

Disaster Management (Disaster Districts) Amendment Regulation 2018

Explanatory notes for SL 2018 No. 38

made under the

Disaster Management Act 2003

General Outline

Short title

Disaster Management (Disaster Districts) Amendment Regulation 2018

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 and 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. 'Disaster district' is defined in schedule 1 of the Act to mean '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 schedule 1, column 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 in schedule 1, column 2.

Sections 19(3) and 19(4) provide that the local government areas mentioned in schedule 1, column 2 opposite the Disaster Districts for Cairns and Mareeba are prescribed as the Far North Disaster District and that this provision expires on 30 April 2018.

These subsections were inserted into the Regulation to bring into effect a trial amalgamation of the Cairns and Mareeba Disaster Districts, which was

recommended by the Disaster District Boundary Review Steering Committee in 2014, based on consultation with regional stakeholders.

The purpose of the trial was to assess potential efficiencies in preparation and planning for, response to, and recovery from disasters that may be achieved through amalgamating the Cairns and Mareeba Disaster Districts.

The initial trial period came to an end on 30 April 2017 and was extended to 30 April 2018 as there had not been a substantial disaster event in the Far North Disaster District during the initial trial period.

The current trial period ends on 30 April 2018 and the Far North DDMG has recommended that the trial be continued until 30 April 2019.

The reason for this recommendation is that there had not been a substantial disaster event in the Far North Disaster District during the extended trial period to allow for appropriate evaluation of the effectiveness of the combined group. A number of local disaster management groups from within the Far North Disaster District expressed the view that the arrangements should be tested in a robust environment.

It was intended that an evaluation of the trial by the Inspector-General Emergency Management (IGEM) be undertaken prior to 30 April 2018. While the Far North Disaster District was activated in late March 2018 and prior to the expiry of the current trial period of 30 April 2018, there is insufficient time to undertake a constructive review of the effectiveness of the Far North Disaster District. IGEM has advised that comprehensive evaluation should be deferred.

To ensure currency of the Regulation, these amendments and the extension of the trial are required. The objectives of the trial continue to be:

- To provide support for disaster prevention, preparation, response and recovery to local disaster management groups within the district;
- That Queensland Fire and Emergency Services and the Queensland Police Service 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 local disaster management group within the merged Disaster District;
- To provide access to regional State Government agency decision makers through the DDMG; and
- To provide a single point of coordination at the district level for disaster events.

The trial period will be extended by 12 months to 30 April 2019, in accordance with the recommendation of the Far North DDMG. This trial period will allow sufficient additional time for assessment of the success of the trial, encompassing a full severe weather season.

The *Disaster Management (Disaster Districts) Amendment Regulation 2018* (the amendment regulation) will continue to provide for automatic expiry of the amalgamation. 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.

The Redcliffe Disaster District covers the Moreton Bay Regional Council area, which is the sole local government area in the district.

The Redcliffe DDMG has unanimously endorsed a proposal to change the name of the Disaster District to the Moreton Disaster District.

To change the name of the Redcliffe Disaster District to the Moreton Disaster District an amendment to section 19, schedule 1 of the Regulation is required.

Achievement of policy objectives

The amendment regulation achieves its objectives by continuing the trial amalgamation of the Cairns and Mareeba Disaster Districts and reflects the Disaster District response to the local government area within the Moreton Bay Regional Council area in the *Disaster Management Regulation 2014*.

Consistency with policy objectives of authorising law

The amendment regulation is consistent with the objectives of the *Disaster Management Act 2003* in that it provides for effective disaster management within the State.

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

Members of the Far North DDMG and members of the Redcliffe DDMG; including local government representatives were consulted. All parties consulted support the amendment regulation.

Queensland Fire and Emergency Services has self-assessed this proposal, in accordance with the Queensland Government Guide to Better Regulation, as exempt from regulatory impact analysis as it is machinery in nature.