

TRANSCRIPT

LEGISLATIVE COUNCIL ENVIRONMENT AND PLANNING COMMITTEE

Inquiry into Climate Resilience

Traralgon – Tuesday 3 September 2024

MEMBERS

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John Berger

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Rachel Payne

Richard Welch

WITNESSES

Stephen Angus, Board Deputy Chair, Gippsland Climate Change Network; and

Dr Jillian Carroll, Vice-President, and

Brian Burleigh, Member, Wellington Climate Action Network.

The CHAIR: Welcome back, everybody, to the Legislative Council Environment and Planning Committee's Inquiry into Climate Resilience in Victoria. Thanks to the members of the local climate action and climate change networks who are joining us. I will just read out a brief set of remarks, then we will do some formalities, and then I will hand it over.

All the evidence that we are taking today is protected by parliamentary privilege as provided by the *Constitution Act 1975* and provisions of the Legislative Council standing orders. Therefore the information that you provide during this 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, they 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. You will be provided with a proof version of the transcript following the hearings, and these transcripts will ultimately be made public and posted on the committee's website.

My name is Ryan Batchelor. I am the Chair of the committee and a Member for the Southern Metropolitan Region. I will let members of the committee introduce themselves.

Rikkie-Lee TYRRELL: Thank you very much. I am Rikkie-Lee Tyrrell, Member for the Northern Victoria Region.

Wendy LOVELL: Wendy Lovell, Member for Northern Victoria Region.

Melina BATH: Hello. Melina Bath, Eastern Victoria Region.

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

The CHAIR: Online we have –

John BERGER: John Berger, Member for Southern Metro.

Sarah MANSFIELD: Sarah Mansfield, Western Victoria.

Jacinta ERMACORA: Jacinta Ermacora, Western Victoria Region.

The CHAIR: I might get each of you, if you could, to state your name and the organisation you are here representing, for the Hansard record, each in turn. Then I will come back and get you to make your opening statement. Jillian.

Jillian CARROLL: I am Jillian Carroll, and I am the Vice-President of the Wellington Climate Action Network. We have been going for about five years in Gippsland.

Brian BURLEIGH: Brian Burleigh, a Member of the Wellington Climate Action Network.

Stephen ANGUS: Good afternoon. Stephen Angus. I am the Deputy Chair for Gippsland Climate Change Network.

The CHAIR: Wonderful. I will invite you to make a short opening statement. If you could keep it to around 5 minutes, then we will have plenty of time for questions. We are in your hands.

Jillian CARROLL: Okay. We did a desktop review of how Wellington council is preparing for climate adaptation and protection of its built environment. I was born in Wellington shire, and we are long-time

residents – I have retired there and Brian lives in Cowwarr. I live in Heyfield; I was born in Heyfield. So it is an environment we know very much, and we are also involved in other things in the shire.

What we did was try to identify all the input documents into Wellington council in terms of their accountabilities in terms of the *Local Government Act 2020*, the planning Act of 1987, the DEECA guidelines on responsibilities for local councils in terms of climate adaptation and so on. We looked at a lot of legislation and a lot of other things, like what the Gippsland water authority were doing and various other people. I suppose our take on it all is about governance – that local government agencies are operating in a very convoluted, and I think the last performance illustrated this, web of responsibilities. One government Act undermines other government Acts – that is what we are really talking about. We are talking about governance – how one Act will undermine the other.

With Wellington's climate, if you look at the shire documents, we consider that they are doing their best to implement the spirit, you would say, or the principle of all these input documents. But say, for example, with the *Local Government Act*, we noticed there is only one section in the *Local Government Act 2020* which actually even refers to climate resilience and protecting the built environment, and that was in an overarching principle and then it only used the word 'promote' – that Wellington council should promote this concept of protecting the built environment. So in some ways Wellington shire is complying with its external stakeholder requirements, but really that is not enough, because the big problem is coastal inundation, tidal surges as we saw on the weekend with Manns Beach and all along that coastal strip – it is very vulnerable. Seaspray, the Honeysuckles et cetera – the council is continually blocking out more land which is not usable.

From a desktop point of view, yes, they are big on awareness, they are big on trying to get the community to understand that we all need to be environmentally aware and so on and so forth. There is evidence that they have actually done things to protect the built environment. Work at the Port of Sale commenced to provide new seawalls, so they are doing new seawalls, jetties and stuff like that. They have rebuilt the Upper Dargo Road which was washed away in a 2020 flood and they have raised flood levees at Seaspray on land that was not privately held. So they are doing what is within their sort of operational grasp. However, we have identified a list of issues really which are to do with wider governance – what they are not able to do, if you like, rather than just attack them for what they have not done when it is not possible for them to do it. I have talked about that a bit.

Council plans are largely aspirational. For example, emergency management and resilience. Although plans were established to manage an emergency event, liability insurance considerations resulted in the culture of loss and responsibility avoidance. So they are up against it with insurers and so on and so forth. Any damage suffered by landowners is not mentioned nor taken into account. The problem of serious underinsurance in the case of natural disasters will cause a multiplier effect across the shire, especially in terms of rates.

The other thing was consultancy reports have been done in the past, like the big one that was done in relationship with East Gippsland council, Bairnsdale area, on 18 hamlets in the coastal area behind the dunes on the Ninety Mile Beach. They did this serious study that took a couple of years and whatever, but what we noticed was they seemed to be more focused on individual hamlets rather than looking at the whole picture. Like, it is all right to have a good economy in Honeysuckles or Loch Sport or wherever, but if the sand dune behind you is going to break down and a coastal surge is going to come through, and we get backflooding of Merriman Creek at Seaspray all the time, that has to be taken into account. Those consultancy reports were more to do with economic development and progress and protecting the town, but you know the town cannot be protected in the end if you are up against climate change.

Do you want to do number three? The town planning framework.

Brian BURLEIGH: Righto. The town planning framework relies heavily on state and regional plans and resources. For example, the marine coastal strategy and spatial planning framework is in line with the government's new marine and coastal strategy and spatial planning framework, but the Wellington planning scheme and the long-deferred amendment C99 is now ready, I understand, to be updated to incorporate flood zoning and to reduce the risk of flooding and coastal inundation as sea levels rise. However, there are obstacles to the implementation of the scheme. The first one has been a government delay in promulgating the flood zoning at the state level, but I understand that this shire should now be picking up to complete those amendments to its planning scheme. We have a note here on the acquisition of the coastal land from the

inappropriate subdivisions from the 1960s saying that the shire had, presumably with state funding, operated a voluntary acquisition scheme to transfer those undevelopable blocks back into public ownership. This process has now been taken over by DEECA, and they too will be spending government money to acquire the remaining privately owned land.

The CHAIR: I am just conscious of time. Stephen, do you want to make an opening statement?

Stephen ANGUS: Yes, sure. Thank you. Thanks for the opportunity. As you are probably aware, there is a fairly big conference going on across the road, so Darren McCubbin, the CEO, who would normally speak to this, is not available today. Just some opening statements, which are really around a risk context: the sense here for us is that climate variability, its intensity and its unpredictability are now moving and evolving faster than statutory bodies' ability to respond. We have heard even today conversations about sea level response and planning for low-lying areas which are examples of how we are getting behind in terms of the requirement to plan ahead.

Our disaster systems, particularly emergency response, continue to be quite centrally controlled, which means the local content is less effective around knowledge that is applied, particularly during response and planning. I have examples of that particularly during the 2019 and 2020 fires, where a local response was not as effective and as informed as it could have been. Key services like power and communications are still not sufficiently reliable or resilient, and this does lead to significant misunderstanding, inability to make informed decisions and confused guidance when communities are under pressure and they are trying to make very valid decisions about their own safety and the safety of the environment they are operating in. I would say great steps across a number of years have been done towards those activities, but much more is required.

Part of the scope of this, or the terms of reference, is about whether there should be ongoing inquiry. My observation and contribution to this is that the pace of climate change appears to be intensifying. This is leading to a need for constant focus on adaptation, which means there needs to be ongoing work in this space. This is not just a one-off inquiry and then we understand everything. I think from a government context this is now a reality forever.

In a risk sense there are only two lenses that you can think about with regard to risk management; that is, likelihood and consequence. I think we are demonstrating quite clearly on a daily basis that likelihood, particularly in the short to medium term, is impractical to influence. The cost of managing likelihood now is disproportionate to what is available in terms of resources. I am talking here particularly about response to emissions, which are leading to climate change. However, on the consequence side there is much that we can do to win influence across those three key categories that we have already spoken about, and they are in the terms of reference, around preparedness, response and recovery. And I would like to contend to you, the more investment that you put into preparedness – there are plenty of business cases and feasibility studies that suggest that spending more before a disaster is far more effective and reduces the cost and the consequence in that response and recovery period.

In closing, in terms of key infrastructure there are three areas that I think continue to need focus. Broadly, there is our transport infrastructure, whether that is roads, rail – they are to do with supply chains leading up to and during disaster and then recovery. It is also about access and ability for people to move around during crisis. There is communications, which is the ability to have consistent, resilient, reliant communications so people can make informed decisions, particularly leading up to, during and after an event. And the last one is the reliability of power for simple things like charging your phone and getting access to the internet. Thank you.

The CHAIR: Wonderful. Thanks for those comments. We will now do some questions and answers. We will have just under 5 minutes each to ask you a series of questions. There is a big critique of governance in your submission.

Jillian CARROLL: Yes.

The CHAIR: What do you think would improve it?

Jillian CARROLL: Well, I think there need to be layers of government working together. Accountability for the environment is not in the federal constitution, and that I think is a big issue, because I noticed when we were reading *Living Hot* recently – Brian and I – we identified that in a COAG agreement in 2012, from our

notes here, the Commonwealth virtually shunted the responsibility for the environmental mitigation and stuff back to the states. Then the states kind of went, 'Well, no, we're not the best people to know about this. We'll make the LGAs responsible for fighting climate change and doing what they can, because they're the people on the spot.' But the problem with all of that is that the LGAs do not have the resources or the training – or the expertise, to some extent – or the capability to look at the big picture. We just heard before about how they want to put some rocks in front of the surf lifesaving club and they want to put a few more rocks down the road and stuff. That is an interim measure. That is not going to solve the problem. The inland is filling up with sand, coastal surges are operational and the sea is rising. When we look at our local area, because we are all familiar with swimming at Seaspray or at a holiday home in Loch Sport or somewhere, we have been watching that environment for a long, long time. When you get inundated rivers now – flooding rivers, which we get a couple of times a year in Gippsland and we are all cut off – that water is not going anywhere. If you drive between Sale and Longford now there is water there that just does not dissipate. There is nowhere for the water to go. You are getting this situation of more rivers flooding and then coastal surges, so you have got this sort of perpetual marsh. What used to be dairy land is now sort of marshland. So this problem is not going away.

I really cannot see how Wellington shire or any LGA down in Bass Strait or wherever can solve this problem. You are fighting climate change and you have got to be realistic. I do not think putting a few rocks in front of the surf lifesaving club is a long-term – I mean, this is a parliamentary inquiry into how Victoria can manage climate adaptation in terms of the built environment. Some of these projects are going to cost a lot of money. Just putting in another power pump at the back of Seaspray to pump out flooding water when it is breaching the levees or whatever is not the answer. And anyway, the LGAs do not have responsibility. They cannot control what private landowners are doing. For example, with the levee they are building down at Seaspray, they have recently spent a whole lot of money putting in a bigger levee, but some landowner objected to having a levee on his land. So that does not solve the problem, does it?

The CHAIR: Can I just ask, you mentioned planning application C99?

Brian BURLEIGH: Yes, Wellington shire's planning scheme amendment C99.

The CHAIR: The planning scheme amendment – tell me a bit about that. What is it trying to achieve, and what has the delay been?

Brian BURLEIGH: My understanding of the amendment to the planning scheme is it is to implement a flood overlay to assist in dissuading would-be developers from inappropriately developing land that could be subject to flooding.

The CHAIR: We are very familiar, having just completed an inquiry into flooding events, with these issues and have recently made some I think quite excellent recommendations in this regard.

Melina BATH: Who was the Chair?

The CHAIR: I was, but that is okay – you were there too. Ms Bath.

Melina BATH: Thank you. Thank you very much for being here today. We really appreciate it. Dr Carroll, in your submission you speak to the fact that DEECA may well be looking to purchase private land that was not already previously purchased by the councils. Are you able to quantify that in any way? Do you have any idea of the value?

Jillian CARROLL: No, we do not, really.

Brian BURLEIGH: I have inspected the maps that are currently on the DEECA website. In the current year's budget I think they are purchasing something like 15 properties on the primary dune, and subsequently they will work on the Lake Reeve side and pick off the remaining inappropriate subdivisions. I think there has been some difficulty in identifying the owners at this length of time, and they have come up with an arrangement whereby the purchase is done compulsorily, the money is held in escrow for a period and then is transferred to unclaimed moneys.

Melina BATH: Thank you, Brian. There is no dwelling on there, for most of them, so it is, for want of a better word, coastal scrub. Is that correct?

Brian BURLEIGH: Yes.

Melina BATH: Thank you. That is very good. Stephen, you spoke about three primary focuses, and I think they are very pertinent. Transport has certainly a federal and state component to it – you know, infrastructure and access in times of fires et cetera are very important. Something that we saw in the 2020 bushfires was the closure of access and the threats that that made and the risk that that made. Communications and the reliability of power – these certainly have private companies associated with them, or supply companies and the like. How could government better communicate or liaise with them in terms of reliability of power? How do you see it? Do you have a sense of how that can be done? Should we lump it all on AusNet in our patch? What do you see as some recommendations to improve that?

Stephen ANGUS: It is a very brave question for me to answer. I think we understand that the infrastructure that is required for this comes at a very high cost. We can look at what has happened at Mallacoota as an example of this, where power supply in all circumstances was becoming unreliable and the service provider went to town with the township to create reliable power because of the obligations they had.

Melina BATH: When you say ‘went to town’, you mean –

Stephen ANGUS: Well, they cooperated. They worked with them to create reliable power in the town, which was partially in response to what was happening with the fires. As we all know, the Mallacoota story is quite clear. But it was much broader than that – about very tough terrain and therefore a single line of power. It is very easy to lose it, and then it takes a long time to recover it. Therefore they were not achieving their agreements so therefore being fined.

Melina BATH: So what were some of the solutions?

Stephen ANGUS: Well, a battery generator – eventually probably some form of completely renewable supply there. But again, it comes at an extremely high cost. If you leave it completely in the hands of private enterprise, I am not sure that that is the right balance. I think government needs to be involved to some extent to make sure that that private–public partnership works well to represent both sides of the process. I have experienced how it seems quite difficult, even at a local community level, to even get started on a battery as a form of resilience, like a small hub that allows a place to be able to operate during a period of disaster. As a result, the cost of that is beyond the realm of a local community. And it is probably not going to return on investment for a private enterprise, so therefore you need that balance.

Melina BATH: Who bears that cost? So you are saying the state government needs to be in that partnership.

Stephen ANGUS: I think it is a sharing arrangement. I think if you are a private enterprise and you are out there to make a dollar, then you have got to pay some of the cost of that investment. But I think there is a balance.

Melina BATH: Thanks. Brian, you wanted to make a comment?

Brian BURLEIGH: It is interesting to note that, if one takes the perspective of Wellington shire, then yes, they manage a lot of roads, but not the important ones. The roads become sort of a focus of infrastructure as various other elements that make up the government sector infrastructure. One of the difficulties in planning is to have consistency between those public sector infrastructure elements and those that are privately owned. I am presuming that the way that it works is that in respect of the privately owned infrastructure, the distribution companies know that in respect of their capital expenditure for climate resilience they can expect increased tariffs to be passed on to the customers.

Melina BATH: Yes.

The CHAIR: Thank you, Ms Bath. Dr Mansfield.

Sarah MANSFIELD: Thank you. Thank you for appearing today. I am interested in, I guess, the issue of some of the preparation, I suppose that climate resilience preparation, that may need to occur on private land and what suggestions you have around that issue.

Brian BURLEIGH: I have torn my hair out over this. It appears to me that the whole system of land tenure makes it near impossible for any consistent resilience to be planned. If, for example, I was planning to defend the city of Sale with a coastal barrier that would consist of saltmarsh and mangroves, this would involve the resumption of large amounts of currently private land. I cannot imagine how that kind of a defensive scheme would possibly be implemented under the current regulatory framework.

Stephen ANGUS: My comment on that would be that I think that the vast majority of private land holders take their responsibilities very seriously to do the best they can. They do not want to lose productive land; they do not want to lose their homes. I think if you look at particularly Gippsland, with the alpine areas, which are either state or national park, where a lot of the major fires are generated, the defence system is very much about how we manage these very big areas of pretty hard to manage, frankly, bushland where the fires build their intensity and then encroach, depending on wind direction, down into private areas. My experience of the 2019 and 2020 fires was it was almost impractical or impossible to defend anything but the most basic areas because of the intensity of that fire. So when you ask about privately owned land, I am not sure that that is where the focus needs to be with so much state and federal land around, where most of this climate-induced drama actually begins.

Jillian CARROLL: But there is nothing that can be done to protect Sale. We went recently to the strategic planning sessions for Wellington shire, and they are actually implementing a retreat policy because they said the focus of their future strategic planning is on the six main towns now in Wellington shire. They have not spelt it out, but we are seeing DEECA buying back this land in these coastal hamlets and whatever. Your eyes will tell you that a lot of that land between Sale and Longford and along there is just going back into saltmarshes basically. I do not know how an ordinary council can ever really come up with a scheme that is going to solve that problem. So, yes, there seems to be a need for a higher level sort of governance body that actually looks at the big picture, looks at the coastal plains, if you like, because they are all subject to inundation along that Ninety Mile Beach and further up. I agree that with the bushfires there is not much you can do about that, and private land does not come into it there. There needs to be higher level planning, higher level governance and higher level cooperation between the feds and the states, whether it is that the states getting more money back from the GST or they get federal grants. I mean, if the federal government does not want to dirty its hands in dabbling in these sorts of projects, give the states some money to then work with the LGAs, but do not make the LGAs feel accountable for something that is totally beyond their capacity, basically.

The CHAIR: Thanks, Dr Mansfield. Ms Ermacora.

Jacinta ERMACORA: Thank you. Thanks for your presentation. Also thank you for the analysis work that you have done comparative across Victorian legislation but also between federal and state. It is very interesting and useful. You mentioned three priority areas: transport infrastructure, communications reliability, power and connectivity. I was just interested more specifically if you could tell me some examples of those priorities. Do you have an example under each of those headings, because that would help us understand the elements of built environment that are most vulnerable to impacts of climate change, which I think is what you are saying.

Jillian CARROLL: Yes. If you look at the *Local Government Act 2020* at the moment, I do not think it is good enough to rewrite a local government Act in 2020 and virtually have no operational accountability for mitigating the built environment in any specified manner. They just have this overarching principle which says that LGAs have some sort of, what would you say, responsibility for thinking of the environmental sustainability and promoting a conscious mindset where we are all aware. Well, we are all aware. I do not think that is the problem anymore. We are all very much aware of the risks to our environment, but if the LGA do not have the capacity to do much about it and they are just sort of kicking the football further down the ground to somebody else and then DEECA, I do not know what their role really is, and then there is the West Gippsland Catchment Management Authority and then there are these various other bodies. From just listening to the presentation before from the people from Inverloch, I sympathise with them but the solution is not building another rock wall. There has to be some higher level coordination of the risk to parts of Victoria, whether it is the coastal regions in Gippsland or whether it is the Mallacoota area where they are more subject to bushfires or whatever. But you cannot expect local governments with their limited capacity in terms of training, staff – they have trouble getting qualified staff in lots of these areas – there has got to be a bigger picture mindset taken.

The CHAIR: Stephen, did you want to –

Stephen ANGUS: I am not aware of a planning process where we have understood priority roads. So if we use West Gippsland as an example, is there a network of roads that are consulted on and then it is understood that they should always be maintained in all circumstances, both for egress and for supply, so that when we have circumstances of natural disaster we know that those roads will be in good shape for carrying both goods in and people out and response by emergency services.

We live in the world of mobile phones now. From a communication perspective every effort has got to be made to make sure that there is a reliable mobile phone network everywhere. The further you go east into Gippsland, where you get into those remote areas, this is their lifeline. I think most people would say, and I will refer back to the main fires, that if we did not have the ABC people would have really struggled to work out what they were going to do in terms of making decisions about their own priorities and safety. So you cannot have good communication without reliable power. The more we can make local communities resilient through having a centralised power supply that the community and authorities understand is there for the purposes of disaster preparedness, then we help people make sure their phones are still charged and they can then communicate and make decisions about where they are going to go during times of issue.

Jacinta ERMACORA: Thank you.

The CHAIR: Thanks, Ms Ermacora. Mrs Broad.

Brian BURLEIGH: If I could pick up an example of transport that happened more than 25 years ago and which no-one much has seemed to notice, the Princes Highway was rerouted away from Lakes Entrance, from Bruthen to Nowa Nowa. This is a primary example of a climate adaptation, which even today no-one recognises as such.

The CHAIR: Very good point. Gaelle.

Gaelle BROAD: Thank you very much for your contributions today. Mr Angus, you just referred to critical infrastructure –

Stephen ANGUS: I am not used to being called Mr Angus.

Gaelle BROAD: Are you getting told off? I do not know. I am just interested, I think you spoke about the implementation of undergrounding of powerlines for critical power –

Stephen ANGUS: No, I did not.

Jillian CARROLL: The submission did.

Stephen ANGUS: Oh, the submission – I beg your pardon, yes.

Gaelle BROAD: Yes. I guess I am just interested in what specific projects you would deem as being critical.

Stephen ANGUS: No. I do not have that technical knowledge to be able to make a comment on a specific project.

Brian BURLEIGH: If I can speak from personal experience of having had a powerline above ground collapse yesterday in the strong winds, while the government has got a negotiated solution with the distribution network suppliers to progressively underground the reticulation system, it seems to me that the government has been unduly generous in the timeframe that it is allowing the distribution networks to get cables underground. Just leaving it to when there is a new connection to be made seems to me pretty unsatisfactory. Quite clearly if the wind events of the last week are to become more common, then the undergrounding has got to proceed at a much faster rate, and particularly they have to start in those residential areas where the above-ground vegetation is becoming a problem.

Gaelle BROAD: I certainly saw, yes, a lot of trees down on the way here. A lot of damage was caused. I am just interested too – I had better say ‘Stephen’ this time – you said most climate-induced drama begins on national and state government land. Can you explain or give examples of what you mean by that?

Stephen ANGUS: I am not sure I used the word ‘most’, but I think historically you see where it starts: typically in those areas and not without good reason. That is where there is build-up of material that catches fire, and we can see it building again right now.

I think if you look at the cycle of change that has occurred in the last five years – incredible dry periods, the massive drought that a lot of Australia experienced around that 2017 to 2020 period – we had a huge fuel load in these government-owned, if you will, areas, and a massive fire that by most experts’ opinion was something that no-one had ever experienced before. The typical management processes were simply not working, and common commentary was, ‘We don’t know what this fire’s doing. We don’t really know how to manage it because of its intensity and unpredictability.’

We then got three years of massive rainfall. The fire load back in the bush in this part of Australia now is not only enormous but it is a changed profile. That is, the fuel load that is now growing in the bush is not your normal, cyclical, more fire-resistant load. It is a lot of ground cover and it is a lot of the scrubby stuff, so when we get another dry period, which inevitably we will, we will have another massive amount of fire load. That fire load does not occur in privately owned land typically, it is in the bush. And this then leads to this conversation about infrastructure to manage that – to put roads in and out, access to water to manage it.

That would be my example of where the cycle is so intense. We talk about a one-in-100 event. That is just very old thinking now. We are now talking in one-in-five-year-type events, which you can see appearing in various parts of Australia.

Gaelle BROAD: Thank you. And Dr Carroll, I just want to pick up – earlier you mentioned one Act undermining another. Could you give us some examples of what you meant?

Jillian CARROLL: Well, it is the land planning Acts, and then the council has its own planning mechanisms. What we found when we were reading all these reports was that, say, a developer goes down to – what are some of those places – The Honeysuckles, somewhere along there –

Brian BURLEIGH: Glomar Beach.

Jillian CARROLL: or Glomar Beach. If the council says, ‘No, look at the map. This is the land that you can’t build on, this land is subject to flooding and this land is subject to inundation or sinking’ or whatever and then that developer goes straight to VCAT and has it all overruled, the council is in a situation where it does not have the money – and that is what we found through looking through reports and stuff – to fight VCAT or to fight private developers who have big money. They know their way around the ropes. They know which government departments to go to and so on. So I think there needs to be – what would you say – all singing out of the one hymnbook. If land has been designated by a local council as not habitable and is only going to cause more problems 20 years down the track, why is another government department like VCAT allowed to overrule the local council? And they always side with the developers, as far as we can tell. So this is one department undermining another. You cannot see any sense in it.

The CHAIR: Thanks very much. Mrs Tyrrell.

Rikkie-Lee TYRRELL: Thank you, Chair. Stephen, I have a quick question for you. In your opening statement you mentioned that local response could be improved. Could you please elaborate on that a bit and on how you think that it could be improved?

Stephen ANGUS: It is basically the application of local knowledge. With great respect to planners and people who make decisions far removed from where the instance of a disaster is occurring, the local knowledge then is not allowed to be infused into decision-making. I will just quote an experience where a decision about where to deploy a resource has required very complex decision-making. I was in the room observing this. It was part of the fire response in Orbost. A person who had come from another region who did not know the area was saying, ‘We’re going to use this road.’ Then a local person said, ‘You can’t go down that road. It’s been closed for 10 years.’ It is that kind of local knowledge that gets lost when everything seems to be referred back to some kind of central authority that needs to make holistic decisions. So that is a tangible example of where local people know the bush. They know the area. They know the behaviours of what occurs in the area. They know the people. Therefore their weight of knowledge is so important, particularly when people are under pressure.

Rikkie-Lee TYRRELL: Thank you. We have heard a lot previously in the flood report of the very same thing you have just said, so thank you. That is my question.

The CHAIR: Thank you, Mrs Tyrrell. Mr Berger.

John BERGER: Thank you, Chair. Thank you, everybody, for your appearance this afternoon. My question is: your submissions mention the impacts of climate change on your communities, especially the impacts of storm events, and today's hearing is probably timely, given what has happened in the last few days. Can you give us a sense of what storm or other climate impacts have looked like for your community in recent days or years to give us a concrete sense of the impact climate change is already having?

Jillian CARROLL: I have talked a lot about the coastal regions. It is having everyday impact down there – Manns Beach on the weekend was inundated. But that whole area along there – you cannot build a brick wall and save the sea from encroaching there. The whole of Port Albert is very much at risk, as is Yarram – very low-lying areas built on marshland, really. People living in those areas – my son lived in Seaspray for four years – experience Merriman Creek back-flooding and more mosquitoes and the council looking over their shoulders all the time saying, 'You can't inhabit that and you can't sell that block of land.' You can see that these places are sort of dying, just about – because what industry is going to go down there, or what business? Shops are on the market for 10 years or something. They have a limited future, I think.

I really think that council needs to be more realistic about – we have read a bit about retreat, haven't we? But I think in some of those areas there is no future unless there is some sort of big intergovernmental project which actually protects that whole area, and I do not know how they can do that. Maybe we need to think, 'Well, you know, in some areas we'll have to implement a retreat policy.' What is the sense in trying to make these people feel safe when it is quite unsafe to be there? I mean, it is just a matter of time. I think we have to do longer term planning – 50 years out, not the council's strategic plan of three years. How is that going to solve the problem?

We have just been through the council planning process for the next three years, and it is just about laughable. They have got this silo sort of mentality to management still where they have roads as one department and bridges as another and they are actually allocating more money to bridges than they are to roads. As we said, what is the use of a good bridge if the road cannot get to the bridge? The planning manager said, 'Well, that's a good point. I think they need to be integrated.' I mean, this is just a very small example, but you need lateral thinking. You need to think outside the square. You cannot just go on. That is an old accounting concept, isn't it – we have got so much money to build a bridge and so much money to build a road and we have got so much money to build the surf lifesaving club or something and we will do all separately. There is no overall picture thinking. They are back in the silo approach to management. That is higher up as well, so to my mind it needs to be coordinated planning and long-term planning. Let us develop a plan for the next 25 years, not the next three years and not this tinkering – 'Okay, now, that clause in the *Local Government Act* doesn't work so I think we'll change that. We'll make another amendment', but when we make that amendment, we do not look at the planning Act to see the repercussions for planning decisions. So there needs to be a more integrated and coordinated, if you like, meta planning level that sits up there so people know who to go to, state governments know who to go to or LGAs know who to go to. We listened to these people from Inverloch saying they do not even know who to go to, but then does DEECA know who to go to? Does the West Gippsland know –

Melina BATH: Where does the buck stop?

Jillian CARROLL: Yes, who knows where to go to? It just seems to be all these silo-type statutory authorities. We saw some terrific plans when we looked at the West Gippsland Catchment Management Authority. We said, 'Oh, jeez, they've got the answer to everything', and then we wondered if anyone knows what they are doing.

The CHAIR: Very good question. Ms Lovell, just to finish off.

Wendy LOVELL: I am just a little bit confused, and I do not mean to be rude here, but I just feel we have been hearing two different things. We heard from Stephen about the weight of local knowledge being so important and how that should be listened to. We heard from you that VCAT always sides with the developers over the local council, who know what is best for their community. But then we also heard from you that there should be a retreat policy and that the council is looking to protect Sale, and nothing can be done to protect Sale. Then dumping rocks in front of the surf club is not the answer and there needs to be a higher level

governance body. Well, a higher level governance body becomes like VCAT – people making decisions from Melbourne for this area. How do you reconcile that with the weight of local knowledge and listening to locals about their community and what they want for their community?

Jillian CARROLL: Well, I think there has got to be a win-win situation. I agree, the locals do have intergenerational knowledge. I was born in Heyfield. Brian has lived in Cowwarr for the last 30 years. So we know from growing up in those areas where fire risks are and the cycle of fire and water and whatever. I do not think a statutory authority like VCAT is an alternative, but VCAT – what is it, what is its purpose? That is not a role model for sure. I am not saying centralise everything, because decisions are more in a vacuum, but we need representative – I was looking at the municipal councils report, and I thought they had lots of good ideas.

Brian BURLEIGH: The MAV.

Jillian CARROLL: Yes, the MAV report. I was reading that and I was thinking, ‘This is representative, this is the peak body of all the LGAs’, and from me reading it – I am interested in governance – I thought that, you know, they are coming up with really good governance ideas through their experience, through all these people, all these councils, that belong to their association and the research they have done. It was a very well-researched paper, too. I thought, ‘They’re the sorts of people we need to be consulting with and working with.’ State governments need to be working with these peak bodies; they cannot go around to every council in Victoria and find out ‘What do you think?’ sort of thing, but these peak bodies – actually from my understanding and reading of that document, I was very impressed by that – know the problems. Okay, they do not know which road is more likely to be flooded at the back of Seaton or somewhere, but they seem to be listening to the LGAs and operating at a governance level, and that is where I think the answer is.

Wendy LOVELL: Thank you. That is it.

The CHAIR: Thank you.

Stephen ANGUS: There are just a couple of things that we did not quite pick up on. Through my involvement with one of the catchment management authorities in this area, I have seen what I think is a superb risk-based model for adaptation around our sea line. I do not know whether the committee is aware of that. I do not have it here today, but it is an authoritative, scientific piece of work from day one to 50 years.

The CHAIR: If you want to forward it to us, that would be great. We would be really interested to see it.

Stephen ANGUS: It does not seem to get the visibility that it deserves, and it allows you to plan across any timeframe, across every mitigation.

The CHAIR: Great.

Stephen ANGUS: I will find that and maybe –

The CHAIR: Send it to the secretariat. That would be exceptionally handy.

Stephen ANGUS: I want to make one last little comment around farmers, because we have not talked so much about that. This is from a business perspective, and this is a quote from farmers, not so much from this area, but it is of generic relevance to here. Farmers are used to adapting their business plans to a swing of 5 per cent one way or the other about what the climate and the weather are going to do. They are now trying to deal with a swing of plus or minus 20 per cent. They cannot plan. It is just too hard to predict in terms of cashflow, what they are going to do with their stocking, how they are going to manage their paddocks and so forth. It is a constant reminder – and I did not get to answer the question about the intensity of weather, because we ran out of time. The last five years of response and recovery, I am sorry, are unprecedented.

The CHAIR: And with that, we will bring today’s hearing to a close. Thank you all for participating. You will receive a copy of the transcript in about a week to review before it is made public.

Committee adjourned.