

DISASTER MANAGEMENT AMENDMENT REGULATION (NO. 1) 2016

Explanatory notes for SL 2016 No. 11

made under the

Disaster Management Act 2003

General Outline

Short title

Disaster Management Amendment Regulation (No. 1) 2016

Authorising law

Section 148 and the schedule of the *Disaster Management Act 2003*

Policy objectives and the reasons for them

The *Disaster Management Act 2003* (the Act) creates a State disaster management framework that is based on State, district and local levels of disaster management. The Queensland Disaster Management Committee operates at the State level whilst disaster management groups operate at district and local levels.

Section 22 of the Act provides that a District Disaster Management Group (DDMG) is established for each disaster district. The schedule of the Act defines 'disaster district' as 'a part of the State prescribed under a regulation as a disaster district'.

Section 19 of the *Disaster Management Regulation 2014* (the Regulation) provides that each part of the State mentioned in column 1 of schedule 1 of the Regulation is prescribed as a disaster district, and that each such district is made up of the local government area or areas mentioned opposite the district in column 2 of schedule 1.

Cairns and Mareeba are currently listed in schedule 1 of the Regulation as separate disaster districts. However, the Cairns and Mareeba DDMGs intend to merge into one DDMG for a trial period from 1 March 2016 to 30 April 2017. It is therefore proposed to amalgamate the Cairns and Mareeba disaster districts into a new disaster district to be known as the Far North disaster district.

The trial was recommended by the whole-of-Government District Disaster Boundary Review Steering Committee which oversaw a review of all disaster district boundaries in 2014. The Cairns and Mareeba districts were identified as being suitable to merge for a number of reasons.

The merged district will provide a more strategic approach to disaster management for the Cairns and Mareeba areas as it will allow one DDMG to prioritise resources across the new district rather than the two individual districts competing for resources. This will be particularly beneficial during a disaster event as most resources and assets for the Cairns and Mareeba areas are deployed from Cairns. The amalgamated district is expected to create a better and more efficient response to disasters in the region.

The Cairns and Mareeba DDMGs commonly include the same agency representatives as members. The new DDMG will therefore alleviate the need for agency representatives to be members of both DDMGs or for agencies to provide a different representative to each DDMG.

The Commissioner of Queensland Fire and Emergency Services (QFES), the Commissioner of the Queensland Police Service (QPS) and the Inspector-General of Emergency Management (IGEM) support the trial. Terms of Reference for the trial have been agreed to by all members of the Cairns and Mareeba DDMGs, including the relevant Local Disaster Management Groups (LDMGs).

The trial will be evaluated by the IGEM. The objectives of the trial are:

- to provide support for disaster prevention, preparation, response and recovery to LDMGs within the new district;
- that QFES and the QPS provide professional support at the local level in the event of a disaster with the provision of senior officers at the scene of a disaster;
- to maintain engagement with each LDMG within the merged disaster district;
- to provide access to regional State Government agency decision-makers through the new DDMG; and
- to provide a single point of coordination at the district level for disaster events.

The IGEM will report to the QFES and QPS Commissioners and the Queensland Disaster Management Committee on the outcome of the trial review. A final decision on whether the amalgamated district should become a permanent disaster district is dependent on the agreement of all LDMGs within the amalgamated disaster district.

The trial will take place from 1 March 2016 to 30 April 2017. The end date has been chosen to reduce the likelihood that a disaster may occur in the region at the same time the trial is concluding. If the trial concluded earlier, the Cairns and Mareeba disaster districts may be required to form a temporary disaster district group pursuant to section 28A 'Temporary disaster district groups' of the Act to respond to any disaster occurring at that time.

The amending clause contains an automatic expiry of the amalgamation, at which time the Far North disaster district will de-amalgamate and return to the respective Cairns and Mareeba disaster districts. Should the evaluation of the trial amalgamation be deemed successful and participants wish to amalgamate permanently, a further amendment will be required at the relevant time.

Achievement of policy objectives

The *Disaster Management Amendment Regulation (No. 1) 2016* (the amendment regulation) achieves its objectives by merging the Cairns and Mareeba disaster districts in the *Disaster Management Regulation 2014*.

Consistency with policy objectives of authorising law

The amendment regulation is consistent with the objects of the Act.

Inconsistency with policy objectives of other legislation

The amendment regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The amendment regulation will not impose any additional cost on Government.

Consistency with fundamental legislative principles

The amendment regulation is consistent with the fundamental legislative principles defined in section 4 of the *Legislative Standards Act 1992*.

Consultation

The Department of the Premier and Cabinet, Queensland Treasury, Department of Infrastructure, Local Government and Planning, Office of Best Practice Regulation within the Queensland Productivity Commission, and all departments and local governments represented on the Cairns and Mareeba DDMGs were consulted. All parties consulted support the amendment regulation. The Office of Best Practice Regulation has advised no further analysis is required under the Regulatory Impact Statement system guidelines.