

# Inquiry into Climate Resilience Submission



Prepared for :  
**Victorian Parliament's  
Legislative Council  
Environment and  
Planning Committee**



**June 2024**

No one understands the challenges and opportunities facing Victoria in the 21st century better than local councils. From rapidly evolving technology to social changes, shifting economies to environmental pressures, our local communities and the governments that represent them—are at the forefront of multiple transformations happening simultaneously.

As the peak body for the Victorian local government sector, the Municipal Association of Victoria (MAV) offers councils a one-stop shop of services and support to help them serve their communities.



### **ACKNOWLEDGEMENT OF COUNTRY**

We acknowledge the traditional custodians of the land on which we live. We recognise their continuing connection to land, waters and culture and pay our respects to their Elders past, present and emerging.

### **DISCLAIMER AND COPYRIGHT**

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# 1 Executive Summary

The Municipal Association of Victoria (MAV) welcomes the opportunity to provide a submission to the Legislative Council Environment and Planning Committee inquiry into climate resilience at this critical juncture in the climate emergency.

The local government sector brings a wealth of experience and knowledge to this inquiry having spent decades driving adaptation and mitigation action. Councils have intimate knowledge of the needs and capabilities of their communities and hold information on local climate-related hazards as well as experience in mitigating them.

We urge the Victorian Government to implement the following recommendations to support councils and their communities to adapt to, prepare for and mitigate the impacts of climate change on our built environment and infrastructure:

1. Provide councils with access to consistent and up-to-date local and regional climate data and hazard assessments in line with the latest science.
2. Accelerate adaptation action at the local level by establishing a dedicated fund to support the implementation of all seven systems Adaptation Action Plans which includes direct financial support for councils.
3. Partner with councils to upgrade infrastructure to a more resilient standard, including:
  - a) A systematic assessment and upgrade of priority roads and bridges to support the transition to low and zero emission heavy vehicles (LZEHVs)
  - b) A review of the local roads funding model, recognising the increased maintenance needs due to heavier vehicles and a changing climate
  - c) Adopting betterment as an eligible expense under the Disaster Recovery Funding Arrangements in Victoria
  - d) Establishing a Betterment Fund to support the rebuilding of assets to a more resilient standard, and
  - e) Expediting amendments to the Water Act 1989 to address council legal responsibilities, liability and powers when they construct or maintain flood mitigation infrastructure.
4. Collaborate with councils on improvements to the planning system by:
  - a) Implementing a strong baseline of Environmentally Sustainable Development through the planning system, while maintaining the ability for councils to continue to innovate to advance best practice in their own planning schemes
  - b) Authorising for exhibition the Elevating Targets Planning Scheme Amendment, and
  - c) Implementing a consistent state-wide planning approach to flooding, coastal inundation and other climate risks, similar to the current bushfire arrangements, with the Minister for Planning made responsible for implementing best-available hazard data into planning schemes. This must be supported by ongoing review, the provision of clear policy direction, updating of state-wide flood, inundation and sea-level rise benchmarks and updating of overlays and planning provisions to ensure development is appropriate to current and future risk.

## 2 Introduction

The Municipal Association of Victoria is the peak representative and advocacy body for Victoria's 79 councils. The MAV was formed in 1879 and the Municipal Association Act 1907 appointed the MAV the official voice of local government in Victoria.

Today, the MAV advocates for local government interests, initiates projects and services across a broad range of areas, and supports the development, adoption and implementation of evidence-based research and policy.

Our purpose is to mobilise action that supports Victorian councils to create cities, regions, and towns that are thriving, resilient and inclusive communities. Our vision is to be a nation-leading thought leader, partner and resource hub for the Victorian local government sector in strategic foresight, policy and research, leadership and governance, service design and advocacy impact.

Councils and their communities are on the frontline of responding to climate change. As heat records continue to be broken globally<sup>1</sup>, it is clear we need more urgent and rapid action from all levels of government to achieve a safe climate.

This submission highlights some of the key climate risks to council and community infrastructure, identifies critical barriers preventing more resilient infrastructure upgrades and explores the adequacy of the current Victorian planning system in the face of a changing climate.

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<sup>1</sup> <https://climate.copernicus.eu/copernicus-2023-hottest-year-record>

## 3 Response to Terms of Reference

### 3.1 The main risks facing Victoria's built environment and infrastructure from climate change and the impact these will have on the people of Victoria

Climate change is already impacting Victoria's built environment and infrastructure through more frequent extreme weather events, coastal inundation and erosion. Some of the key climate risks facing the built environment are outlined in Victoria's Built Environment Climate Change Adaptation Plan 2022-2026 including:

- Increases in the frequency and severity of bushfires
- Increases in the frequency, duration and intensity of heatwaves
- Increases in coastal inundation, sea level rise and coastal erosion
- Increases in the time Victoria spends in drought
- Increases in the intensity of extreme rainfall and flooding<sup>2</sup>

The potential impacts to communities vary greatly, ranging from disruptions to essential public services to health impacts, injury and loss of life. It is important to note climate risks will not affect every place and person the same way. Any efforts to mitigate and adapt to climate change must be tailored to address local vulnerabilities.

Victorian councils are responsible for managing \$140 billion of community assets and infrastructure, including roads, community buildings and parks, all of which are impacted by climate events and have a high cost for repair and maintenance<sup>3</sup>. Conservative first-pass economic assessments of the direct risks to council assets indicates that annual average damages are expected to increase by 150% by 2050 and 300% by 2100 under business as usual<sup>4</sup>.

As a result, councils have significant interest in undertaking mitigation and adaptation measures to protect our built environment and infrastructure from climate change. Some of the recent activities councils have been undertaking include:

- Drought-proofing sportsgrounds
- Including Environmentally Sustainable Design principles in Local Sports Infrastructure Fund guidelines
- Bushfire planning and building measures
- Capital upgrades to community facilities and assets to adapt to heatwaves and mitigate against flood and bushfire damage
- Exploring investment in batteries and stand alone power for community facilities so that they remain functional in extreme weather and related emergencies
- Developing and implementing a Sustainable Subdivisions Framework to achieve strong sustainability outcomes in residential subdivisions.

While some progress has been made, more investment is needed to protect critical infrastructure and community assets. Damaged infrastructure is expensive and time-consuming for councils to repair, leaving communities disconnected and disrupted.

<sup>2</sup> <https://www.climatechange.vic.gov.au/building-victorias-climate-resilience/our-commitment-to-adapt-to-climate-change/built-environment-adaptation-action-plan>

<sup>3</sup> <https://www.audit.vic.gov.au/report/results-2022-23-audits-local-government>

<sup>4</sup> [https://eaga.com.au/wp-content/uploads/2023/04/Adaptive-community-assets\\_Final-report-1.pdf](https://eaga.com.au/wp-content/uploads/2023/04/Adaptive-community-assets_Final-report-1.pdf)

Assessing, upgrading, (or repairing) and managing assets to a more climate-resilient standard is considered a priority for the sector, which will require a partnership approach between all levels of government. This approach should be undertaken proactively as well as opportunistically after natural disasters. This point is explored further in response to ToR 3.

Under the [Roles and Responsibilities for Climate Change Adaptation in Australia](#) agreed to by the then Council of Australian Governments' (COAG) Select Council on Climate Change in 2012, state governments are responsible for providing local and regional science and information to assist both government and private parties in assessing climate risks and adapting to climate change.

In Victoria, work needs to be done to improve the availability, consistency and adequacy of climate data and climate-related hazard assessments. There are opportunities in the current update of [Victoria's Future Climate Tool](#) to improve its value to councils. The MAV acknowledges and supports the intention of DEECA's team to consult with councils on the update.

In addition to data relating to future climate trends (temperature and rainfall) and coastal inundation data, councils require up-to-date hazard assessments to better plan for increased likelihood of hazards such as floods, bushfires, drought, storm and wind events. Alongside information about the frequency and intensity of these events, councils also need data on compounding and cascading hazards. Clear guidance must be developed for councils to use climate tools and hazard mapping to support planning and investment in risk mitigation.

The Australian Climate Service is undertaking work to deliver a nationally aligned and integrated approach to Australia's future climate projections. As a signatory to the Coalition for High Ambition Multilevel Partnerships (CHAMP), the Federal Government should work with the states and territories to ensure climate information and data is well-aligned and accessible to local government decision makers. A fragmented approach to data collection risks confusion and inertia as decision makers need reliable information.

Councils need accurate and timely data to effectively manage their assets to make sound investment; development and planning decisions; deliver adaptation action; and discharge emergency management responsibilities. This data will also support councils to engage with their communities and obtain the social license for adaptation and mitigation efforts. All levels of government should collaborate to provide the best data available to decision-makers on the ground.

## Recommendation

The Victorian Government should provide councils with access to consistent and up-to-date local and regional climate data and hazard assessments in line with the latest science.

### 3.2 How the Victorian Government is preparing for and mitigating the impacts of climate change on our built environment and infrastructure

#### The role of emissions targets

To better prepare for the impacts of climate change, it is critical that all levels of government are setting and meeting ambitious emissions reduction targets.

Many Victorian councils are already leading the way when it comes to reducing corporate and community emissions. At least 40 councils have set corporate carbon neutral or net zero targets with the majority planning to achieve these targets by 2030<sup>5</sup>.

Councils in Victoria need support to report on, measure and account for activities that reduce corporate and community greenhouse gas emissions. We understand that councils currently use a range of accounting methods and tools to develop emissions inventories. The development of a sector-wide approach to climate reporting would support greater consistency and comparability. This will ultimately empower the local government sector to engage with other levels of government and undertake the activities outlined under Coalition for High Ambition Multilevel Partnerships (CHAMP).

It is clear that more ambitious action is needed at the Federal and State Government level to effectively mitigate the impacts of climate change. The Victorian Government has set a target of achieving net zero emissions by 2045, while the Federal Government plans to reach net zero by 2050. Both these targets fall well short of the latest science which demonstrates Australia needs to strive for net zero by 2035 to keep warming at the safest levels now possible<sup>6</sup>.

The MAV urges the Victorian Government to set more ambitious emissions reduction targets, in consultation with the local government sector, to achieve a safe climate in line with the latest science.

#### The role of systems adaptation action plans

Under the [Roles and Responsibilities for Climate Change Adaptation in Australia](#) states are responsible for delivering adaptation responses in their areas of policy and regulation and encouraging climate resilience and adaptive capacity.

In 2022, the Victorian Government released seven sectoral Adaptation Action Plans, mandated under the Climate Change Act 2017, alongside six Regional Climate Change Adaptation Strategies. The Built Environment Climate Change Adaptation Action Plan 2022-2026 is a welcome step forward in making our built environment more climate-resilient. However, progress under this plan is constrained because the proposed actions remain largely unfunded.

Infrastructure Victoria recently highlighted Victoria spends little on adapting infrastructure: recent Victorian budgets contained little new funding for infrastructure

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<sup>5</sup> <https://eaga.com.au/wp-content/uploads/2023/12/Climate-Active-Consultation-2023-Victorian-Greenhouse-Alliances-Submission.pdf>

<sup>6</sup> [https://www.climatecouncil.org.au/wp-content/uploads/2023/09/Mission-Zero\\_Updated-190923\\_IL\\_2.pdf](https://www.climatecouncil.org.au/wp-content/uploads/2023/09/Mission-Zero_Updated-190923_IL_2.pdf)

adaptation to better prepare for future climate events<sup>7</sup>.

Furthermore, the most recent Victorian Budget 2024/25 does not include any significant investment in adaptation, apart from some new funding towards the water and energy sector Adaptation Action Plans.

Federal and State governments should lead by example and ensure their investment decisions are aligned with achieving a safe climate. For example, increased investment in active transport will help Victoria meet its transport sector emissions reduction pledge of 25 per cent of mode share by 2030<sup>8</sup>.

The MAV would like to see direct financial support provided to allow councils to ensure they have the capacity and capability to prepare for and mitigate the impacts of climate change on the built environment and infrastructure. Both State and Federal Governments have a role to play in incentivising private sector investment in adaptation and resilience. An investment fund with co-contributions from the private sector could be a model worth exploring in this instance.

## Recommendation

The Victorian Government should establish a dedicated fund to support the implementation of all seven systems Adaptation Action Plans which includes direct financial support for councils.

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<sup>7</sup> <https://www.infrastructurevictoria.com.au/resources/weathering-the-storm>

<sup>8</sup> [https://www.climatecouncil.org.au/wp-content/uploads/2023/09/Mission-Zero\\_Updated-190923\\_IL\\_2.pdf](https://www.climatecouncil.org.au/wp-content/uploads/2023/09/Mission-Zero_Updated-190923_IL_2.pdf)

### 3.3 The barriers facing Victoria in upgrading infrastructure to become more resilient to the impacts of climate change, including barriers in rebuilding or retrofitting infrastructure, including but not limited to, issues relating to insurance and barriers faced by local government

All types of council-owned and managed infrastructure are at risk of being damaged by the climate crisis. This ranges from local roads, bridges and drains to community buildings and sport and recreation facilities.

There are many significant barriers that prevent councils from upgrading infrastructure to a more resilient standard. This section focuses on three priority issues that impact all Victorian councils

#### Proactive assessments for infrastructure upgrades and support for local road maintenance

As noted in the Victorian Government's [Freight Plan Discussion Paper](#) and the Federal Government's [Transport and Infrastructure Net Zero Roadmap Consultation Paper](#) - both currently open for consultation – transition to Low and Zero Emissions Heavy Vehicles (LZEHVs) offer a potential solution to reducing freight sector emissions, however, there are barriers to their widespread adoption.

Even if regulatory restrictions on mass limits are removed, most Victorian councils are currently not in a position to issue access permits for LZEHVs with confidence. There is a need to assess and upgrade key infrastructure to accept increased loads. The increased mass and distribution of weight of LZEHVs will accelerate damage to local roads – a challenge recognized in the 2023 [Grattan Institute](#) report into local loads funding, [Potholes & Pitfalls: how to fix local roads](#).

Without an urgent review of the current local roads funding model, councils will struggle to maintain safe local roads that can withstand increased temperatures, rainfall and extreme weather, and accept LZEHVs to complete the first and last kilometre of the freight task.

There must be a systematic look at priority local roads – including freight routes – to start assessing and upgrading the network ahead of the transition to heavier vehicles. As freight movement and supply chain confidence is a matter for all levels of government and industry, there must be a collaborative effort to support councils to undertake proactive assessments for upgrading disaster-prone infrastructure and priority access routes to a more resilient standard.

This must be combined with greater funding support for road maintenance, as outlined by the Grattan Institute. This would provide councils with confidence when considering permit applications for LZEHVs and better position councils to submit proposals for betterment following natural disasters.

## Building back better

Damage to infrastructure from climate change is already proving to be significant and councils are facing mounting costs as a result. The Australian Local Government Association (ALGA) estimated that repairs to roads in Victoria, NSW, South Australia and Queensland following the 2022 floods would cost \$3.8 billion – more than the annual spending on local road maintenance in each of these states<sup>9</sup>. This repair is still being completed in Victoria.

Under the current DRFA model in Victoria, funds are provided to councils to reinstate the infrastructure to its pre-disaster condition. Unless a dedicated betterment stream is established through Category D of the DRFA, councils that wish to improve the infrastructure by designing and developing to more modern or disaster-resilient solutions must fund the improvement component in full.

Improvements to infrastructure, such as strengthening, realignment, or other modifications, can be expensive - particularly in the current financial climate. As these types of works are generally urgent in nature and the assets are required to be reinstated within a short period of time, councils, particularly rural shires with large asset bases, have limited opportunity to allocate the necessary finances to invest in these projects.

The approach taken in Queensland, where betterment funds have been made available through the DRFA for councils to 'build back better' for several years is already seeing results. Of the 480 betterment projects completed in Queensland between 2013 and August 2022, 375 projects have been subsequently impacted a total of 1016 times across 40 events. Eighty-one per cent of those impacted suffered no damage, or only minor superficial damage. From a \$137 million investment, there is \$391 million in avoided reconstruction costs.

Betterment funding was first approved in Victoria for a select number of councils impacted by the October 2022 floods. Fourteen of the 63 councils affected by the floods received a share of a total \$9.4 million, announced ten months after the event, which allowed for these councils to make small scale improvements.

To provide cost-effective solutions that improve the resilience of infrastructure, it is strongly recommended that disaster recovery funding promotes and incentivises betterment. The MAV and councils are again calling for the State Government to consistently fund betterment under the DRFA and for this work to be supported by a Betterment Fund.

The MAV looks forward to working cooperatively with the State and Federal Governments to improve the application of the DRFA to ensure it is fit-for-purpose, meets the needs of councils and realises the significant savings that can be found by rebuilding assets to a more resilient standard.

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<sup>9</sup> <https://alga.com.au/building-better-roads-will-prevent-another-3-8-billion-blowout/>

## Liability and assurance arrangements under the Water Act

Councils also face barriers regarding flood mitigation infrastructure when it comes to liability and assurance arrangements. At the moment, a different liability framework operates with respect to councils compared to water authorities in a Water Management Scheme. Councils are accountable for levees in urban areas now but do not have protection from liability.

Action 17b in the Victorian Floodplain Management Strategy (VFMS) acknowledged the need for the Water Act 1989 to be amended to clarify and simplify the liability and assurance arrangements for councils that construct or maintain flood mitigation infrastructure through the implementation of Water Management Schemes. The VFMS Implementation Snapshot 2022 noted this action was in progress and a case for legislative amendment had been prepared and prioritised for inclusion with the next suite of changes to the Water Act<sup>10</sup>.

The MAV is strongly supportive of the Victorian Government proceeding with this amendment to the Water Act. The current legislative provisions create disincentives for councils to be more involved in supporting water management schemes and further formalising their roles in flood mitigation.

Currently MAV Insurance recommends against councils agreeing to take on responsibility for water management schemes. They also advise that councils need to give careful regard to their capacity to maintain on an ongoing basis any other flood mitigation infrastructure they choose to install.

## Recommendations

The Victorian Government should partner with councils to upgrade infrastructure to a more resilient standard by:

- A systematic assessment and upgrade of priority roads and bridges to support the transition to low and zero emission heavy vehicles (LZEHVs)
- A review of the local roads funding model, recognizing the increased maintenance needs due to heavier vehicles and a changing climate
- Adopting betterment as an eligible expense under the Disaster Recovery Funding Arrangements in Victoria;
- Establishing a Betterment Fund to support the rebuilding of assets to a more resilient standard; and
- Expediting amendments to the Water Act 1989 to address council legal responsibilities, liability and powers when they construct or maintain flood mitigation infrastructure.

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<sup>10</sup> [https://www.water.vic.gov.au/\\_data/assets/pdf\\_file/0027/661743/victorian-floodplain-management-implementation-snapshot-2022.pdf](https://www.water.vic.gov.au/_data/assets/pdf_file/0027/661743/victorian-floodplain-management-implementation-snapshot-2022.pdf)

### 3.4 The adequacy of the current Victorian planning system as it relates to its adaptation to, preparation for, and mitigation of climate change impacts

## Local government leads the way to integrate climate change and planning decisions

Victorian councils have long understood the opportunities land use planning has in ensuring development is sustainable, low or zero emissions, and resilient to climate change impacts. However, councils report that the adoption of zero emission targets and commitments to mitigation and adaptation rarely inform planning decisions made under Victoria's planning system.

Councils across Victoria have collaborated to develop local planning policies in the absence of state-wide policy responding to climate change and Environmentally Sustainable Design (ESD). Since 2004 councils have initiated grassroots reform of planning policy with the aim of achieving improved sustainability outcomes across the built environment. Many councils have developed and implemented their own local ESD policies as part of their response to the climate crisis.

Since the introduction of local ESD policies, councils find that elevating sustainable design and zero-carbon development opportunities in planning discussions have helped shift developer and community attitudes. It is now widely acknowledged that energy efficient and climate responsive homes are also the most comfortable and cost-efficient to live in. Please refer to the Council Alliance for a Sustainable Built Environment's (CASBE) submission to the inquiry for further detail.

We commend to the inquiry a recent report commissioned by CASBE and the Victorian Greenhouse Alliances that reviewed how Victoria's planning system addresses climate change. The [Climate Change and Planning in Victoria: Ensuring Victoria's planning system effectively tackles climate change](#) (2021) report is directly relevant to this inquiry.

The report identified the disconnects between high level policy positions on climate change and day-to-day planning decisions. The report examines influences which inform planning decisions, and provides a program of planning reform opportunities that government can pursue.

## Current planning reform must not lose sight of the climate crisis

Significant planning reform is underway in Victoria to deliver the government's Housing Statement. Recently announced municipal housing targets will require councils to facilitate development of 2.2million extra homes over the next 27 years (that's 57,000 new dwellings a year). In the rush to deliver these extra homes over the next two decades, we risk we will losing sight of opportunities to embed climate mitigation and adaptation measures into the design and location of new communities.

Using planning reform to respond to the housing crisis is an opportunity to pursue climate action as well. We can and must deliver climate resilient communities. If not, we risk building 57,000 new homes each year that will not be habitable in the coming decades. While it is tempting to prioritise quick builds and immediate profit to address current shortages, it would be deeply unfair to pass the social and financial consequences of poor planning decisions and inadequate home design onto future communities.

The above being said, the State Government has been working to align some elements of the Victorian planning system with their emissions reduction targets.

We welcomed state-wide planning reforms banning gas connections to all new homes from 1 January 2024. The move to all-electric dwellings and apartments is a significant step towards zero carbon development. The MAV supports future reform to mandate all-electric requirements for commercial and industrial uses as well.

We also commend the passage of the *Climate Change and Energy Legislation Amendment (Renewable Energy and Storage Targets) Bill 2023* which:

- Updates the objectives of the planning framework to provide for explicit consideration of State climate change policies, including emissions reduction targets and improve resilience;
- Places an additional duty on planning authorities (bodies that prepare planning scheme amendments, primarily councils) to have regard to emissions reductions targets and significant risks to use or development likely to arise from the impacts of climate change; and
- Allows the Minister to prepare Ministerial directions prescribing more detail for when and how that consideration should be given.

Councils have long advocated for these changes, and some are key recommendations from the [Climate Change and Planning in Victoria report](#). Having regard to significant climate risks and emissions reduction targets will empower decision makers to ensure new plans and strategies are aligned with emissions reduction goals and the latest climate science.

Embedding climate resilience into planning strategies and amendments to planning schemes presents opportunities to better align strategies with day-to-day planning and development decisions.

## Further opportunities for planning reform to address climate change

While progress has been made on high-level policies, planning reform at the statutory planning decision making level has lagged and been significantly delayed.

At the time of writing, the State has not implemented in full its own ESD Roadmap. Launched in February 2021, the roadmap was much anticipated and proposed a two-stage process to embed sustainable design principles into the Victoria Planning Provisions:

- Stage One involved updates to the Planning Policy Framework (PPF) to facilitate the state government's broader policy objectives for supporting ESD.
- Stage Two was arguably the more significant part of the process and focused on development of new ESD objectives and standards in the Planning Provisions to give effect to the strategies set out in planning policy.

Planning Scheme Amendment VC216 implemented Stage One of the roadmap into all Victorian planning schemes in June 2022. Amendment VC216 added consideration of climate change into the purpose of the Victoria Planning Provisions for the first time. This inclusion was a significant and exciting milestone, and culmination of much advocacy from local government and other advocates.

Unfortunately, three years after the launch of the roadmap, Stage Two is still not complete. While many of the provisions are drafted and developed through stakeholder consultation, their introduction into planning schemes has not occurred. Stage Two includes important planning provisions such as urban cooling and greening as well as consideration of water management, air and noise pollution, apartment siting and recycling and resource recovery.

Concerned over the slow progress of the roadmap and lack of ambition, 24 Victorian CASBE member councils lodged a planning scheme amendment to introduce planning policy that elevates sustainability requirements for new buildings and encourages a move towards net zero carbon development. The elevating targets amendment builds on the current ESD requirements for new developments and in doing so, aims to better protect the natural environment, reduce resource and energy consumption, and support the health and wellbeing of future dwelling occupants.

These councils are still waiting for a response from the Victorian Minister for Planning on the amendment.

## Planning for natural hazards

Since 2020 there has been a large shift in public understanding of and attitudes towards settlement planning and natural hazard risk. Recent floods, fires and storm events driven by climate change have razed many homes and entire communities. A key part of mitigating risk and adapting communities is better planning for natural hazards.

Unfortunately, councils' ability to drive necessary changes to their planning schemes is hampered by a range of factors, including:

- Cost to engage consultants and collect data on hazard risks;
- Lack of resources and technical knowledge within councils and other agencies, particularly the CFA and the catchment management authorities;
- Recent examples of planning panels weakening planning controls proposed by councils; and
- Political pressure placed on councillors from their constituents when proposing new planning controls that may limit development or impact land value.

Together, these factors hamper appropriate strategic planning outcomes for communities vulnerable to flood and inundation risk. This risk also includes insurability risks for land-owners and council infrastructure as well as litigation risks for responsible planning authorities (which are most often councils).

The MAV's submission to the [Inquiry into the 2022 flood event in Victoria](#) highlighted the urgent need for planning system reform that directs development away from flood-prone areas to protect lives, property and fragile environments. Although much of the available flood hazard data is held or being developed at the state-level, it is still left to individual councils to introduce planning scheme controls that ensure future development is appropriate. This is a highly resource intensive challenge, particularly for rural and regional councils with limited resources and expertise.

It is necessary for the State to implement a consistent state-wide planning approach to flood and coastal inundation, similar to the current bushfire arrangements, with the Minister for Planning made responsible for implementing best-available flood and inundation data into planning schemes. This must be supported by ongoing review, the provision of clear policy direction, updating of state-wide flood, inundation and sea-level rise benchmarks and updating of overlays and planning provisions to ensure development is appropriate to current and future risk.

It must be the role of Government to communicate directly and openly with an approach of education and improving preparedness with residents most at risk of natural hazards in a consistent way across Victoria. Councils already do this to some extent, however the State has considerably more financial and legislative levers to pull compared to local government.

Difficult discussions and decisions with communities on retreat, land buybacks and not rebuilding in high-risk areas need to be considered state-wide. It is essential that strategic long-term planning is elevated in discussions on hazard planning and that the entire planning system addresses climate change risks. Councils need funding for mitigation, new strategic planning tools for the Planning Scheme and Building Regulations, and technical expert support.

## Recommendations

The Victorian Government should:

- implement a strong baseline of Environmentally Sustainable Development (ESD) through the planning system, while maintaining the ability for councils to continue to innovate to advance best practice in their own planning schemes;
- authorise for exhibition the Elevating Targets Planning Scheme Amendment; and
- implements a consistent state-wide planning approach to flooding, coastal inundation and other climate risks, similar to the current bushfire arrangements, with the Minister for Planning made responsible for implementing best-available hazard data into planning schemes. This must be supported by ongoing review, the provision of clear policy direction, updating of state-wide flood, inundation and sea-level rise benchmarks and updating of overlays and planning provisions to ensure development is appropriate to current and future risk.

### 3.5 What more could be done to better prepare Victoria's built environment and infrastructure, and therefore the community, for future climate disaster events

There are several further opportunities for the Victorian Government to better prepare our built environment, infrastructure and communities for future climate disaster events, including:

- Address council capacity and capability constraints in emergency management by improving the Municipal Emergency Resourcing Program;
- Provide dedicated training for councils to undertake their statutory emergency management roles;
- Better supporting councils to undertake their roles in managing high-value community assets and infrastructure;
- Uplifting council capability in climate risk assessment processes through tools, guidelines and training;
- Supporting councils to accelerate the mode shift towards active transport by implementing more walking and bike riding projects; and
- Progress work on food supply and food security, such as the Green Wedges and Agricultural Land policy reforms, to ensure communities are resilient to future food supply shocks. The MAV's submission to the Inquiry into securing Victoria's Food Supply details the sector's views and recommendations on these issues.

## 4 Conclusion

Victorian councils stand ready to partner and collaborate with the State Government to protect our built environment, and our communities, from the impacts of climate change. As the closest connection point to community, local government is uniquely positioned to help build a social license for governments to prioritise and invest in urgent adaptation and mitigation measures.

Thank you for the opportunity to provide this submission in response to the inquiry into climate resilience. We are happy to discuss this submission further with the committee.

MAV would be pleased to provide clarification on any information in this submission. For further information, please contact [inquiries@mav.asn.au](mailto:inquiries@mav.asn.au).

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