihood of them. So I do not have absolute faith in the changes that have been made, but I sincerely hope that the right information has been fed into that, to give us something that will protect the community and at least warn them in time.

David ETTERS HANK: Thank you.

Evan COUNSEL: I think it is difficult to say yes or no. I think there are challenges in resourcing the methodology in an effective way that gives us a point in time where it is up to date. I think there is lots that has not been looked at for a number of decades and that is a challenge. I would just say as Melbourne Water moves to update and regulate more strongly and take into account climate change, that does need to be balanced with the response of sometimes having floor levels over a metre higher than ground levels; sophisticated design responses and not blunt design responses just protect the livability of our state and our city as well. So there is work to be done there still.

David ETTERS HANK: While we are at the Melbourne end of the table – thank you for that answer – you referred to the apartment building on Hobsons Road that was subject to inundation. It is a very new building. It was built, as I understand it, to the one-in-100 rule, and yet it still got flooded. What went wrong?

Evan COUNSEL: Thank you for the question; it is a detailed question. I do not have all of the technical information to hand, but what I would say is often there are pressures that come with considering developments and development feasibility. There are often measures put forward, like infrastructure for pumps et cetera, to manage flooding in basements in flood plain areas to avoid definitive decisions around totally outlawing things like basements in flood plain areas where we are seeing medium and higher density developments of this type. When that infrastructure fails, then it is a critical failure, and that is likely what occurred in this instance, or the extent of flooding was simply too much for the infrastructure that was there to protect the residents' cars and goods in the basement.

David ETTERS HANK: Are you informing yourself as a council as to what went wrong, or has that been relegated to the dustbin of history now?

Evan COUNSEL: Council itself is not undertaking a specific investigation into the impacts and what caused the impacts for that particular building. I would imagine that could be followed up with the body corporate, and they are probably exploring those kinds of things through insurance and the like.

David ETTERS HANK: Okay. Taking on board the lessons of obviously what happened on 14 October, looking at what happened on Epsom Road, I am wondering: what is council's view then on the viability or the integrity of the proposed West Melbourne waterfront development, which is obviously huge and again is supposedly being built to a one-in-100?

Evan COUNSEL: Council is heavily reliant on the advice from Melbourne Water. Again, it is a good example of a significant development that has been proposed and in planning, in train for a number of years; I think it is five or six years now if we include preliminary discussions. Advice has been fairly consistent, and my experience with Melbourne Water is that they are doing the best they can with the information they have to hand. I think one of the challenges is the timing. This is a development that is in an area where the development proposals coming forward are not necessarily in line with early strategic planning work. It is pressed ahead as a proposition, and the modelling of the area and Melbourne Water's up-to-date modelling for the specific site versus the broader catchment is something that I think is a challenge in the decision-making. In that kind of vacuum of information I think they are making the best decisions they can, but there is probably a systematic question there. That development is now enabled by the planning scheme and they are in the detailed development phase, so they have a right to progress under the planning framework at this time. Post the events of the floods I think it remains that that development is a positive and feasible addition to the area, and the proponent is going above and beyond the requirements of Melbourne Water today in designing the precinct appropriately. But there is probably more planning that can be done at Melbourne Water's end for clearer and faster decision-making to enable them to do that in the future in these kinds of circumstances.

David ETTERS HANK: So will that approval be done by the City of Melbourne ultimately, or will this be done through the Department of Transport and Planning?

Evan COUNSEL: In this particular instance the Minister for Planning was the authority for approving the planning scheme amendments that have enabled us to get to this point. The minister appointed council as the planning authority to determine the detailed plans that come through the next stages, and council works with Melbourne Water and relies on Melbourne Water for a majority of those broader flooding decisions but also our engineers at council in relation to local flooding infrastructure as well. There are a number of precinct-level infrastructures that developers are responsible for and proposing to include, as well as bunds and things like that along Kensington Road there.

David ETTERS HANK: Okay. Thank you. I have got 16 seconds. Look, I am really sorry. There were a whole lot of questions that I wanted to ask, but we have run out of time, so –

The CHAIR: You will leave it there.

David ETTERS HANK: I will put them on notice.

The CHAIR: All right. Ms Bath.

Melina BATH: Thank you for being here. Your collective wisdom will really inform our inquiry. I am interested – I think all of you spoke about catchment-wide management plans and early warning. I want to drill down into that early warning system, noting that you have diversity of backgrounds – people have come from all over the world to live in and make your regions their home. The issue around CALD: how do we help people for whom English is not their first language to be informed? There are statewide emergency plans but then there are municipal emergency plans. Are you getting good information? You know, we are here to understand where the gaps are and to make recommendations to government to fill those gaps. So it is a pretty broad question I have got. Early response and warning systems: what can you tell us that we can tell government to improve?

Pierce TYSON: Beyond my initial comments around warning systems, I might add to them that our role as local government is not necessarily clear. We mobilised hundreds of our staff and we have an emergency management committee, but beyond that I think it might be easier if the delineation was clearer between council, SES and other emergency services.

Melina BATH: Was there a chain of command that you were aware of or familiar with?

Pierce TYSON: Not myself. We were probably taking our lead from SES, yes.

Melina BATH: Sure. Okay. Was that the volunteers or the incident controllers?

Pierce TYSON: Both, yes.

Helen SUI: The SES and the meteorology bureau were mainly doing the warnings. Our experience was that from the 11th to the morning of 13 October, in our part of the municipality we got advice that it was gradually increasing, which made sense. Then in the morning of the 13th was the major event. I had been following it up every couple of hours with my emergency people, and by 4 pm or 5 pm they said it had been downgraded to moderate. I think that word really got everybody: ‘Okay, we can relax.’

Melina BATH: ‘It is not critical’ – but it was critical.

Helen SUI: It was very critical, but it had been downgraded. Also the warning systems that were alerting us – I will give you an example. For two weeks after the event I had been walking around the streets every day. One morning I saw this couple from Woods Street. Their house was lost. They had a daughter-in-law visiting from overseas on the day, who had arrived the day before the flood. The daughter-in-law’s information was registered with customs service, because they put the address of the street. On the night of the flood the owner did not get any notification, but the daughter-in-law did get a message.

Melina BATH: Right.

Helen SUI: That shows how the system – there is a mismatch.

Melina BATH: Yes, there is a total gap in any information from the resident to the visitor.

Helen SUI: Also, between the 11th and 13th those who were much further away from the river got text message alerts, ‘Move to higher ground,’ but those much closer to the river, nought. So the question is about, I think, the SES system – I do understand there are a lot of resourcing issues for a volunteer-based organisation – and the contact information we have for all of those people. It does not make sense that an overseas visitor got an alert and the owner did not.

Melina BATH: Yes, a bit of clarity. Thank you.

Sarah CARTER: Melina, Kirsten Tanner I would like to invite forward. She has 20 years of experience. She was in the incident control room and managed Maribyrnong’s response. I just see the culturally and linguistically diverse communities as a really big piece, and it is not just language, it is risk appetite and understanding of risk.

Melina BATH: Right. That is a good component that we have not heard about.

Kirsten TANNER: Good morning. Kirsten Tanner. I am the Coordinator, Emergency Management, at Maribyrnong City Council. I would say our municipal emergency management plan clearly describes the community in that area and across Maribyrnong. The diversity and CALD and disability are all very well described, but what happens is the state issues the warnings. The warnings are based on the catchment, so they are not nuanced. For our community there would need to be specific advice to those who live riverfront as compared to those a few streets back.

Melina BATH: Up the hill.

Kirsten TANNER: That is right. SES did tell us that they were going to do some doorknocks the day before and hand out the flood guide. The flood guide is in English. The flood guide does not –

Melina BATH: Only in English?

Kirsten TANNER: Only in English – it does not come in other languages. I guess that is another comment around those warnings: they are only in English. We have local plans that, as I said, describe this, but the disconnect is then what happens at a state level.

Melina BATH: Can I interrupt? What would you want government to do? Not only in English – but what do you need?

Kirsten TANNER: The community need to understand the nuance when compared to where they live and what the risk presents to them in their own home or their own street. There is not a lot of point in saying, ‘The Maribyrnong’s going to be at this level,’ if it is not actually the case if they live up the hill a little bit. So there

does need to be nuance depending on where you live. I find it is quite different to bushfire advice, where everyone kind of understands what it is that they need to do to prepare their own home. But in a flood situation it is quite different.

Melina BATH: Thank you. Really good. Any further stuff you want to provide to us, do so after Melbourne.

Evan COUNSEL: I would echo Kirsten's comments and only add that I think in terms of emergency response and the information to community there were many players, including Victoria Police. We assisted Victoria Police with local road closures, but we were not able to do the same for state government roads. That was left to VicRoads and Victoria Police. Then you had the SES responding as well. I think with emergency response as well as preparedness responsibilities down to the local level in the way that was described, there are lots of people playing in the space, and it could be better coordinated and centralised in a similar way to what was described.

Melina BATH: On your roads, council roads, you had the police, VicPol, assisting you.

Evan COUNSEL: We were assisting VicPol.

Melina BATH: Yes. Good. Wonderful. Then with the state-based roads you had to have a hands-off approach, but you felt that they should have been better organised or there was just not that cohesion between the two.

Evan COUNSEL: There were some examples where road closures probably should have occurred earlier, and there were some properties that incurred some damages that could have been avoided, due to floodwaters and truck movements et cetera then causing additional damage and those kinds of things post events.

Melina BATH: I am just putting on record it might be worth having VicPol in, but we can discuss that as a committee. I note that 10 years ago Maribyrnong – and we had the same thing in the Latrobe Valley with Latrobe city – had their own really incredibly detailed council response with doorknocking and letterbox dropping and the whole works. Is that something that still operates now? Were you able to implement that?

Kirsten TANNER: The Maribyrnong flood and storm plan, the subplan to the MEMP, is the SES. That is their role and their responsibility to undertake that task.

The CHAIR: Thank you, but your time has can concluded. Mr Batchelor.

Ryan BATCHELOR: Thanks very much. It is good to have everyone here. I suppose this is for Moonee Valley, but probably more broadly. Reading the review of the decision-making around Rivervue, it seems that whilst there was the first set of decisions about the finished floor level – have I got that right? – there were then a series of subsequent changes to that. It is a feature often of planning decision making that something gets approved and then there is this slow creep of decision after decision after decision that in the end changes something quite significantly from what was originally intended. I am interested in your reflections on that as a practice in this instance but also more broadly about how we ensure that all of those other subsequent decisions are upholding the fidelity of the original decision-making and the schemes and the rules that should be there to protect future residents of these facilities.

Pierce TYSON: Yes. Thanks for your question, Mr Batchelor. I might ask our Director of Strategy and Planning Mr Walters to join us.

Brett WALTERS: Thank you. With respect to the Rivervue development, you are correct; there was an initial planning decision, then subsequent changes.

Ryan BATCHELOR: How many more were there?

Brett WALTERS: I have got a list of them, but there were a number of them.

Ryan BATCHELOR: Can you provide that on notice to us?

Brett WALTERS: We can.

Ryan BATCHELOR: Thanks.

Brett WALTERS: We can certainly provide that. We have got a summary of those. Invariably when proposals are focused on changing floor levels, the decision by council will be referred to Melbourne Water for their latest advice on the flooding situation, and no decision by council was not cognisant of or inconsistent with Melbourne Water's advice.

Ryan BATCHELOR: But council is a decision-maker.

Brett WALTERS: Yes, unless – in some cases it is VCAT.

Ryan BATCHELOR: Sure. Okay. Why does it keep happening, do you think?

Brett WALTERS: Why do the changes happen?

Ryan BATCHELOR: In this instance and more broadly, why do you think there is a continual creep of decision-making away from what has originally been decided in these types of developments?

Brett WALTERS: I think typically as developers get into more detailed design stages, they respond to things that they discover along the way or they seek opportunities to increase yield. There may be a number of reasons why they might vary it slightly.

Ryan BATCHELOR: It strikes me that floor level is pretty related to cost, right – that if you want to strip cost out of a project, you just shrink the size. Floor and ceiling level – height – is a pretty good way of affecting the cost.

Brett WALTERS: It is hard to speculate on the specifics of it.

Ryan BATCHELOR: But generally –

Brett WALTERS: Generally speaking, developers are focused on increasing their yield by whatever mechanism they can find. But nevertheless the decisions are referred back for final modelling.

Ryan BATCHELOR: All right.

Pierce TYSON: Mr Batchelor, I might just add – I have just had a look – there were 18 amendments to the planning permit.

Helen SUI: Including the original one.

Pierce TYSON: Including the original.

Ryan BATCHELOR: Right, 18.

Helen SUI: And they are still going of course.

Pierce TYSON: Yes.

Brett WALTERS: As they started development.

Pierce TYSON: This increased in terms of the scale of change after the LSIO was changed by Melbourne Water in 2016.

Sarah CARTER: And I do not have a specific example of a flood-affected property, but in 15 years of local government, the deregulation of the building industry – I was sitting with our director of planning only weeks ago incredibly frustrated for people that had bought in to a development, and what they had been promised was far from what had been delivered. So you have got a planning permit, which is the blueprint, but then you have got the building permit, and then it can be comparable – you know, what was a green, lush kind of rooftop is concrete, heat attracting. So it is just that deregulation of the building industry.

Ryan BATCHELOR: I might just go to Fishermans Bend. I raised it with the department earlier. Obviously in my region I am interested to make sure that the development we get there is best practice. You mentioned a framework, which I did not catch the name of, that is designed for greenfield sites but not for urban renewal. I did not get the name of it. Who is responsible for it, and who do we need to get to change it to be appropriate to your circumstances?

Evan COUNSEL: That was the municipal urban stormwater institutional arrangements. I believe that would be through Melbourne Water, but I will take it on notice and provide the specific advice back.

Ryan BATCHELOR: Yes, that would be good. I think if we have got significant urban renewal happening in large sites in the inner-city former industrial sites – Fishermans Bend, unsurprisingly, near a lot of water – we need to make sure the developments there are not subject to inundation from water in the future. If you could come back to me on that, that would be really great.

Evan COUNSEL: Absolutely.

Ryan BATCHELOR: The last thing I just wanted to ask the councils is: obviously there has been a lot of trauma in the community, a lot of things that need to change; I am wondering if you wanted to give to the committee a sense of what council has been doing in terms of flood mitigation works under your control in the last 12 months in your communities. Someone – I do not mind.

Pierce TYSON: With the precinct that we have, the riverside precinct, we have inbuilt essentially resilience requirements on any proposal going forward, either the precinct changes, developments – anything else that that has required going forward.

Ryan BATCHELOR: What has changed? What about what you do? In terms of your maintenance, in terms of your council-owned infrastructure, what under your control has changed in what you do in the last 12 months?

Pierce TYSON: Well, everything that we have had to rebuild in terms of our sporting facilities. You know, while we are rebuilding it, there is an inevitability that it will be flooded again at some point, so I think that has to be factored in in any rebuild as well.

Sarah CARTER: We have just opened Henry Turner south pavilion. We completely redesigned the site master plan, which had been prepared prior to the flood, and moved it to higher ground and actually raised it. It is one of the first significant investments. It had a contribution by the state government, but we redesigned that and elevated that facility.

Ryan BATCHELOR: I do not know if you want to make any comment?

Evan COUNSEL: Yes, absolutely. Council has recently looked to progress a proposed planning scheme amendment for flooding in the Macaulay urban renewal area. We have done that in partnership with Melbourne Water. It has been challenging, and I am happy to share outside of session some of the complexities around these amendments with local communities and the local community concerns that councils received. We also raised a new matter through that amendment to the department – and we are pursuing this – that does not fit within the existing planning framework for established areas like this, where we see potential uses that are sensitive to flooding, like aged care, like child care, moving into existing buildings which have lower floor levels and we are not seeing new development built at that higher level, and then what measures are in place that are perhaps missed in the framework at the moment.

Ryan BATCHELOR: I might just finish. The reason I ask is that in the conversation I had with council, Port Phillip, in relation to Elwood, an area that has been subject to inundation, they were surprised at how dirty their drains were. The work that they put into having a look and cleaning stuff out I think has made some difference to the communities down there.

Helen SUI: Can I please add something? The drain maintenance is actually very important, and at Moonee Valley we are very proud of the quality of drain maintenance. I remember, because I mentioned we drove across the city on the Friday afternoon, and we noticed our drainage system working really well, because heavy

water was going down really quickly. That absolutely is the drain maintenance, and we continue to do that really well. We have always been good and continue to –

The CHAIR: I am sorry, your time has expired.

Helen SUI: Thanks.

The CHAIR: I apologise for that. Dr Ratnam, over to you with a question, please.

Samantha RATNAM: Thank you very much. Thanks, everyone, for being here today and for your excellent submissions. Just a few questions. I am really trying to understand some of the decision-making that occurred, probably prior to many of your times, but mainly so that we can understand how we improve the system and foolproof it for the next time, particularly around some of the planning decisions. I understand that a number of your councils hired experts to review the hydrology reports on the Flemington flood wall, which were prepared by GHD for Melbourne Water. That analysis, that review, found issues in the modelling, which were then dismissed by Melbourne Water apparently. Do you have any more information about or have the detail of that review, that work that was done? You can provide it to us on notice. It is mainly to see whether we should be talking to any other experts to provide that review and contrast it with Melbourne Water's view.

Pierce TYSON: I am happy to take anything on notice on Moonee Valley's part, but there probably is not a lot to add beyond my statement at the beginning.

Samantha RATNAM: Okay. Great. So in terms of records of that review that you conducted reviewing Melbourne Water's GHD analysis, there are not a lot of records around that?

Helen SUI: We need to have a look.

Pierce TYSON: We can take it on notice.

Samantha RATNAM: Okay. That would be helpful, thank you. I am also interested to know – oh, sorry.

Laura-Jo MELLAN: Through the Chair – Laura-Jo from Maribyrnong – we can provide details of the reviews that we had undertaken. We have outlined that council objected to it at the time in our submission and it is detailed in our Melbourne Water review, but we are happy to provide those reports to the committee.

Samantha RATNAM: Great. Thank you so much. I really appreciate that. I am also interested to know how pressure was brought to bear, because it seems – although is not very clear at the moment, so we are trying to get to the bottom of it – there must have been a lot of pressure and lobbying for some of these planning scheme changes to occur, I am just presuming. Do you have any records or knowledge of direct representations from either the previous owners of the Rivervue Australian retirement services, Metricon, Tigcorp or the VRC and their lobbyists and associates to members of council or senior executives and/or do you have any records of hearing about representations directly to government and the minister at that time?

Sarah CARTER: As far as the VRC decision, that is before my time, even though I am in my fifth year. I do not know whether we would have anything on record.

Laura-Jo MELLAN: Through the Chair again, we do not have anything specific to that on record, when I looked through the paper records, prior to the Melbourne Water review, but I can certainly revisit those files and provide you any information that we might have.

Samantha RATNAM: Fabulous. Thank you.

Pierce TYSON: With respect to Rivervue, my understanding is that Tigcorp made representations to Melbourne Water to change the LSIO – council opposed it.

Samantha RATNAM: Thank you. Does your council require councillors, senior staff and other executives to log or record contact with applicants as a part of your planning process?

Sarah CARTER: I do not think to formally log. We have a standard practice that we do not meet with developers unaccompanied by an officer, and usually you would want an assembly of councillors. It is just not appropriate. We get presented with both sides openly in the chamber.

Samantha RATNAM: It is a practice, not a requirement. That is good practice, yes.

Laura-Jo MELLAN: And from an officer perspective we would obviously have notes and records of the details of any preapplication discussions that we had with applicants and developers.

Samantha RATNAM: If you could provide any of those on notice, that would be so helpful, if that is okay.

Helen SUI: Thank you. Rivervue has a current application with the council. They have not sought any presentation with the council or council officers. Similar to other councils, if we have a meeting or whatever, there will be minutes.

Samantha RATNAM: Okay. Thank you so much. Regarding the Rivervue site, given the events of last year, is there anyone that can speak to us about the future of the Rivervue site and the council's perspective on the approach, given what has occurred in the last year?

Pierce TYSON: I will have to probably be cautious because there is an active planning permit –

Samantha RATNAM: Of course. I understand, yes.

Pierce TYSON: with respect to it, so we obviously have to remain neutral with respect to the future of that planning permit. In terms of the past, maybe I can reflect on the residents' perspective. I was speaking to Karen McKay today. She is a former resident of Maribyrnong. She lived on the flood plain when she moved in. Tigcorp assured her that she was not on the flood plain, because technically that was correct because the flood plain had changed in 2016. She essentially now has a worthless asset, and she said to me that she will have nothing to pass on to her kids after having 77 years on this earth to build up a nest egg.

Samantha RATNAM: Could I also follow up there, Mayor Tyson, in reference to your previous point that you understand that Tigcorp made representations to Melbourne Water around their LSIO and C151. Do you all have documented records of that? What are you basing that knowledge on?

Pierce TYSON: I will have to take it on notice.

Samantha RATNAM: That would be helpful. Thank you. I would welcome that. This is another planning-related question. Back to Maribyrnong: people in the Maribyrnong township with a planning permit to build a new building but can rebuild to the existing floor height without one – what changes would you like to see to the planning scheme to address the issue of homes on the flood plain? You referred to it a bit before.

Laura-Jo MELLAN: Probably just reflecting back to Evan's earlier point and what I said: there need to be changes to the planning and the building systems, because where they do not trigger a planning permit they could trigger a building permit, which is another mechanism to deal with some of these issues. I think in terms of changes to the planning scheme, it is probably reviewing what we have at the moment and making sure it is fit for purpose and whether there are any other tools that we can use to try and ensure that mitigation and betterment are factored into any new builds, which would be similar for the building regulations and the building standards as well. Probably that would be linked into the conversation that has been had around insurance in terms of residents being able to do that betterment rather than just having to replace like for like.

Samantha RATNAM: Thank you. Just a couple of quick questions to the City of Melbourne: I understand C384, which updates your inundation overlays, is currently in the review stage. Do you have an update on where that is up to?

Evan COUNSEL: I do not have an update to hand, but I can certainly provide a detailed update after the session.

Samantha RATNAM: Fantastic. Just on the flood wall, given the Melbourne Water review findings over the last few days as well, has the City of Melbourne been able to do any assessment analysis on what you think should now happen given the findings of the Melbourne Water review?

Evan COUNSEL: We have received, with everybody else, the Melbourne Water findings and responses. We are reviewing those. We are not undertaking assessment and modelling of our own. I note that Melbourne Water have indicated that a more detailed review of the flood wall is due in April next year, and we will be looking to receive that and review it ourselves when it is available. But given the complexity and the reliance on upstream impacts and areas out of our municipality, it is simply not within council's capability, and we do not intend to bear the cost of that significant piece of work.

Samantha RATNAM: Thank you. Just one more question on the future plans for Kensington Banks: are there any plans for future flood mitigation works for Kensington Banks? I understand that the existing mitigation systems worked, but given the likelihood of more events in the future, are there any plans on foot?

Evan COUNSEL: Council is constantly reviewing its flood mitigation infrastructure and also undertaking maintenance and upgrade where appropriate. Our infrastructure worked as intended on the day of the event. The challenge is the event was of such significance that even local basins which were meant to be overflow completely overflowed and were inundated, so there is I think an extent to which local infrastructure can deal with events of this scale –

The CHAIR: I am sorry, but your time has expired. Thank you. Ms Lovell, a question, please.

Wendy LOVELL: Thank you. C151 – did that just apply to one of the councils, or was it across a number of councils, that planning amendment? The department of planning told us earlier today that C151 actually removed the LSIO from around 400 properties, including the ones at Rivervue. I am just wondering if any of you are aware of how many of those 400 properties were actually inundated, or if you can get that information for us.

Laura-Jo MELLAN: I do not think that C151 applies to us. I think it was specifically for Moonee Valley, but I can check that.

Wendy LOVELL: Oh, Moonee Valley?

Helen SUI: Forty-six properties of Rivervue were flooded, with 68 residents relocated for up to 12 months. I think all but one have now returned. Most of the change here I can see from the map would be within Moonee Valley. The main one is the Rivervue site. Yes, 46 inundated –

Wendy LOVELL: There were about 50 properties in Rivervue that were subject to that C151, but then 46 of them flooded, but the department of planning this morning said it had actually removed the LSIO from around 400 properties, so I am just wondering if you can get the information on the rest of those properties and how it affected them as well. That would be terrific. Thank you.

You are in a unique situation where Melbourne Water is both your water management authority and also your CMA, whereas where I live in Shepparton we have the Goulburn Broken CMA, we have Goulburn–Murray Water managing the storages and the water delivery for rural water and we have Goulburn Valley Water managing the urban water authority, so you have three different authorities there looking at what is happening with the impact. Do you think that Melbourne Water being the management of everything is the best outcome for your region, or do you think that you would be better served if for some of those responsibilities there was a specific CMA set up separate to the water authority?

Celia HADDOCK: Can I comment? Through the Chair, I think we would have to investigate that option certainly from Maribyrnong's perspective to be able to give you an informed answer. We have Melbourne Water and we work with them, and we look forward to their new modelling that will come out around March or April, but as to whether we would be better with other authorities, I cannot answer that now.

Wendy LOVELL: Given that Melbourne Water got it all so wrong, what is your level of confidence in them at the moment?

Celia HADDOCK: Can I make a comment? We are working with Melbourne Water. We are all disappointed, and particularly our community, about how the flood occurred, the lack of warnings, the level of inundation et cetera. Melbourne Water have an opportunity through their own review, and I note that they have accepted all the recommendations and they will be doing that work around the flood wall, and they are also

doing the planning on the flood modelling for the future, which is coming shortly. So I have a level of confidence that they will be able to. It is a continuous improvement for them, and it has to improve, but we are working cooperatively with them.

Wendy LOVELL: And the other council?

Pierce TYSON: Ms Lovell, I think your reflection to your first point is an interesting one. It is probably not one that I have considered, but it warrants further investigation. It is a very well funded body, though, and I think as I mentioned earlier in terms of that referral authority on the planning side of things there has been, at least from what we have seen, I would think more reflection and more thought put into their response.

Wendy LOVELL: Thank you. Melbourne.

Evan COUNSEL: I would only add that I think Melbourne Water is operating under historical regulation and Acts, and I think in fairness to them they have had an incredibly hard challenge in the last decade particularly but also in previous decades before. The risks of climate change and the severity of events and the disparity of what can occur are really hard to measure and manage, and that is why I think the modelling is a challenge for them. Previous methodologies around modelling are probably not serving us now in the present day with the unknowns that are ahead of us. So I think there is a real opportunity for Melbourne Water to look at and be empowered to look at their own review in an open way around what the next 50 years will look like.

Wendy LOVELL: Okay. Thank you. Now, we heard in some of your submissions – I think, Maribyrnong, you said that you removed 150,000 cubic metres of mud and debris in your clean-up, and in Moonee Valley it was 250,000 cubic metres.

Pierce TYSON: Yes, from our roads.

Wendy LOVELL: Sorry, City of Melbourne, if you said what you removed, I did not write that down. The flood wall – you have all said that you stand by your previous positions on the flood wall, which were opposing the flood wall being built in the first place. We all love Flemington. We all love our spring carnival, and we appreciate the investment that the racing industry makes in our economy. Particularly in my region, where all the thoroughbreds are bred, we value the racing industry very much. But the reality is that Flemington Racecourse could have provided 1.2 million cubic metres of flood mitigation. Do you think that had that wall not been there it would have made a difference to each of your communities and would have meant less homes were inundated?

Pierce TYSON: I might ask maybe Melbourne to go first.

Wendy LOVELL: It is probably really more a question for Melbourne.

Pierce TYSON: Flemington Racecourse and the showgrounds should be in the City of Moonee Valley, but they are in the City of Melbourne.

Melina BATH: Friendly discontent.

Evan COUNSEL: It is obviously an incredibly challenging question. I guess the way I would answer it is to say that we often use open spaces like this as key infrastructure in managing floodwaters in such significant events. Obviously that was not able to occur here because of the significance that the racecourse has to other functions for Victoria as well. I do not think we are well equipped to really answer that question until we see what the actual impact of the wall was, but the anecdotal evidence of what occurred on the day and the imagery is quite stark and quite compelling.

Wendy LOVELL: What do you think the view of your residents is?

Evan COUNSEL: I think we have definitely had some strong views from some residents, a proportion of our community. They definitely feel like the flood wall pushed floodwaters into other areas to protect the racecourse to the detriment of some other local areas, where our local level parks were then used and inundated by floodwaters to the extent where it then extended into those local residential areas and roads.

Wendy LOVELL: Thank you. Given my time is up, do the other two councils concur with that?

Sarah CARTER: Yes – really strong opinions from residents, and because the questions have not been answered, I think that is the single greatest point of frustration for flood-affected residents. There are still so many questions that are unanswered, and it is all the unknowns that compound the fear going forward. Until we actually understand the impact, certainly residents do believe – a majority – that it contributed.

The CHAIR: Sorry, your time has expired. I am going to have to move to Ms Tyrrell now – question.

Rikkie-Lee TYRRELL: Thank you, Chair. I want to know about the communication that you had with the SES and Melbourne Water, because up north we have heard that there was a lot of miscommunication or no communication at all during the flood events. How was your experience? And then after your experiences as councils, how were the residents' experiences during the event dealing with those authorities as well?

Helen SUI: Thank you. We have been working very closely with the SES. SES of course have a branch in Essendon very close to our depot, so I do not think there is any issue with communication between the council and the SES. To be honest, I do not think we heard that much from Melbourne Water during the flood. It is probably more in recent months that we have been doing the improvements for the future. Improvement, as I say, is probably mainly due to SES resourcing issues. Communication and alerting the community appeared to be inconsistent, like with the example that I gave. I will probably stop here. Thank you.

Kirsten TANNER: I had a lot of conversations with the SES leading up to 14 October, so the communication lines were definitely open. During the actual event and in the preceding days after that, Victoria Police actually took on their role as response coordinators and held a number of meetings where SES were present. I also attended the regional emergency management team meetings where the SES incident controller was on the line as well. So I felt that we had good lines of communication with the SES for the most part. You would have to speak to our local residents about their thoughts on that. The recovery conversations that we are having with the community recovery committee at this point in time have not included the SES.

Rikkie-Lee TYRRELL: Thank you. Just bear with me one moment. Councillor Tyson, you mentioned before, when the severity was downgraded to moderate, how one resident was saying that they were going to ease up on everything. Did you find that a lot of residents did that, and do you think that they were impacted more because it was downgraded unnecessarily?

Pierce TYSON: Well, I think certainly, with this sort of event where it is not obvious, like a bushfire, tornado, the like, when you do downgrade that, generally people are going to think – as we did, as emergency services did – that if that is downgraded, floods peak and then go down. So I think –

Rikkie-Lee TYRRELL: A lot relaxed.

Pierce TYSON: Absolutely, yes.

Rikkie-Lee TYRRELL: Do you know roughly how many households you think relaxed too much and were impacted?

Pierce TYSON: I could not comment directly, but Renato Raymondo I spoke to recently, and I think that was a big reflection on his part. Even the big rainfall that we had last week I think triggered a bit of a reaction from a lot of residents, thinking and checking the apps and everything else.

Rikkie-Lee TYRRELL: So SES that made that call, to downgrade the severity, was it? Who made that call, exactly?

Pierce TYSON: I am not sure. I would think Melbourne Water.

Helen SUI: Yes, and the bureau. It would not be SES.

Sarah CARTER: Melbourne Water.

Rikkie-Lee TYRRELL: It was Melbourne Water? Just so we have that for the record.

Helen SUI: SES take action and implement. They do not make these decisions.

Rikkie-Lee TYRRELL: Okay, thank you. We will stick with the SES. I know that, by the sounds of it, they did a much better job here in Melbourne than unfortunately – we were under-resourced with volunteers. Do you think that there was any lack of resources that the SES had? Not just volunteers, it could have been, say, sandbags, sand, boats – so that is on the bad scale. Could you please highlight those for me?

Pierce TYSON: Yes. In speaking with our local SES representatives, they were all across the state at the same time, so they were under-resourced, like everyone else. I know, even on the day I think, we were helping fill sandbags at Windy Hill to assist them. So they were definitely under-resourced; they always are. We contributed in our budget only a couple of months ago \$12,000 to our local SES to assist them. So I think absolutely they are under-resourced, as they always are, and I think they can always deserve more.

Rikkie-Lee TYRRELL: Thank you.

Sarah CARTER: Yes, woefully under-resourced, and that is why it is one of our top three, you know, for volunteers, for boats – we could not get sandbags. We had to go to Bunnings and start getting them filled, and we were told, I think it was, they did not have them for metropolitan responses, literally. Sending staff – I think Celia was down there at some point. Yes, it is really an important part, and I know there was one boat and one gate. Kirsten, do you want to maybe –

Kirsten TANNER: Our standard planning is we do support the SES, particularly with the sand, the bags, filling the sandbags and then handing them out to residents, but definitely – I know SES will be in here this afternoon or tomorrow – around the doorknocking and whether there were enough resources provided from SES to actually doorknock 500 homes. Maribyrnong City Council does not understand how many houses they doorknocked and how many people they spoke to and whether it was the major flood that they planned on or whether they did use the minor, moderate flood to do their planning for doorknocking.

Rikkie-Lee TYRRELL: Do you have a cost of how much you spent on sandbags and sand?

Kirsten TANNER: No. We could take that on notice.

Rikkie-Lee TYRRELL: You can take that on notice? Thank you very much. I appreciate that. I am all over the shop here.

Sarah CARTER: I do know we used up all of Bunnings Maribyrnong's.

Rikkie-Lee TYRRELL: Up at home we used feedbag sacks and sold out all the thrift shops of pillowcases. Yes, they worked really well. You mentioned that sirens would be a good warning system for the future.

Pierce TYSON: It has been suggested, yes.

Rikkie-Lee TYRRELL: Do you have any other ideas of what perhaps might work?

Pierce TYSON: I think my main reflection was that if this happens at 3 in the morning, text messages will not work. So whether it be sirens installed on a permanent basis – I mean, the obvious thing as well is police going through with their sirens and their loudspeakers and the like as well, yes.

Rikkie-Lee TYRRELL: Yes. That is actually really good.

Sarah CARTER: Absolutely. Sirens have not been referenced, but I think the doorknocking too, because we thought it was one venue and two homes. I mean, the easiest way is to get people up and out of bed. And going to your point about relaxing, a lot of residents told me they did; they went to bed that night, so they missed the text message. Because it had been downgraded. So unless someone is knocking on your door – I mean, it is old, tested and tried – the sirens could be probably more efficient as far as getting to more people more quickly. But, you know, in the circumstances, a knock on the door would have been really –

Kirsten TANNER: Community meetings beforehand just like you see in fire and inviting people in to discuss what the risks might look like beforehand, but also flood wardens or people who identified within the community that they want to be more intimately involved in it and go and speak to their neighbours about what the risk might look like. Particularly now that we have got a cohort of the community who have been impacted,

sharing that knowledge and intelligence with their neighbours and putting that process in place – you know, there is a suite of things that we could do.

The CHAIR: Perfect timing, because your time has expired. Well done. Mrs Broad, questions.

Gaelle BROAD: Thank you very much to all of you for coming today. It has been very informative. I guess there has been a lot of talk during these hearings about the onus on local councils of planning decisions and the important role you have in that, but I guess when we look back at the Flemington flood wall, when that application was put in, I understand that each of your councils had objections to that. Yet the minister – that was the Labor minister Mary Delahunty – at the time did not permit that to go to VCAT. So we have called it in, if you like, and sort of made that call, and this is outlined on page 89 of the Victorian government's submission. I guess a number of concerns were raised by the councils at the time, and that included – there was reference to – a retarding basin being constructed and I guess some mitigation works. What is your view on that at this point? Does that still need to be done? Is that a priority?

Celia HADDOCK: I think we would have to look at the modelling, when we get the modelling from Melbourne Water, but the community is obviously asking for that. We just need to have a look at the evidence around that. Mitigation is very important, but whether that is the answer I do not know right now.

Gaelle BROAD: Yes. Okay. And when it comes to planning and the enforcement of the planning scheme, when the minister can step in, sort of remove and make a final call on things, who is responsible? Do you see it as council being responsible for enforcing that, or who is the responsible authority at the end of the day?

Helen SUI: Still council.

Gaelle BROAD: Still council? Okay. All right. And when we look at population growth in the region, I guess that increases the run-off. What are your thoughts on that at this point? There is further development happening, but, yes, do you have any comment on that?

Sarah CARTER: It has actually been raised with me, and it is a new aspect to – we have got the Maribyrnong defence site, so 18.5 hectares of land which we are hoping finally to get some movement on next year as far as that being developed. But following the flood event there is that level now, and residents are asking, 'Well, we need to look further upstream.' And that is a significant development, so will that be taken into consideration? So getting the right result – I mean, obviously we are excited to look at providing, you know, 6000 potential new homes and social and affordable housing, but there is an added complexity now of understanding what that level of development might do with the run-off.

Gaelle BROAD: I guess we have sort of talked to that briefly, but are you all on the same page with the bushfire overlay, looking at that flood overlay and the state government sort of taking leadership in that area? Because I guess we do look at recommendations that we are putting forward. It seems like yes – everyone is nodding? Okay. No, that is helpful. Thank you.

I am just interested in grant assistance on the ground. Each of you have been quite involved in responding to community requests, but what was the experience of people receiving grant assistance, and particularly businesses – any insights into that?

Kirsten TANNER: We do not know how many businesses or what businesses have been provided with a grant in the City of Maribyrnong. That data has not been forthcoming. But in terms of the relief payments, it was unfortunate that that was the day or the time or the event where the Department of Families, Fairness and Housing implemented an online process. They had no plans to actually send any physical staff to the relief centre and assist our residents to fill out the paperwork. Then the change from a credit card or debit card with money on it to an EFT – the waiting for five days before the money hits your bank account – just further impacted residents.

Gaelle BROAD: That is interesting. Any other thoughts?

Pierce TYSON: I can take it on notice. Council did, as well as Maribyrnong, waive rates to affected residents.

Gaelle BROAD: Okay. So that is the action that you took.

Helen SUI: We are aware that we have recent business take-ups of federal and state government grants also, but the exact number we will probably need to take on notice.

Gaëlle BROAD: Yes, that is interesting. In regional areas I guess we had some feedback that businesses found it quite difficult with that grant process – that they had to provide detailed receipts to the dollar in order to get assistance, and they did not always receive what they were fully entitled to. You talked a bit about the role of council and there being a lot of confusion in that emergency response role – where your responsibilities lie and who is in charge. We have had regional councils raise that question – who is in charge? They are wanting clarity on that. But have you had any formal debrief with Emergency Management Victoria from your experience or role?

Kirsten TANNER: No. We specifically requested a multi-agency debrief, and we were provided in writing and in person at a regional emergency management team post-season debrief that we would not be provided with a multi-agency debrief.

Gaëlle BROAD: Did they give any reason why?

Kirsten TANNER: The state is not holding multi-agency debriefs for this event.

Gaëlle BROAD: And yet this is one of the most significant disasters our state has faced.

Kirsten TANNER: Correct.

Gaëlle BROAD: Are you all willing to participate in a review?

A witness: Yes, we are.

A witness: Absolutely.

Wendy LOVELL: Would you all like one?

A witness: Yes, please.

Gaëlle BROAD: Okay. You sound very keen on that. I guess the sandbag shortages is something that you have highlighted. Is there anything else that you could say would be a good recommendation to put forward? In that initial emergency response, how could we do things better? You mentioned sirens, sandbags obviously. Is there anything else –

Sarah CARTER: Looking at a betterment fund and building resilience from a mitigation perspective, because there is a very strong sentiment around: we need to prevent this from happening again. But we know from the world and climate change – so betterment and actually building back better.

Helen SUI: One of the reasons Moonee Valley did not have as many properties damaged as our neighbouring councils is that along the river there are sporting facilities – community sporting fields – rather than residential. That is something probably that could be considered. So we are quite pleased – it still takes lots of effort and time, but you are not talking about people's homes.

Celia HADDOCK: Could I add: we would also like to see more flexibility from the insurance companies in terms of what they cover and how they cover it. Certainly like for like when you have had your house inundated with up to a metre of water is not going to cut the mustard as such. You need to be able to have the funding to build up and to meet flood mitigation requirements for your house.

Sarah CARTER: And to obtain insurance, because I think there are only three providers that will even look at Maribyrnong at the moment, and premiums are so high.

Dean ROBERTSON: Dean Robertson, City of Melbourne. One of the things that we have been doing at the City of Melbourne over the last couple of years is setting up neighbourhood portals and neighbourhood partners that are out there, and we are using the emergency management side of things to say this is a communication network. So clearly at 3 o'clock in the morning people are not online, but they know where to go to. And the local community then know who is online and who is not online, so the word then filters out with the

neighbourhood knocks and that sort of stuff. So the communication is key when all the planning happens and the event turns out to be much bigger than what anyone thought. And that neighbourhood model is going, from our point of view, extremely well, and positive feedback is coming in.

The CHAIR: Unfortunately your time has expired, so I just want to thank all of you for coming in today. The clock has beaten us again. But thank you all very much for your very comprehensive submissions. You have given a lot of really important evidence to us today. We really appreciate you coming along and helping us understand the floods from your perspective.

Witnesses withdrew.