

Disaster Management (Extension of Far North Disaster District) Amendment Regulation 2019

Explanatory notes for SL 2019 No. 45

made under the

Disaster Management Act 2003

General Outline

Short title

Disaster Management (Extension of Far North Disaster District) Amendment Regulation 2019

Authorising law

Sections 22, 148 and the schedule of the *Disaster Management Act 2003* and section 19 and schedule 1 of the *Disaster Management Regulation 2014*.

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 is established for each Disaster District. 'Disaster district' is defined in the schedule 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.

Sub-sections 19(3) and 19(4) of the Regulation 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 2019.

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 was scheduled to end on 30 April 2017 and was extended to 30 April 2018, with a further extension provided to 30 April 2019, as there had not been a disaster event in which the entire Far North Disaster District was declared a disaster situation during the trial period.

The Office of the Inspector-General Emergency Management (IGEM) conducted an interim evaluation of the trial amalgamation in September 2016. The interim evaluation found that the trial group was more effective than having separate District Disaster Management Groups but noted that the new arrangements had not been fully tested.

The Office of the IGEM has been working with the District Disaster Coordinator for the Far North Disaster District to inform a decision about whether the Far North Disaster District should become a permanent Disaster District or revert to the previous Cairns and Mareeba Disaster Districts.

It is now considered that the most effective form of evaluation is for the Office of the IGEM and the District Disaster Coordinator of the Far North Disaster District to engage the Mayors and Chief Executive Officers of the Cairns and Mareeba Disaster Districts to discuss their position on making the amalgamated Disaster District permanent or reverting to the previous arrangements.

To support further consultation and evaluation arrangements, the *Disaster Management (Extension of Far North Disaster District) Amendment Regulation 2019* (the Amendment Regulation) extends the trial period by changing the expiry date at sub-section 19(4), of the current Regulation, from 30 April 2019 to 31 October 2019.

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 District Disaster Management Group; and
- To provide a single point of coordination at the district level for disaster events.

Achievement of policy objectives

The Amendment Regulation achieves its objectives by continuing the trial amalgamation of 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 objectives of the *Disaster Management Act 2003* and the *Disaster Management Regulation 2014* 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

The District Disaster Coordinator for the Far North Disaster District supports the Amendment Regulation and broader issues around the amalgamated Disaster District have been discussed with the Far North District Disaster Management Group. 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.