



# ORDINARY MEETING OF COUNCIL 4 SEPTEMBER 2019

## 11.1 ELSTER CREEK CATCHMENT FLOOD MANAGEMENT PLAN

**EXECUTIVE MEMBER:** LILI ROSIC, GENERAL MANAGER, CITY STRATEGY AND SUSTAINABLE DEVELOPMENT

**PREPARED BY:** TIMOTHY GRAFFEN, SENIOR SUSTAINABILITY OFFICER

### 1. PURPOSE

- 1.1 This report presents the *Elster Creek Catchment Flood Management Plan 2019-2024* and the *Elster Creek Catchment Memorandum of Understanding 2019* between project partners for endorsement.

### 2. EXECUTIVE SUMMARY

- 2.1 The Elster Creek Catchment (the Catchment) spans the municipal boundaries of Bayside, Glen Eira, Kingston and Port Phillip councils. Within the City of Port Phillip, it includes Elwood located at the bottom of the Catchment and areas of St Kilda and Ripponlea.
- 2.2 The Catchment has experienced flooding throughout much of its history. It is characterised by low gradients and high levels of urbanisation. Minimising and managing flood risks remains an ongoing challenge.
- 2.3 In 2017, the City of Port Phillip, Bayside City Council, City of Glen Eira, City of Kingston and Melbourne Water formed a collaborative partnership to manage flooding in the Catchment. Project partners signed a two-year Memorandum of Understanding (MoU) and developed an *Elster Creek Catchment Action Plan 2018 (Action Plan)* that included 16 Actions to respond to flood risk
- 2.4 A new *Elster Creek Catchment Flood Management Plan 2019-2024 (FMP)* that builds on work to date to investigate flooding risk is presented to Council for endorsement.
- 2.5 The FMP is focused on activities associated with flood mitigation where they specifically benefit from a catchment-based approach. The FMP contains 18 actions grouped according to three themes including:
  - *One Catchment, Many Solutions* - working together to implement sustainable on-ground solutions that minimise flooding and its impact of the community
  - *Land Use Planning* - Development across the Catchment will seek to minimise urban run-off and reduce flood risk
  - *Informed and well-prepared communities* - The community is informed, actively engaged and understands the challenges of managing flooding in the Catchment and what is being done about it
- 2.6 The development of the FMP included engagement with key existing stakeholders, and the Elster Creek Community Reference Group (the CRG) and broader engagement with Catchment residents across the four municipalities of Bayside, Glen Eira, Kingston and Port Phillip.
- 2.7 The Memorandum of Understanding (MoU) has been updated and is presented to Council. The changes reflect a commitment towards more holistic water management.



### 3. RECOMMENDATION

That Council:

- 3.1 Endorses the Elster Creek Catchment Flood Management Plan 2019-2024 (Attachment 3).
- 3.2 Endorses the Memorandum of Understanding (Attachment 4).
- 3.3 Authorises the Chief Executive Officer to sign the Memorandum of Understanding on behalf of the City of Port Phillip.
- 3.4 Authorises the Chief Executive Officer to continue to represent Council to progress collaborative action within the Elster Creek Catchment in accordance with the Elster Creek Catchment Flood Management Plan 2019-2024.
- 3.5 Authorises the Chief Executive Officer to make minor editorial updates to the adopted Flood Management Plan and Memorandum of Understanding as agreed by the Elster Creek Catchment Working Group.

### 4. KEY POINTS/ISSUES

- 4.1 The Elster Creek Catchment covers an area of approximately 40 square kilometres and crosses the municipal boundaries of Bayside, Glen Eira, Kingston and Port Phillip councils.
- 4.2 Elwood is located at the bottom of the Catchment and connects to the Port Phillip Bay through the Elwood Canal and includes areas of St Kilda and Ripponlea. (**Attachment 1**)
- 4.3 Elster Creek Catchment has experienced flooding throughout much of its history. The Catchment is very flat and highly urbanised and minimising and managing flood risks remains an ongoing challenge.
- 4.4 In 2017, the City of Port Phillip, Bayside City Council, City of Glen Eira, City of Kingston and Melbourne Water formed a collaborative partnership to manage flooding in the Elster Creek Catchment.
- 4.5 A two-year Memorandum of Understanding (MoU) for the partnership was endorsed by Council on 17 May 2017. Following endorsement by all partners, the agreement commenced in July 2017.
- 4.6 The *Elster Creek Catchment Action Plan 2018 (Action Plan)* was developed by the project partners and endorsed by Council on 15 November 2017.
- 4.7 The *Action Plan* includes 16 Actions aimed at taking a catchment-based approach to understand and respond to flood risk, developing a consistent approach to land use planning to minimise runoff and building community awareness of flooding across the Catchment.
- 4.8 A summary of outcomes achieved during the delivery of the Action Plan are provided in **Attachment 2**. The ongoing collaboration on a catchment-based approach to flood management has enabled partner organisations to work collectively to better mitigate the flood risks. The *Action Plan* focused on gathering the existing body of knowledge to align flood mapping and planned works within the Catchment. Policy and planning



activities across the Catchment were also reviewed to provide insight into the current environment, who is doing things well and where key gaps exist.

- 4.9 Five of the sixteen actions in the Action Plan have not yet been completed. Several actions are to be rolled into actions within the FMP or otherwise continue to be undertaken by the relevant lead organisation.
- 4.10 Action 5 of the *Action Plan* is to develop a catchment-wide Flood Management Plan. An *Elster Creek Catchment Flood Management Plan 2019-2024* (FMP) has been developed and is presented to Council for endorsement.
- 4.11 The FMP (**Attachment 3**) was developed by Catchment collaborative partners with input from partner organisations and Catchment residents. It incorporates 18 actions which are scheduled to be delivered over five years. Actions are grouped under three themes:
  - 4.11.1 One Catchment, Many Solutions – Working together to implement sustainable on-ground solutions that minimise flooding and its impact on the community. The first theme of One Catchment, Many Solutions focuses on incorporating flood mitigation opportunities within capital works projects, identifying opportunities for specific flood mitigation works across the Catchment, increasing permeability and influencing and incentivising flood mitigation on private land.
  - 4.11.2 Land Use Planning – Development across the Catchment will seek to minimise urban run-off and reduce flood risk. The Land Use Planning theme focuses on planning provisions
  - 4.11.3 Informed and Well-Prepared Communities – The community is informed, actively engaged and understands the challenges of managing flooding in the Catchment and what is being done about it. The Informed and Well-Prepared Communities theme focuses on engagement, education and building community awareness of and resilience to flood risk. It also contains actions to work with emergency management agencies and the insurance industry to reduce the impact of flooding. It also highlights that need to further collaborate with agencies and stakeholders on the issue.
- 4.12 The FMP does not capture all actions undertaken by each partner organisation relating to water management but identifies the activities and actions that benefit from a catchment-based collaborative approach to flooding.
- 4.13 The FMP acknowledges the importance and interconnectedness of Integrated Water Management (IWM) in flood management but has restricted to those that can have a direct and primary impact of reducing flooding.
- 4.14 Council is the Lead agency for six actions within the FMP, including:
  - 4.14.1 Action 4: Undertake research on suitable permeable surfaces for the Elster Creek Catchment and develop a tool which can be used to measure and compare permeable treatments.
  - 4.14.2 Action 6: Influencing the Department of Education and private schools to include flood mitigation within open space.
  - 4.14.3 Action 12: Share information and build capacity of council staff to effectively and consistently implement the Victorian Planning Provisions for Stormwater Management in Urban Development (Clause 53.18).



- 4.14.4 Action 13: Advocate to the Victorian Government...to encourage schools to install water recycling infrastructure
- 4.14.5 Action 14: Develop a communications and engagement plan that addresses the following:
- Builds community awareness about the Catchment and flood overlays
  - Builds community preparedness for flooding
  - Links with Emergency Management to educate the community about how to respond in times of flood
  - Educates the community on changes they can make to their properties to increase resilience to flooding
  - Demonstrates the funding commitment from project partners
  - Uses simple, plain English and real world relatable examples
  - Is delivered in a way that reaches different sections of the community (renters, owners, businesses, etc.)
  - Annual awareness campaign targeted at wider community about flood risk and vulnerability
- 4.14.6 Action 15: Collaborate on education and communications programs with key stakeholders and community champions including:
- Port Phillip Eco Centre
  - State Emergency Service
  - South East Water
- 4.15 Council Officers will continue to support delivery of the other actions in the FMP led by our collaborative partners.
- 4.16 The Memorandum of Understanding (MoU) signed in November 2017 was scheduled to be reviewed after a period of two years. The MoU has been reviewed with some minor changes and is presented to Council for endorsement (**Attachment 4**). The purpose of the MoU is to:
- 4.16.1 Define, at a high-level, the drainage problem of concern to communities living, working and visiting within the Elster Creek Catchment
- 4.16.2 Set out the core principles to promote collaboration between the four relevant councils and Melbourne Water to find effective evidence-based and innovative solutions to address the Catchment's flooding issues, where possible
- 4.16.3 Seek to achieve multiple benefits in all flood mitigation outcomes.
- 4.17 During the review of the MoU several changes were incorporated to better reflect community sentiment including the addition of an additional dot point as to the purpose of the MoU 'Seeks to achieve multiple benefits in all flood mitigation outcomes'.
- 4.18 Additional text was added to the Core Principle section 'Significant secondary benefits are achievable when managing flood impacts. These include improved stormwater quality and river and bay health, improved biodiversity and habitats, increased liveability and the opportunity for alternative water supply options'.



- 4.19 These changes reflect that while the MoU is first and foremost about collaborating on flooding, multiple secondary benefits can be achieved through flood mitigation works and policies.

## 5. CONSULTATION AND STAKEHOLDERS

- 5.1 Since endorsement of the Action Plan, quarterly updates have been presented to Council on progressing the actions included in the Elster Creek Catchment. Council has resolved to continue its commitment towards a catchment-based approach to flood mitigation.
- 5.2 A Community Reference Group (CRG) was established via a public expression of interest process. The current CRG is composed of two residents from Port Phillip, two residents from Glen Eira and one from Bayside.
- 5.3 The CRG was formed to provide a regular, scheduled opportunity for dialogue between the collaborative partners and representatives from the community. Selection of the members was in part related to their networks within the community. The CRG was established for a period of two years and is identified for review in action 14 of the FMP.
- 5.4 The CRG had an integral role in the development of the FMP, at all stages of development from ideas inception, prioritisation and review of the Draft FMP.
- 5.5 A stakeholder workshop was held on 23 May 2019, which included representatives from each partner organisation and from the CRG. The purpose of this workshop was to develop an approach to the community workshop and commence the development of new actions. Members of the CRG attended and presented their ideas at the first partner workshop submitting approximately 80 concepts and ideas for consideration in the development of action in the FMP.
- 5.6 In addition to the CRG input, 5,000 properties were randomly selected from across the entire Elster Creek Catchment and invited to attend a one-day workshop, held on 15 June 2019. Eighteen residents from 11 different suburbs across the Catchment attended the workshop. The CRG presented at and attended this workshop.
- 5.7 At the CRG Meeting held 3 July 2019, CRG members gave feedback and prioritised draft actions. This feedback was used to inform the Draft FMP.
- 5.8 The Draft FMP was endorsed for stakeholder feedback by the Elster Creek CEO Forum on the 19 July 2019. The Draft FMP was distributed to the CRG and attendees of the community workshop on 26 July 2019 to enable further input. The Draft FMP captured 44 of the ideas initially generated by the CRG.
- 5.9 Feedback received on the Draft FMP consisted of five (5) comprehensive submissions which contained 91 suggested amendments, 35 of these have been agreed to and incorporated into the Final FMP. Feedback consisted of:
- 5.9.1 38 comments relating to the introductory section of the plan; 33 comments relating to the deliverables; and 20 comments not specific to a particular section of the plan but referencing perceived gaps or external factors.
- 5.9.2 Specific comments were provided about the format, structure, layout and language in the document including recommended changes to the navigability and description of the catchment. Specific feedback was also provided with



regards to the approach to IWM within the Plan and call for a “holistic systematic approach” to the flood mitigation response.

- 5.9.3 Comments regarding the deliverables included a desire for greater certainty over flood mitigation within the Elsternwick Park Nature Reserve Project, increased financial accountability for Councils, and requests for more precise language regarding proposed actions.
- 5.9.4 General commentary not specific to a particular section of the Plan or actions included in the plan such as coastal inundation risks from climate change and sea level rise. Questions were also raised around land buyback provisions, and questions around the efficacy of the collaborative process within the catchment-based approach.
- 5.9.5 Council Officers will provide the summary of submission responses to the CRG at their October meeting.

## **6. LEGAL AND RISK IMPLICATIONS**

- 6.1 The FMP sets out the collaborative arrangements and commitments from each project partner. Nothing contained within the document limits our ability as a Council to undertake additional commitments in line with the Council Plan and Act and Adapt, Sustainable Environment Strategy.
- 6.2 The MoU and FMP are entered into on a voluntary basis and detail the collaborative approach of our neighbouring project partners Bayside, Glen Eira and Kingston Councils as well as Melbourne Water. There are no financial penalties for perceived failures to act in accordance with the MoU or for missing identified delivery timeframes within the FMP.

## **7. FINANCIAL IMPACT**

- 7.1 The Council Plan and Budget includes operating project funding of \$1,324,500 over the next three years (2019/20 - 2021/22) to deliver the Elster Creek partnership project.
- 7.2 This includes the provision of up to \$1,000,000 dollars for the realisation of beneficial outcomes specifically related to the Elsternwick Park Nature Reserve redevelopment (dependant on Council endorsement).
- 7.3 Any identified capital flood mitigation works will be considered as part of Council's Stormwater Management Program (\$10.4m over ten years).
- 7.4 Other improvements will be considered as part of Council's program of capital works, including the Water Sensitive Urban Design program, Greening Port Phillip program, civil renewal and upgrade projects, transport projects, parks renewal projects.

## **8. ENVIRONMENTAL IMPACT**

- 8.1 The FMP has been developed to increase understanding of flooding at a catchment scale, reduce the risk of flooding and develop community resilience to flooding.
- 8.2 Flood mitigation works will consider a wider range of benefits including improving water quality, water re-use and urban cooling and greening.



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### **9. COMMUNITY IMPACT**

- 9.1 Flooding within the Elster Creek Catchment remains part of the character of communities living within the Catchment. As part of the response to flood risk Council has an opportunity to work with their community to increase the social capital in high risk areas.
- 9.2 The FMP and catchment-based approach enables local governments and Melbourne Water to more efficiently plan and manage urban stormwater with the aim to reduce the impact and risk of flooding on our communities.

### **10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY**

- 10.1 The partnership and Flood Management Plan directly aligns with Direction 3 of the Council Plan 'We have smart solutions for a sustainable future' and the Act and Adapt, Sustainable Environment Strategy.
- 10.2 Outcome 3.3 of the Council Plan 'A City that is adapting to climate change' includes a priority to 'Work with partners to develop a long-term action plan for the Elster Creek Catchment to mitigate flooding'.
- 10.3 Delivery of the FMP will support the Council Plan outcomes of:
  - 10.3.1 A greener, cooler, more liveable City
  - 10.3.2 A City that is adapting and resilient to climate change
  - 10.3.3 A water sensitive City
  - 10.3.4 Liveability in a high-density City
  - 10.3.5 Ensuring sustainable financial and asset management and effective project delivery
  - 10.3.6 Improving community engagement, advocacy, transparency and governance

### **11. IMPLEMENTATION STRATEGY**

#### **11.1 TIMELINE**

- 11.1.1 The FMP is a five-year plan and includes timelines for implementation of each action and outcomes that will be regularly reported to Council.
- 11.1.2 Council Officers will lead the implementation of Actions where City of Port Phillip is identified as the 'Lead Agency' and will support other agencies to deliver the actions where appropriate.

#### **11.2 COMMUNICATION**

- 11.2.1 Information regarding the Elster Creek Catchment partnership is available to the community through a project dashboard, available on the City of Port Phillip website at the following URL: <http://www.portphillip.vic.gov.au/elster-creek-catchment-action-plan.htm>



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11.2.2 Action 12 of the FMP includes an action to develop a Communications and Engagement Plan to inform how we communicate with the community, build community resilience and awareness, educate the community about flood response and preparedness and demonstrate the commitment from project partners to reduce flood risk and impacts. Development of this Plan is underway, Council officers will engage with state-based agencies and community champions through September and October and the Communication and Engagement Plan will be presented to the Elster Creek Catchment CEO Forum for endorsement by December.

### **12. OFFICER DIRECT OR INDIRECT INTEREST**

12.1 The officers involved in the preparation of this report have the following indirect interest in the matter – residential amenity.

**TRIM FILE NO:** 30/03/37

**ATTACHMENTS**

- 1. Elster Creek Catchment Boundary Map**
- 2. Elster Creek Catchment Action Plan 2018 Outcome Summary**
- 3. Elster Creek Catchment Flood Management Plan 2019-2024**
- 4. Elster Creek Catchment Memorandum of Understanding 2019**