

Disaster Management (Disaster Districts) Amendment Regulation 2021

Explanatory notes for SL 2021 No. 68

made under the

Disaster Management Act 2003

General Outline

Short title

Disaster Management (Disaster Districts) Amendment Regulation 2021

Authorising law

Section 148 of the *Disaster Management Act 2003* (the DM Act).

Policy objectives and the reasons for them

The *Disaster Management (Disaster Districts) Amendment Regulation 2021* (the Regulation) amends the *Disaster Management Regulation 2014* (DM Regulation) to omit extraneous text which was inserted into the DM Regulation to give effect to a trial amalgamation of disaster management districts that has now expired.

The DM Act creates a disaster management framework 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.

A district disaster management group is established for each disaster district. Disaster districts are defined in the Schedule to the DM Act as parts of the State prescribed under a regulation as a disaster district. Section 19 of the DM Regulation provides that each part of the State mentioned in schedule 1, column 1 of the DM Regulation is prescribed as a disaster district.

On 26 February 2016, the *Disaster Management Amendment Regulation (No. 1) 2016* (SL 2016 No. 11) created a Far North Disaster District by amalgamating the Cairns and Mareeba Disaster Districts. The Far North Disaster District commenced as a trial following a recommendation of the Disaster District Boundary Review Steering Committee in 2014, based on consultation with regional stakeholders. The trial was to assess potential efficiencies in disaster preparation, planning and recovery from amalgamating the two districts.

On 3 September 2019, following a review of the trial, the Inspector General of Emergency Management (IGEM) recommended that the original two districts of Cairns

and Mareeba be re-established following the expiration of the trial period. The recommendation of the IGEM was given effect by allowing the trial to expire through the relevant provisions of the DM Regulation (former subsections 19(3) and (4)).

Achievement of policy objectives

The Regulation omits a note in Schedule 1 to the DM Regulation that, notwithstanding the expiry of subsections 19(3) and (4), references the former amalgamated Disaster Districts and those expired subsections.

Consistency with policy objectives of authorising law

The Regulation is consistent with the principles and objectives of the DM Act.

Inconsistency with policy objectives of other legislation

The Regulation is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

The Regulation will provide benefits in ensuring greater clarity about the disaster districts prescribed in the Regulation and will not result in any additional costs for Government.

Consistency with fundamental legislative principles

The Regulation is consistent with fundamental legislative principles.

Consultation

In accordance with the Queensland Government Guide to Better Regulation, the Office of Best Practice Regulation was not consulted in relation to the regulatory proposal. Queensland Fire and Emergency Services applied a self-assessable exclusion from undertaking further regulatory impact analysis (Category (f) - Regulatory proposals that correct technical errors or amend legislation to take account of current Queensland drafting practice).