



Queensland

*Disaster Management Act 2003*

# **Disaster Management Regulation 2014**

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## Queensland

# Disaster Management Regulation 2014

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# Disaster Management Regulation 2014

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Disaster Management Regulation 2014*.

## Part 2 Disaster management groups—membership and other matters

### 2 Members of State group—Act, s 19

For section 19(1)(a) of the Act, the following persons are members of the State group—

- (a) the Premier;
- (b) the Minister administering the Act;
- (c) the Ministers administering the following Acts—
  - (i) the *Ambulance Service Act 1991*;
  - (ii) the *Building Act 1975*;
  - (iii) the *Community Services Act 2007*;
  - (iv) the *Education (General Provisions) Act 2006*;
  - (v) the *Electricity Act 1994*;
  - (vi) the *Financial Accountability Act 2009*;
  - (vii) the *Gas Supply Act 2003*;
  - (viii) the *Housing Act 2003*;
  - (ix) the *Local Government Act 2009*;
  - (x) the *Planning Act 2016*;

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- (xi) the *Public Health Act 2005*;
- (xii) the *Public Safety Preservation Act 1986*;
- (xiii) the *Transport Operations (Road Use Management) Act 1995*;
- (xiv) the *Water Supply (Safety and Reliability) Act 2008*.

### **3 Persons to assist or carry out other activities relating to the State group—Act, s 19A**

- (1) For section 19A(1)(a) of the Act, the following persons are to assist the State group in carrying out the group's functions—
  - (a) the chief executives of the departments in which the following Acts are administered—
    - (i) the *Building Act 1975*;
    - (ii) the *Community Services Act 2007*;
    - (iii) the *Constitution of Queensland 2001*;
    - (iv) the *Education (General Provisions) Act 2006*;
    - (v) the *Electricity Act 1994*;
    - (vi) the *Financial Accountability Act 2009*;
    - (vii) the *Gas Supply Act 2003*;
    - (viii) the *Housing Act 2003*;
    - (ix) the *Local Government Act 2009*;
    - (x) the *Planning Act 2016*;
    - (xi) the *Queensland Reconstruction Authority Act 2011*;
    - (xii) the *Transport Operations (Road Use Management) Act 1995*;
    - (xiii) the *Water Supply (Safety and Reliability) Act 2008*;
  - (b) the chief health officer under the *Hospital and Health Boards Act 2011*;
  - (c) the commissioner of the police service;

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- (d) the commissioner of the Queensland Ambulance Service;
  - (e) the commissioner of the Queensland Fire and Emergency Service.
- (2) For section 19A(1)(b) of the Act, the following persons are to observe the way the State group carries out its functions—
- (a) the inspector-general;
  - (b) the chief executive officer of the Local Government Association of Queensland Ltd ACN 142 783 917;
  - (c) the chief operating officer of the Public Safety Business Agency.

#### **4 Chairperson and deputy chairperson of the State group—Act, s 20**

For section 20(1) of the Act—

- (a) the Premier is the chairperson of the State group; and
- (b) the Minister who is recognised as the deputy for the Premier is the deputy chairperson of the State group.

#### **5 Membership of district groups—Act, s 24**

- (1) For section 24(1) of the Act, the following persons are members of a district group—
- (a) the persons appointed as chairperson and deputy chairperson of the district group under section 6;
  - (b) the person appointed as the executive officer of the district group under section 27 of the Act;
  - (c) a person appointed by—
    - (i) if there is 1 local government only in the disaster district for the district group—the local government; or
    - (ii) if there are 2 or more local governments in the disaster district and none of the local governments

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- unite under section 31 of the Act—each local government; or
- (iii) if there are 2 or more local governments in the disaster district and all the local governments unite under section 31 of the Act—each combined local government; or
  - (iv) if there are 3 or more local governments in the disaster district and not all the local governments unite under section 31 of the Act—
    - (A) each local government that does not unite; and
    - (B) each combined local government;
- (d) a number of persons, each of whom represents a department, or a Hospital and Health Service, the chief executive of the department considers appropriate to be represented on the group, having regard to effective disaster management for the disaster district;
- (e) any other person appointed by the chief executive of the department that the chief executive considers appropriate to be a member of the district group, having regard to effective disaster management for the disaster district.
- (2) Under subsection (1)(c)(ii), (iii) and (iv), each local government or combined local government is to appoint a separate person.
  - (3) The members mentioned in subsection (1)(d) are to be appointed by the chief executive of the department, or the health service chief executive of the Hospital and Health Service, the member represents.
  - (4) In considering the departments that are appropriate to be represented on a district group, the chief executive of the department must consult with the chairperson of the group.
  - (5) Before appointing a person under subsection (1)(e), the chief executive of the department must consult with the chairperson of the district group.



- (6) As soon as practicable after a local government or a combined local government appoints a person under subsection (1)(c), the local government or combined local government must inform the chief executive of the department, and the chairperson of the district group, of the appointment.
- (7) As soon as practicable after a chief executive or health service chief executive appoints a person under subsection (3), the chief executive or health service chief executive must inform the chief executive of the department, and the chairperson of the district group, of the appointment.

## **6 Chairperson and deputy chairperson of district groups—Act, s 25**

- (1) For section 25(2) of the Act, the chairperson and deputy chairperson of a district group are the persons appointed by the commissioner of the police service to be the chairperson and deputy chairperson.
- (2) The commissioner of the police service may appoint a person under subsection (1) only if satisfied the person has the necessary expertise or experience to perform the functions and exercise the powers of a chairperson or deputy chairperson.

## **7 Membership of temporary district groups—Act, s 28B**

- (1) For section 28B(1) of the Act, the following persons are members of a temporary district group—
  - (a) the persons appointed as chairperson and deputy chairperson of the group under section 8;
  - (b) a person nominated by each local government whose local government area is entirely or partly in a disaster district for which the temporary district group is established;
  - (c) a number of persons, each of whom represents a department, or a Hospital and Health Service, the chairperson of the temporary district group considers

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appropriate to be represented on the group, having regard to effective disaster management for the area in which the group is established;

- (d) any other person appointed by the chairperson of the temporary district group that the chairperson considers appropriate to be a member of the temporary district group, having regard to effective disaster management for the area in which the group is established.
- (2) A person mentioned in subsection (1)(b) or (c) must be appointed by the chairperson of the temporary district group.

## **8 Chairperson and deputy chairperson of temporary district groups—Act, s 28C**

- (1) For section 28C(2) of the Act, the chairperson and deputy chairperson of a temporary district group are the persons appointed by the chairperson of the State group to be the chairperson and deputy chairperson.
- (2) The chairperson of the State group may appoint a person under subsection (1) only—
- (a) after consulting with the commissioner of the police service; and
  - (b) if the chairperson is satisfied the person has the necessary expertise or experience to perform the functions and exercise the powers of a chairperson or deputy chairperson.

## **9 Membership of local groups—Act, s 33**

- (1) For section 33(1) of the Act, the following persons are members of a local group—
- (a) the persons appointed as the chairperson and deputy chairperson of the group under section 10;
  - (b) the other persons appointed as members of the group by the relevant local government for the group.

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- (2) At least 1 person appointed under subsection (1)(b) must be a person nominated by the chief executive of the department.
  - (3) At least 1 person appointed under subsection (1)(b) must be a councillor of a local government.
  - (4) The relevant local government for a local group may appoint a person as a member only if satisfied the person has the necessary expertise or experience to be a member.

### **10 Chairperson and deputy chairperson of local groups—Act, s 34**

- (1) For section 34(2) of the Act, the chairperson and deputy chairperson of a local group are the persons appointed by the relevant local government for the local group to be the chairperson and deputy chairperson.
- (2) The chairperson must be a councillor of a local government.

## **Part 3 Business and meetings of disaster management groups**

### **11 Purpose of pt 3**

This part prescribes, for section 38(1) of the Act, the way a disaster management group must conduct the group's business and meetings.

### **12 Times and places of meetings**

- (1) Disaster management group meetings must be held at least once in every 6 months at the times and places decided by the chairperson of the group.
- (2) However, the chairperson of the State group must call a meeting of the State group if asked, in writing, to do so by the Minister or at least one-half of its members.

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- (3) Also, the chairperson of a district group must call a meeting if asked, in writing, to do so by the chairperson of the State group or at least one-half of the members of the district group.
- (4) In addition, the chairperson of a local group must call a meeting if asked, in writing, to do so by—
  - (a) the chairperson of the district group for the disaster district in which the local group is situated; or
  - (b) at least one-half of the members of the local group.
- (5) For subsections (2) to (4), the requirement to request, in writing, the meeting to be called does not apply if—
  - (a) it is not practicable to request the meeting to be called in writing in all the circumstances; and
  - (b) the request to call the meeting is made orally, and the request is put in writing as soon as reasonably practicable.

### **13 Quorum**

A quorum for a meeting of a disaster management group is the number equal to—

- (a) one-half of its members for the time being holding office plus 1; or
- (b) if one-half of its members for the time being holding office is not a whole number, the next highest whole number.

### **14 Meeting deputies for particular members**

- (1) A member of a disaster management group may, with the approval of the chairperson of the group, appoint by signed notice another person as the person's deputy.
- (2) The deputy may attend a group meeting in the member's absence and exercise the member's functions and powers under the Act at the meeting.

- (3) A deputy attending a group meeting is to be counted in deciding if there is a quorum for the meeting.

## 15 Deputies for officials of State group

- (1) An official of the State group may, with the approval of the chairperson of the group, appoint by signed notice another person as the official's deputy.
- (2) The deputy may attend a meeting of the State group in the official's absence to act as the official and exercise the official's functions under the Act.
- (3) In this section—  
*official*, of the State group, means a person—
  - (a) mentioned in section 3; or
  - (b) invited by the chairperson of the State group under section 19A(2) of the Act.

## 16 Presiding at meetings

- (1) The chairperson of a disaster management group is to preside at all meetings of the group at which the chairperson is present.
- (2) If the chairperson is absent from a meeting of a disaster management group, but the deputy chairperson is present, the deputy chairperson is to preside.
- (3) If the chairperson and deputy chairperson are both absent from a meeting of the group—
  - (a) the member of the group nominated by the chairperson is to preside; or
  - (b) if the chairperson does not nominate a member under paragraph (a)—the member nominated by the deputy chairperson is to preside.
- (4) If the offices of chairperson and deputy chairperson are vacant, the member of the group chosen by the members present is to preside.

## **17 Conduct of meetings**

- (1) A disaster management group may hold meetings, or allow members of the group to take part in its meetings, by using any technology that reasonably allows members to hear and take part in discussions as they happen.

*Example of use of technology—*

teleconferencing

- (2) A member who takes part in a meeting of a disaster management group under subsection (1) is taken to be present at the meeting.
- (3) A resolution is validly made by a disaster management group even if it is not passed at a meeting of the group, if—
  - (a) a majority of the members of the group gives written agreement to the resolution; and
  - (b) notice of the resolution is given under procedures approved by the group.

## **18 Minutes**

A disaster management group must keep minutes of its meetings.

# **Part 4 Disaster districts**

## **19 Disaster districts—Act, schedule**

- (1) Each part of the State mentioned in schedule 1, column 1 is prescribed as a disaster district for the Act, schedule, definition *disaster district*.
- (2) Each disaster district mentioned in schedule 1, column 1 is made up of the local government area or areas mentioned in schedule 1, column 2 opposite the disaster district.

# Schedule 1      Disaster districts

## section 19

Column 1	Column 2
Disaster district	Local government area or areas
Brisbane	Brisbane Redland
Bundaberg	Bundaberg North Burnett
Cairns*	Aurukun Cairns Cook Douglas Hope Vale Kowanyama Lockhart River Mapoon Napranum Northern Peninsula Area Pormpuraaw Torres Torres Strait Island Wujal Wujal Yarrabah

## Schedule 1

<b>Column 1</b>	<b>Column 2</b>
<b>Disaster district</b>	<b>Local government area or areas</b>
Charleville	Bulloo Murweh Paroo Quilpie
Dalby	Western Downs
Gladstone	Banana Gladstone
Gold Coast	Gold Coast
Gympie	Cherbourg Gympie South Burnett
Innisfail	Cassowary Coast
Ipswich	Ipswich Somerset
Logan	Logan Scenic Rim
Longreach	Barcaldine Barcoo Blackall-Tambo Longreach Winton
Mackay	Isaac Mackay Whitsunday



<b>Column 1</b>	<b>Column 2</b>
<b>Disaster district</b>	<b>Local government area or areas</b>
Mareeba*	Croydon Etheridge Mareeba Tablelands
Maryborough	Fraser Coast
Moreton	Moreton Bay
Mount Isa	Boulia Burke Carpentaria Cloncurry Diamantina Doomadgee McKinlay Mornington Mount Isa
Rockhampton	Central Highlands Livingstone Rockhampton Woorabinda
Roma	Balonne Maranoa
Sunshine Coast	Noosa Sunshine Coast
Toowoomba	Lockyer Valley Toowoomba

Schedule 1

<b>Column 1</b>	<b>Column 2</b>
<b>Disaster district</b>	<b>Local government area or areas</b>
Townsville	Burdekin Charters Towers Flinders Hinchinbrook Palm Island Richmond Townsville
Warwick	Goondiwindi Southern Downs

\*For the amalgamation of the Cairns and Mareeba disaster districts, see section 19(3) and (4).