

Disaster Management (QDMC and SDM Group Membership) Amendment Regulation 2024

Explanatory notes for SL 2024 No. 245

made under the

Disaster Management Act 2003

General Outline

Short title

Disaster Management (QDMC and SDM Group Membership) Amendment Regulation 2024

Authorising law

Section 148 of the *Disaster Management Act 2003*

Policy objectives and the reasons for them

Queensland is the most disaster affected state in Australia having faced almost 90 significant natural disasters and weather events in the past decade. The significant impact of these disasters emphasises the importance of Queensland's emergency services and Queensland's disaster management arrangements performing optimally.

Queensland's disaster management arrangements operate through a tiered system designed to allow a progression of support and assistance to disaster affected communities provided by disaster management groups organised at a local, district and State level. These disaster management groups are established by the *Disaster Management Act 2003* (the DM Act) and are responsible for the planning, organisation, coordination and implementation of measures to prevent, prepare for, respond to and recover from disaster events.

Recent reforms have placed the Queensland's disaster management arrangements under the responsibility of the Queensland Police Service (QPS). These reforms include transferring the ministerial responsibility of disaster management to the Minister for Police and Community Safety including the administration of the DM Act and the *Disaster Management Regulation 2014* (DM Regulation).

Alongside the revised ministerial responsibilities, recent amendments to the DM Act confirmed the Queensland Disaster Management Committee (QDMC) as the paramount body providing strategic leadership for disaster management in Queensland.

The QDMC is supported by the newly established State Disaster Management Group (SDMG) which provide rapid and agile strategic leadership early in a disaster event by acting as a precursor to the convening of the QDMC.

The DM Regulation lists the Ministers and government officials that are members of the QDMC and SDMG.

As a result of machinery of government changes, the Minister for State Development and Infrastructure, Minister for Industrial Relations and Minister for Racing and the Minister for Fire and Disaster Recovery and Minister for Corrective Services were inadvertently omitted as prescribed members of the QDMC. The QDMC has approved the inclusion of these Ministers as members of the QDMC and the SDMG.

Achievement of policy objectives

The *Disaster Management (QDMC and SDM Group Membership) Amendment Regulation 2024* (Amendment Regulation) will achieve its objective by expanding the membership of the QDMC and the SDMG to include the Ministers administering the *Fire Services Act 1990*, the *Economic Development Act 2012* and the *Queensland Reconstruction Authority Act 2011*.

The Amendment Regulation will also include the chief executive of the department administering the *Economic Development Act 2012* as a person who may assist the QDMC and as a member of the SDMG.

Finally, the Amendment Regulation makes a technical amendment by replacing a reference to ‘the commissioner of the Queensland Fire and Emergency Service’ with ‘the commissioner under the *Fire Service Act 1990*’.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the policy objectives of the authorising Act.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with the policy objectives of other legislation.

Alternative ways of achieving policy objectives

The Amendment Regulation is the only effective way of achieving the policy objectives.

Benefits and costs of implementation

The Amendment Regulation will enhance Queensland’s disaster management arrangements through ensuring the QDMC and SDMG has an appropriate membership. Any costs associated with implementing the Amendment Regulation will be met through existing budgets.

Consistency with fundamental legislative principles

The amendment is consistent with fundamental legislative principles.

Consultation

As the regulation relates to the internal administration of specific disaster management groups, widespread community consultation was not undertaken. The proposed changes to the membership of the QDMC and the SDMG was considered and approved by the QDMC.

An Impact Analysis Statement has been completed that identifies that the amendment is not subject to regulatory impact assessment requirements under the *Queensland Government Better Regulation Policy* as it is a regulatory proposal that relates:

- to the internal management of the public sector; and
- to police powers and administration.