REPORT

ON

A REVIEW OF DISASTER MANAGEMENT LEGISLATION AND POLICY IN QUEENSLAND

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Key to Abbreviations

A/C	Assistant Commissioner of Police
CEO	Chief Executive Officer
DACC	Defence Assistance to the Civil Community
DDC	District Disaster Coordinator
DDCC	District Disaster Coordination Centre
DDMG	District Disaster Management Group
EMQ	Emergency Management Queensland
LDCC	Local Disaster Coordination Centre
LDMG	Local Disaster Management Group
LGAQ	Local Government Association of Queensland
LGIS	Local Government Infrastructure Services
MOU	Memorandum of Understanding
QPS	Queensland Police Service
SCCC	State Crisis and Communications Centre
SDCC	State Disaster Coordination Centre
SDMG	State Disaster Management Group
XO	Executive Officer

Executive Summary

This review was undertaken to assess the appropriateness of Queensland's current *Disaster Management Act*, Policies, Guidelines and Plans, and make recommendations to enhance the efficacy, effectiveness and efficiency in delivering outcomes within communities impacted by disaster events. The review also considered management and accountability issues in respect to the State Emergency Service.

The analysis was undertaken in the context of the broad objects of the existing *Disaster Management Act 2003* and, on advice from a Steering Committee (a sub-committee of the State Disaster Management Group) that current arrangements were generally acknowledged to be effective overall, but may require some fine-tuning.

The review was informed by:-

▪ an assessment of Queensland's Disaster Management legislation, policy and plans;

▪ a comparison of Queensland's legislation with that of other jurisdictions;

▪ consideration of evaluation reports prepared by independent parties about Queensland's capacity to prepare for, respond to and recover from recent disaster events;

▪ discussions with nominated stakeholders including representatives from Local and State Governments and the Local Government Association of Queensland;

▪ attendance at a Disaster Management conference at Emerald.

A draft report was circulated to Steering Committee members for comment. Their responses, which have been addressed in the final report, form **Attachment 3** to this report.

The review's overall conclusion is that Queensland's Disaster Management arrangements are soundly based. All stakeholders interviewed, and previous evaluation reports, confirm the very high levels of commitment, enormous effort and goodwill on the part of individuals displayed during response and early recovery stages of disaster events in the State.

Stakeholders also confirmed the supporting role of Emergency Management Queensland and the Local Government Association of Queensland in encouraging greater disaster preparedness in many organisations, especially at Local levels.

The consultants wish to thank all who participated in the review for their constructive contribution. Special thanks are extended to the Department of Community Safety officers who assisted with the interstate legislation analysis.

The review confirmed that the foundation for current arrangements based on Local Government and Local Disaster Management capability, supported by District capability, supported by State capability, was sound. This three-tiered structure has stood the test of time and is universally adopted throughout Australian jurisdictions. The review concluded that this principle of bottom-up escalation from Local levels and the four agreed phases of Disaster Management, that is, prevention and mitigation, preparedness, response and recovery were well addressed in the State Disaster Management Plan, but should as well be strengthened in "objects" and "how objects are primarily achieved" sections of the legislation.

The review researched well-agreed international principles relating to emergency (including disaster) management. Assessment confirmed that the State's arrangements do comply in many respects with these principles, but with others there was room for improvement. The State's current response arrangements should be more comprehensive, integrated and coordinated to ensure that risk-driven plans and responses are delivered in the most efficient and effective manner.

The assessment of Queensland's legislation compared to the legislation in other States revealed that:-

- Queensland's system of Disaster Management Groups (Groups) at State, District and Local levels is similar.

- The support of these Groups by Executive Officers is similar.

- There was a degree of inconsistency in Queensland's legislation in that the roles and

responsibilities of Groups and Executive Officers differed significantly. There was consistency at Local and District levels but not at State level. At Local and District levels, Local Disaster Coordinators and District Disaster Coordinators are responsible for directing, coordinating and controlling responses to disaster events relevant to their roles at these levels.

This is not the case at State level in Queensland. In all other jurisdictions the legislation makes it clear that a particular individual will be appointed as the State Controller or Chief Coordinator of all emergency (including disaster) events. Queensland law does not clearly provide for this. The requirement for clarity in this arrangement was a theme in evaluation reports and in consultation. The review confirmed that the practice in other Australian States and the Northern Territory is that the State Controller or Chief Coordinator is always the Commissioner of Police or a senior Police Officer nominated by the Commissioner. The reason for this practice is that policing organisations have the capacity and competence to perform this role on a Statewide basis in a scaleable way to deal with one or multiple disasters.

In regard to the State's obligations to lead and give directions to District and Local levels during certain major disaster events or non-natural disaster events such as health or quarantine issues, analysis confirmed that the current legislation provides opportunity only for such direction to be given in writing. The review recommends that this power of direction in times of disaster response include verbal directions to be confirmed in writing at the first available opportunity. Direction is to be provided from State to District to Local level, using the agreed arrangements. However, this provision is necessary as the exception rather than the general rule which is local action with request for support, escalated to District level and then, where necessary, to State level.

The current provision in the Act to declare disasters 'early' to provide additional powers to District Disaster Coordinators and declared disaster officers to deal with impending disasters was considered adequate. The declaration may be made in the event that a disaster "has happened, is happening or is likely to happen" in the State. (The State's agreed risk management framework provides that a disaster "is likely to happen" if there is

a 10% probability or greater that the disaster event will occur.)

The review confirmed that Local, District and State Disaster Management arrangements may be activated at any time, with provision in State Policy and the State Disaster Management Plan of required notification procedures to other levels in the system. These procedures could be incorporated in legislation to strengthen this arrangement and ensure all levels in the system are immediately notified if any of the levels are activated. This would ensure all levels are alerted that they may be required should a local event, for example, be more widespread or severe than predicted. The review therefore concluded that with appropriate notifications and declaration recommendations the State could proactively deal with all types of impending natural and non-natural disasters and provide the necessary support and, where necessary, direction to District and Local levels to ensure the most effective disaster responses.

Definitions of 'command', 'control', 'coordinate' and 'responsibility for' an event response are not currently mentioned in legislation. It is suggested that they be incorporated to ensure that there is always a Controller/Coordinator appointed in charge of each disaster event with overall responsibility for the response to that event in Queensland, with complementary powers for District Disaster Coordinators (DDCs) and Local Disaster Coordinators (LDCs).

Consultation with nominated stakeholders from Local and State Government, attendance at a Disaster Management conference at Emerald, and a review of existing reports into recent disaster events in the State were used to determine how well current Disaster Management arrangements are working in the State, and where there is room for legislative change or alternative improvement action.

The major findings were:-

- The State's Disaster Management Plans and planning initiatives at State, District and Local levels have received considerable attention in the last three years but need significant further enhancement to ensure that they are comprehensive, interlinking, up to date and provide clarity of action for all those involved in Disaster Management arrangements.

- Key stakeholders who need to be involved in planning processes and in exercises at Local, District and State levels were not always available for these purposes. This could compromise the quality of plans and the level of preparedness at all levels of the system. The Act could strengthen the obligations of all relevant organisations to participate at all three levels in both planning (prevention and mitigation) and exercise functions as well as during response and recovery phases.

- The State's Disaster Management framework could cater effectively with all hazards. All types of disasters can be accommodated within the one Disaster Management framework and set of arrangements. National Plans which have counterpart State Response Plans with Lead Agencies or personnel assigned in controlling or coordinating roles could be formally linked with the State's Disaster Management arrangements. In this way, the response to all disasters, both natural and non-natural including the impacts of a terrorist-related event, would utilise the single integrated well-tried and proven State Disaster Management arrangements and framework to coordinate and organise effective responses (an all hazards approach). It is understood that some, but not all, National Plans and Agreements are linked in this way.

- That escalation trigger points need to be collaboratively agreed between the three levels of the Disaster Management framework for incorporation into respective Plans (covering Disaster Group activation notifications, requests for assistance from Local level through District to State, and requirements for guidance or direction from State level down). Suggestions are offered in the report as a basis for such consultation.

- The State's Disaster Management information and communications systems were not yet sufficiently integrated or compatible. This was a major weakness. Priority should be given to enhance these essential communication arrangements, with built-in capability to accommodate power and telecommunications failures in times of disaster.

- In respect to recovery phases, the State's strong commitment to community and social recovery through the Department of Communities received widespread positive comment. A recurring request from Local levels was that valued infrastructure, environment, industry and economic recovery tasks and issues needed to be more prominently supported through dedicated leadership at State level with dedicated resources provided at District and Local levels. The concept of a formal handover of leadership from response to recovery phases and the appointment of recovery task forces was positively endorsed at all levels. Disaster recovery arrangements need to be more fully outlined in legislation and applied to support local communities so that they are not left struggling to recover long after the disaster response phase has ceased.

The review assessed effectiveness of current arrangements operating at State level and concluded:-

- That the State had made a significant contribution in all recent disasters and that members of the State Disaster Management Group were appreciative of the opportunity to meet and discuss issues twice daily during disaster events.

- That the State Disaster Management Group could usefully devote more "non-disaster" time to consider Statewide risk-based strategy and policy decisions (acknowledging that the recent run of disaster events had precluded this).

- That members of the State Disaster Management Group should contribute significantly to the revision of the State Disaster Management Plan as an urgent initiative on behalf of their Agencies.

▪ That the Group consider establishing sub-committees to deal with planning and operational issues arising before and during disaster response and recovery phases of disaster events.

▪ That the position of Executive Officer of the State Group is assigned unrealistically broad whole-of-State responsibilities in the Act for ensuring the effectiveness of Disaster Management arrangements at all levels. This set of functions should be reallocated to the Department of Community Safety and the Executive Director of Emergency Management Queensland.

▪ The position of Executive Officer of the State Group could then assume appropriate executive and supporting roles and functions for the Group, which would then make this role similar to the roles of Executive Officers currently specified appropriately at District and Local levels.

The review considered effectiveness, efficiency and outcome issues at Local level and concluded:-

▪ That the foundation of Local level Disaster Management arrangements was sound, and that local communities had strength, resilience, knowledge and expertise to effectively deliver on all phases of the Disaster Management arrangements provided they received necessary resource support and guidance from District and State levels.

▪ Recent evaluation reports (cyclones, floods and storms) suggest that Local Disaster Management Groups, despite the best of their considerable efforts to prepare including the support provided by Emergency Management Queensland in recent years, were not nearly as disaster ready as disaster events demanded. There was opportunity for significant improvement in all phases of the Disaster Management arrangements at Local level as well as at District and State levels. Further concerted effort and support from Emergency Management Queensland would be necessary to ensure Local levels were as well prepared as they could be. Enhanced coordination, especially for response and recovery assistance at State level, was also necessary.

▪ The review confirmed that it may be useful to clarify in legislation the role of elected representatives and the role of Disaster Controllers/Coordinators during disaster events to ensure that authorised public officials with the authority to direct and deploy local resources were in charge of disaster response arrangements locally. The Local Controller/Coordinator would have direct links with the District Disaster Controller/ Coordinator who in turn would have direct links with the State Controller/Coordinator. Elected representatives have essential leadership roles in making strategic decisions in support of Disaster Management arrangements, and keeping communities well informed and reassured at these times. They should not assume formal control or coordination roles.

▪ Local Disaster Management Groups welcomed the valued support from District and State levels. There were, however, concerns expressed when State resources were deployed directly to Local level to assume control of operations without necessary agreement/ consultation with District and Local Coordinators.

The review assessed District arrangements and discussed issues with District Disaster Coordinators, their superior officers, and Local and State Government stakeholders, and formed conclusions as follows:-

▪ It was essential to maintain an intermediate level between State and Local levels in Queensland's Disaster Management framework.

▪ Disaster Districts were an essential concept that should be led by well-trained and experienced senior Commissioned Officers of the Queensland Police Service, with well trained Commissioned Officer deputies as backup, supported by senior trained Police Officers as Executive Officers with depth of backup for 24/7 sustained operations.

▪ Disaster District boundaries needed amendment, and in some cases consolidation, to take account of recent Local Government boundary changes and changes to State Government Regional and District arrangements.

- The Queensland Police Service should consult with Local and Regional Councils and State Agencies throughout regional Queensland to devise new Disaster District boundaries for recommendation to the State Disaster Management Group.

- The Regional Assistant Commissioner of Police, in times of particular disaster events, required the power to flexibly link and coordinate Disaster District arrangements to ensure seamless integrated coordination and support arrangements between State, District and Local levels to account for the geographic spread of the particular disaster event.

The review considered leadership, deployment and control arrangements in relation to the State Emergency Service (SES) and Emergency Services Units (ESUs). Conclusions reached were that:-

- During disaster responses, Local Disaster Coordinators tasked SES units through SES Unit local controllers.

- For larger declared disaster events, District Disaster Coordinators had powers to direct SES resources (as well as many other resources), but did so through Local Disaster Coordinators who in turn tasked local SES controllers.

- The legislation could be expanded to make it clear that the SES was an aggregation of locally controlled units with State oversight, support and coordination.

- The effectiveness of the SES depended on a strong partnership between State Government and Local Government including shared funding responsibility.

- That because of some confusion and differing expectations about the State's role with the SES and Local Government role with the SES, further consultation between State and Local Governments would be prudent before finalising any legislative change.

- Memoranda of Understanding between State and Local Governments would be the preferred approach, to ensure that Local Government retains its strong commitment to the SES and its significant funding contribution to the Service, and thus enable the Department of Community Safety to continue to support the Service through the provision of standards, training, uniforms and certain items of equipment.

- Deployment and control of SES volunteers during disaster events be achieved by local coordination and control supplemented where necessary by District or State deployment beyond local boundaries in line with the MOU working through State, District and Local Disaster Management Coordinators/Controllers.

The review recommended that the Chairperson of the State Disaster Management Group nominate a senior individual to be the Controller/Coordinator and officer responsible for each State disaster event. A range of principles, practice and evidence from other jurisdictions was used to form the conclusion that the Queensland Police Service was best placed with the experience, competence and scaleable capability to assume this role for natural disaster events. It was acknowledged that other agencies would be assigned or assume this role in the case of non-natural disasters. Their leadership would involve specification of professional, technical and logistical requirements with action and implementation to be achieved through the three-tiered Disaster Management System in the usual manner.

The report recommends that a dedicated Assistant Commissioner of Police should be assigned for the purpose. This position would oversee the state of disaster response readiness generally throughout Queensland and specifically within the Police Service. Back-up Assistant Commissioners would also be nominated to ensure that there were always sufficient senior officers with the competence and strength of relationships at State level to be fully effective in this control/coordination leadership role.

The review considered that Emergency Management Queensland (EMQ) should continue the vital role of developing, maintaining and continually improving the State's Disaster Management framework and effectiveness. There were priorities requiring significant dedicated effort for all phases of Disaster Management across the three levels to ensure the State's Disaster Management capability was reliable, effective and efficient and produced the outcomes expected by Queensland communities. EMQ personnel should be represented on all Disaster Management Groups, and should continue to be responsible for the regular formal assessment (at least annually) of the State's overall Disaster Management capability. They should support all Disaster Management Groups in

reviewing their arrangements and reporting to the State Disaster Management Group so that it, in turn, could complete its overall assessment and provide feedback to District and Local levels.

The review noted that there were a number of unresolved issues and differences of viewpoint existing between Agencies involved in Queensland's Disaster Management arrangements that needed to be addressed to ensure arrangements were truly effective. It is currently the role of the Department of Community Safety in its leadership role to ensure resolution and improvement is achieved.

The review noted that EMQ was resourced modestly given its responsibilities to develop, enhance and maintain the Disaster Management system. The review confirmed that during disaster response phases the best utilisation of EMQ resources would be as members of Disaster Management Groups to support deliberations and response arrangements so as to be in a position to compile post-event evaluation reports for Group consideration. Resources should not be redeployed as frontline response capability by EMQ Kedron unless requested through the agreed escalation arrangements.
A summary of recommendations follows.

Recommendation 1
The basic tenet of a local community response as the foundation of Queensland's Disaster Management framework, with a clear description of the relationships between the levels and description of the phases of Disaster Management, needs to be more strongly emphasised in the "objects" of the legislation and "how objects are to be achieved".

Recommendation 2
The Act be amended (Sections 45, 46, 47) to enable verbal directions in times of disaster responses from a State Controller to DDC to Local Controller, which must be committed to writing promptly to formalise the record.

Recommendation 3
The State Disaster Management Plan incorporate linkages with all Lead Agencies and

officers in control of National Plan or Agreement response. All of these Plans and Agreements should have a formal requirement to ensure officers in charge work within the State's Disaster Management framework to deliver Disaster Management responses.

Recommendation 4

- District and State levels utilise the current Act to make pre-emptive declarations of a disaster event (likely disasters) so as to be proactive in leading and controlling disaster events. All levels of the system should immediately notify other levels if they activate the Disaster Management arrangements.

- The Public Safety Preservation Act 1986 be amended to provide powers for Police Officers to provide an immediate response in the event of a rapid onset disaster event such as a landslide.

Recommendation 5

Current procedures to activate disaster recovery funding arrangements be retained and processes be reinforced.

Recommendation 6

- The Chairperson of SDMG (where leadership is not already defined in relevant National Plans) nominate a senior officer to assume overall responsibility for control and coordination of each disaster event to ensure a decisive and effective response.

- At Local level the Act provide for the CEO in consultation with the LDMC to appoint a public official/s with required training and competence as Local Controller.

Recommendation 7

- The State Disaster Management Group focus on Disaster Management strategy and policy with sub-committees or appropriate levels in the Disaster Management system assigned detailed disaster planning or risk management assessment roles.

- New group members be provided with an induction briefing about the State's Disaster Management arrangements by the Executive Officer prior to attending their first meeting.

Recommendation 8

The Commissioner of Police, through a dedicated Assistant Commissioner (supported by a cohort of Assistant Commissioners to ensure adequate coverage), be assigned responsibility for overall control of each natural Disaster Management event in Queensland as the preferred arrangement.

Recommendation 9

Suggested escalation trigger points be discussed with District Disaster Coordinators and Local Disaster Coordinators, and if considered practical and useful, be incorporated in Local, District and State Disaster Management Plans.

Recommendation 10

The SDMG commission the Department of Community Safety and seek the necessary funding to develop and enhance the Statewide Disaster Management information and communications system building on alternatives already in place and in consultation with all levels of Government.

Recommendation 11

- The State *Disaster Management Act* be strengthened by a description of the phases of Disaster Management with emphasis on the key elements within each phase including the recovery phase;

- Lead Agencies and nominated leaders in each area of Queensland for each of the four key elements of recovery be identified and provided with the appropriate training and familiarisation of their role to ensure the adequacy of planning at District and Local level throughout Queensland;

- Lead Agencies be responsible for maintaining strong relationships with counterparts at the Federal Government level to ensure necessary Federal support for State and Local recovery initiatives after disaster events;

- Response arrangements remain in place until the State Controller is satisfied that recovery leadership arrangements are in place at Local, District and State levels;

- Recovery leadership and support from State level remain in place until local recovery is substantially completed.

Recommendation 12

The SDMG lead an initiative to deal at all levels with offers of assistance and donations from the general public in the event of disasters.

Recommendation 13

The SDMG lead an initiative to integrate and/or inter-connect all of the control centres involved at all levels of the Disaster Management system in Queensland as part of the project to integrate State communications.

Recommendation 14

EMQ resources be directed to continually improving, monitoring and regularly evaluating the State's Disaster Management system with a priority focus on providing support to Local Government levels including interlinking exercises involving District and State arrangements.

Recommendation 15

- Executive Officers to DDCs be serving Police Officers.

- Regional and Area officers of EMQ be members of Local and District Disaster Management Groups to enable them to fulfil their Statewide support and governance roles.

Recommendation 16

- The Department of Community Safety (through EMQ) be assigned in the Act with the responsibility to develop, maintain, monitor and continuously improve the State's Disaster Management arrangements and systems.

- The Executive Director, EMQ, be a member of SDMG with the Director-General, Department of Community Safety.

- The position of Executive Officer, SDMG, be assigned appropriate support roles to SDMG.

- An officer other than the Executive Director, EMQ, or the State Controller of a disaster event, perform the role of Executive Officer to the SDMG.

- A dedicated Assistant Commissioner of Police be assigned the role of control, coordination and overall responsibility for Queensland's response to disaster events other than those subject to National Plans and Agreements.

Recommendation 17

- The Act be amended to make it clear that Disaster Controllers/Coordinators at all levels are to be authorised public officials with the necessary training and authority to properly discharge the role and provide an effective direct line of support, coordination and control of disaster events.

- The Act and State Plan provide guidance about appropriate role and functions of elected representatives during all disaster event phases.

- The Major Incidents Group and State Security Committee be merged to become the State Disaster and Security Council with role as suggested in this report.

Recommendation 18

Planning and consultation be undertaken by EMQ with all levels of the Disaster Management system to ensure that necessary risk-based disaster evacuation plans are prepared at Local, District and State levels, supported by necessary community education and preparedness programs.

Recommendation 19

The Department of Community Safety and Councils develop MOUs to reflect the genuine partnership that exists in present arrangements including an emphasis on the use of the agreed State disaster arrangements to task and deploy SES units following State/Local consultation.

Recommendation 20

- Revised governance arrangements be implemented involving Disaster Management Groups at the three levels supported by EMQ as outlined in this report to achieve continuous improvement in the Disaster Management arrangements in the State.

- A new provision in Section 5 emphasise the discretion available to all involved in the Disaster Management system to take action to prevent impending loss of life even if contrary to the agreed arrangements.

Recommendation 21

The SDMG take into account key improvement initiatives and change processes suggested when deciding on an effective implementation strategy for agreed recommendations.

Recommendation 22

The suggested summary of legislative changes guide the legislative response to the report incorporating consultation with key stakeholders at State, District and Local levels.

1. Background

- The *Disaster Management Act 2003* establishes structures and operational policies to deal with disasters in Queensland before, during and after disaster events. It defines a disaster as "a serious disruption in a community caused by the impact of an event, that requires a significant coordinated response by the State and other entities to help the community recover from the disruption".

- The Act is supported by the State Disaster Management Plan and a Strategic Policy framework which describes four phases of disaster management: prevention and mitigation, preparedness, response and recovery.

- The Act is based upon a principle of managing disaster events first and primarily at a Local level, with requests for assistance escalated to District level (or, for large events, to several Districts), and thence to State level. Immediate whole-of-government support to the Local level is provided by a District or Districts and, for large disaster events, State level.

- The three-tiered bottom-up escalation model has served Queensland well for many decades, and is particularly suited to commonly occurring natural disaster events such as storms, cyclones, associated flooding, urban fires and bushfires impacting on a local or several local or district areas of Queensland.

- The model depends on strong levels of coordination across and between the three levels, made possible through strong collaboration and trusting relationships between all involved.

- Recent non-natural disaster events such as equine influenza (2007), the more significant larger cyclone events, the recent Pacific Adventurer oil spill and the current Influenza H1N1 pandemic, are examples that have required the State to be proactive in initiating and leading the Disaster Management response and to issue directions to District and Local levels about outcomes to be achieved and appropriate methods of response.

- Formal evaluations of recent natural and non-natural disaster event responses have highlighted both strengths and room for improvement in all phases of the arrangements at Local, District and State levels.

- This review is timely to ensure that the State *Disaster Management Act 2003* and its associated frameworks, policies and plans are adequate to cover all disaster types and events in Queensland – "an all hazards approach", and do so expeditiously and effectively.

- As disasters have the potential to cause significant loss of life, enormous damage and widespread suffering, it is essential that the State's framework for effective Disaster Management is as robust as possible and that its implementation in practice is efficient and effective.

The review is being undertaken in a context that recognises the dedication and commitment of all involved in the management of recent disasters in Queensland, and the overall satisfactory outcomes achieved through existing arrangements.

The review fulfils the Act's intention that regular assessment be conducted to ensure continuous improvement of the Queensland Disaster Management arrangements.

The review's Terms of Reference form **Attachment 1**.

2. The Principles for Effective Disaster Management

Recognised emergency management/disaster management principles from a number of international jurisdictions were reviewed to provide a foundation for the method of analysis and the basis of recommendations for this review. A useful summary of these principles developed on September 11, 2007, by the Federal Emergency Management Agency of the United States, is outlined below. (Note that 'emergency management' is the broader, overarching term used to describe the managerial functions, policies and frameworks which promote safer, less vulnerable communities with the capacity to cope with all types of hazards and disasters in the USA.) Other Australian jurisdictions follow this convention as well.

Principles

Emergency (including disaster) management must be:

Comprehensive – emergency managers consider and take into account all hazards, all phases, all stakeholders and all impacts relevant to disasters.

Progressive – emergency managers anticipate future disasters and take preventive and preparatory measures to build disaster-resistant and disaster-resilient communities.

Risk-driven – emergency managers use sound risk management principles (hazard identification, risk analysis, and impact analysis) in assigning priorities and resources. (The Australian Risk Management Standard AUS:NZ 4360:2000 is to be applied in Queensland.)

Integrated – emergency managers ensure unity of effort among all levels of government and all elements of a community.

Collaborative – emergency managers create and sustain broad and sincere relationships among individuals and organizations to encourage trust, advocate a team atmosphere, build consensus, and facilitate communication.

Coordinated – emergency managers synchronize the activities of all relevant stakeholders to achieve a common purpose.

Flexible – emergency managers use creative and innovative approaches in solving

disaster challenges.

Professional – emergency managers value a science and knowledge-based approach based on education, training, experience, ethical practice, public stewardship and continuous improvement.

Utilize existing resources - to the greatest extent practical.

Disaster Management roles - complement core business competence of the personnel and organisations involved.

Local Disaster Management capability – the fundamental building block.

The above principles will be used in assessing legislative and strategic policy aspects of Queensland's current Disaster Management arrangements to assess their current level of sufficiency and effectiveness, and to formulate recommendations for improvement.

3. Queensland's Current Disaster Management Arrangements

The Queensland Disaster Management **Strategic Policy Framework** (page 5) lists the *General Principles for Disaster Management*. These are consistent with those outlined in Section 3. They are:-

- A comprehensive, all hazards, all agencies approach by achieving the right balance of prevention, preparedness, response and recovery, regardless of the nature of the hazard through established partnerships.

- Prepared communities ensuring they understand their role in disaster management arrangements.

- Consultative decision-making.

- A transparent, systematic and consistent approach to disaster risk assessment and management is promoted based on the Australian Risk Management Standard AUS:NZ 4360:2000.

- All levels of government apply effective corporate governance and are committed to continuous improvement of policy, programs, practices and service delivery to improve community safety.

Current principles enunciated are sound. The list, however, could be expanded to include the three-tiered model and the importance of the State and District enabling Local levels to deal with local problems. Emphasis could also be added in respect to the responsibility disaster managers have for building and maintaining sincere relationships, trust and teamwork.

3.1 Policy and Regulatory Framework

The current *Disaster Management Act* was enacted in November 2003. This Act replaced the *State Counter Disaster Organisation Act 1975*. The declared disaster powers and rescue powers under the Act are in addition to and do not limit the use of powers pursuant to the *Public Safety Preservation Act 1986.*

The current Disaster Management Act prescribes a framework for the structures, functions and powers supporting the disaster management system. The previous three-tiered structure was preserved (that is, Local Government level is the foundation to be supported by District and then State levels). Greater clarification is now provided as to the functioning of the disaster management groups operating at State, Disaster District and Local levels. All other States in Australia have a similar three-tiered system based on the principle of providing capable local mitigation, preparation, response and recovery to deal with local problems.

Supporting the *Disaster Management Act 2003* are documents prepared by the State Disaster Management Group as required under the Act. These are:

- Disaster Management Strategic Policy Framework - 2005;

- State Disaster Management Plan - 2008; and

- Queensland Disaster Management Planning Guidelines for Local Government - 2003.

A set of Operational Planning Guidelines for Local Disaster Management Groups (2006) supplements the Disaster Management Planning Guidelines. Disaster Management Planning Guidelines for District Disaster Management Plans are currently being prepared by EMQ.

The Disaster Management Act requires that Disaster Management 'Groups' be established to develop a disaster management plan for the disaster risks relevant to the area covered and to 'manage' disasters under the policies and procedures as promulgated by the State Disaster Management Group. The *Strategic Management Framework* produced by the State Disaster Management Group describes principles that include an all-hazards approach and covering the four components of the comprehensive approach to disaster management that are:

- **Prevention (including Mitigation)**: Regulatory and physical measures to ensure that emergencies are prevented, or their effects mitigated (prior to or following a disaster event);

- **Preparedness**: Arrangements to ensure that, should an emergency occur, all those resources and services which are needed to cope with the effects can be efficiently mobilised and deployed;

- **Response**: Actions taken in anticipation of, during, and immediately after, an emergency to ensure its effects are minimised and that people affected are given immediate relief and support;

- **Recovery**: The coordinated process of supporting disaster-affected communities in reconstruction of the physical infrastructure and restoration of emotional, social, economic and physical well-being.

3.2 The Three-Tiered Structure

The three-tiered structure prescribed in the Disaster Management Act includes a requirement to convene groups to plan and manage disasters at three levels:

- Local

- District

- State.

3.2.1 Local Level

This is the front line of disaster management and is based on the premise that it is communities that must be prepared and capable of managing local disasters to the greatest possible extent. The specific requirements of Local Governments are outlined in the Disaster Management Act.

Each Local Government is to establish a Local Disaster Management Group ("local group" or LDMG) as follows:

- The Chairperson must be a Councillor (the State Disaster Management Plan states 'Mayor or a councillor nominated by the Mayor');

- At least one person in the group should be a Councillor;

- An Executive Officer (XO) should be appointed for the group to 'help the group manage and coordinate its business' (the State Disaster Management Plan says this is a local government staff member, generally the CEO);

- The group must develop a local disaster management plan -
    - o within the State group's strategic policy framework;
    - o outlining roles and responsibilities of entities involved in disaster operations and disaster management in the area;
    - o setting out the coordination arrangements for disaster operations / disaster management;
    - o listing disaster events that are likely to happen; and
    - o outlining strategies and priorities for disaster management.

- The group should review the effectiveness of its plan at least once per year;

- Ensure it has a disaster response capability;

- Nominate a local controller for the SES Unit[1] whose function is to maintain the operational effectiveness of the unit by ensuring:
    - o members have the necessary skills;
    - o equipment is maintained; and
    - o functions are performed consistent with SES and local government policies.

- Local Governments are also required to participate as a member of the District Disaster Management Group ("District Group" or DDMG).

The State Disaster Management Plan also states that the LDMG should include:

- Representatives of the Queensland Police Service and Emergency Services;

- Representatives of various functional areas of Local Government;

- Representatives from EMQ;

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[1]   This person does not necessarily have to be a council employee. It could be an SES member who has the appropriate amount of time and skills to perform the role.

- Industry and community representatives as applicable; and

- Other members as deemed applicable.

3.2.2 District Level

The Disaster District is formed to cover an area of one or more Local Government areas and is the level at which State Government Departments collectively plan for and are coordinated to provide assistance to the community within the geographic area of, and with the State resources available within, the district. Specifics of the District Disaster Management Group (DDMG) are outlined in the Disaster Management Act as follows:

- Membership of the DDMG is:

    o District Disaster Coordinator (DDC) appointed by the Governor-in-Council;

    o A person appointed as Deputy Chairperson of the DDMG appointed by the Governor-in-Council;

    o A person appointed from each Local Government within the District;

    o Representatives from State Government Departments (and any other persons) as deemed appropriate by (but in consultation with the DDC) the Executive Officer of the State Disaster Management Group (who is the Executive Director of Emergency Management Queensland);

    o There is an Executive Officer (XO) for the DDMG. The State Disaster Management Plan states that the XO to the DDMG is to be an appropriately qualified EMQ representative.

    o The District Disaster Coordinator is usually an Inspector or Superintendent of the Queensland Police Service (QPS). While this is not specified in the Disaster Management Act, the State Disaster Management Plan confirms this and also notes "when serving in the capacity of DDC, the individual is no longer functioning as a Police Officer but as an officer appointed under the Disaster Management Act 2003. Another officer will be appointed to carry out their police duties as required."

- The 2004 QAO review identified that the current Disaster District boundaries were based on QPS district command structures and that these may not necessarily provide appropriate aggregates for effective Disaster Management, especially as larger disaster events can encompass several districts. The QAO report recommended that the Disaster District boundaries be reviewed.

- The Queensland Police Service, through its DDC network, undertook a review and provided recommendations to EMQ in November 2008 to account for new Regional Council boundaries. Further consideration is required, as more significant adjustments might be beneficial (based on the experience of recent disaster events).

- The DDMG is also required to develop a Disaster Management plan for the District that incorporates the State Government resources which can be brought to bear in an emergency that is beyond the capacity of the LDMG.

- The XO to the DDMG is also required to provide an advisory service to the DDMG and to ensure that Local Government Disaster Management Plans are in accordance with State Disaster Management policy and guidelines.

3.2.3 State Level

The State Disaster Management Group (SDMG) is the group charged with responsibility (among other things) for ensuring effective Disaster Management is developed and implemented for the State and to identify the resources in and outside the State that may be used for Disaster Management across Queensland.

- Membership of the SDMG is:

    o Director-General, Department of the Premier and Cabinet (the Chair of the SDMG), appointed by Governor-in-Council;

    o Director-General of Department of Emergency Services (now Community Safety) appointed by Governor-in-Council as Deputy Chair of the SDMG;

    o Directors-General of other Departments;

- o An appropriately qualified officer of the Department of Community Safety to be the Executive Officer to the Group (the State Disaster Management Plan states that this role is performed by the Executive Director, EMQ).

- The Disaster Management Act outlines the functions of SDMG which include to:

  - o Develop a strategic policy framework for disaster management for the State;

  - o Ensure effective disaster management is developed and implemented for the State;

  - o Ensure arrangements between the State and the Commonwealth about matters relating to effective disaster management are established and maintained;

  - o Identify resources, in and outside the State, that may be used for disaster operations;

  - o Report and make recommendations to the Minister about disaster management and disaster operations;

  - o Prepare the State Disaster Management Plan;

  - o Perform other functions given to the Group under this or another Act;

  - o Perform functions incidental to a function mentioned above.

3.3 Anticipating Disasters

Prevention and Preparation

There is a requirement for Local Government Disaster Districts and the State to identify, analyse and evaluate the risks of disasters and plan to prevent and/or mitigate those risks in their area of responsibility. This is vital to safeguard life and property and to access Commonwealth and State funding available in the form of grants for the restoration of essential public assets to the equivalent of their pre-disaster standard if they are damaged in a disaster.

It is critical, however, that Council is able to demonstrate that mitigation works and other

measures have been implemented as part of the preventative strategy should there be the need to access this funding. Mitigation measures or strategies include:

- Town Planning measures including the prohibition of new or replacement buildings in flood prone areas;

- Building and construction standards including the enforcement of standards for fire safety and to withstand cyclones and severe storms in exposed / vulnerable locations;

- Constructed works including levees, flood mitigation works and firebreaks in strategic locations.

Typical risks identified within Local Government areas that require disaster management plans are:

- Severe storm

- Local flooding

- Creek flood

- Oil spill

- Bushfire

- East Coast Low / cyclone

- Heat wave

- Chemical spill / gas release

- Major utilities failure (non-council).

Each Local Government is required to prepare a Local Disaster Management Plan that outlines the roles and responsibilities, processes and resources required to prepare for, respond to, and recover from the full range of disaster events that may impact on their local community. It is clear that the Disaster Management function goes beyond natural disasters. If an all hazards / risk assessment approach is to form part of the disaster management planning process, it should include links to the State's preparedness arrangements associated with counter-terrorism and national security alert levels, to be

able to effectively plan mitigation and counter-measures as required within the disaster management plan. Many of these hazards require mitigation and response beyond the resources of a Local Government, and a coordinated approach for all phases of Disaster Management involving all three levels of Government would be required.

The Local Government Association of Queensland (LGAQ) and Queensland Treasury Corporation (QTC) have recently entered into a joint venture to establish Local Government Infrastructure Services (LGIS). LGIS was developed to address a need within Local Government for assistance in evaluating and delivering infrastructure in a cost-effective and efficient manner.

LGIS also offers Disaster Management Advisory Services to Local Governments, providing a consultancy service in risk analysis, review of Local Government Disaster Management Plans, desktop exercises, personal training, role plays and coaching. They offer to work with Local Governments to review their Disaster Management capability on a regular basis and to maintain the Disaster Management Plan's relevance and sustainability.

This type of assistance offered by LGIS directly complements the prescribed role for Emergency Management Queensland (EMQ) officers in their advisory role to Disaster Management Groups.

The 2004 Queensland Audit Office review of the Disaster Management system noted that all local disaster management plans reviewed incorporated risk / hazard identification. In relation to natural hazards, the majority of the plans reviewed had specifically identified and incorporated such risks as storm, flood, rural/bushfire, earthquake and cyclone. In relation to non-natural hazards, the majority of the plans reviewed had specifically identified and incorporated risks associated with animal/plant exotic diseases, hazardous chemicals, aircraft accidents and major road incidents. The majority of plans reviewed had not specifically identified risks such as major infrastructure or essential services failures, contamination of water supply, bomb threats and threats associated with mass gatherings and sabotage.

The key documents produced by the State Disaster Management Group that guide

planning were produced after the 2004 QAO review. They are:

- Strategic Policy Framework – 2005

- Operational Planning Guidelines – 2006

- State Disaster Management Plan – 2008.

3.4 Response

3.4.1 Activating the Disaster Management System

A 'State of Disaster' does not have to be declared before the Disaster Management System is activated. The State Disaster Management Plan states that "activation of the arrangements at district and local level can be initiated by the Chairs of the respective Disaster Management Groups. The DDC in consultation with a Local Group may request activation of that Local Group based on a risk assessment, and potential community consequences. Advice of activation must be conveyed to the XO of the State Group". The XO of the State Group may activate the State Disaster Coordination Centre.

The State Disaster Management Plan provides that activation of the State level arrangements can be initiated by either the Chair or the XO of the State Group. It states "Activation at State level will often be in response to activation at district level or severe impact at a local level. Activation does not necessarily mean the convening of groups, rather the provision of information to group members regarding the risks associated with a pending hazard impact". The requirement for any level of the system to immediately provide notice of activation arrangements to the other two levels could usefully be incorporated in the Act.

3.4.2 Declaration of a Disaster Situation

The Disaster Management Act (s64) states that a DDC may declare a disaster situation for their district with the approval of the Minister if satisfied:

- A disaster has happened, is happening or is likely to happen; and

- It is necessary to exercise disaster powers to prevent or minimise loss of life or injury to

humans, property loss or damage, or damage to the environment.

The Minister and the Premier may declare a disaster for an area of the State or the whole State if satisfied a disaster has happened, is happening, or is likely to happen (Section 69). This power would seem sufficient for the State to be proactive and 'lean forward' in times of pending disasters. In this case the recommendation to declare a disaster situation may come from a member of the SDMG or the Executive Officer of the SDMG.

3.5 Command, Control and Coordination during a Disaster Response

In recent post-disaster event reviews (cyclones, oil spill and Brisbane storms), the issue of confusion about overall control of the disaster event has been raised as a concern especially during disaster response and early recovery phases of events. Confusion about arrangements may cause delays or inconsistency in the way Local and District levels notify appropriate people at State level and the State responding, for example, with declarations, activation of financial relief, critical resource decisions and the provision of consistent support, direction and advice to District and Local levels.

The definition of the terms 'coordination', 'command' and 'control' are not contained in the *Disaster Management Act*, nor the Strategic Policy Framework or Operational Planning Guidelines for Disaster Management Groups. The definitions are contained in the State Disaster Management Plan (2008) as follows:

- **Command** is the internal direction of members and resources of an agency in the performance of the organisation's agreed roles and tasks (note - the roles and tasks are contained in the operational planning guidelines and are the 'normal' line of business for the respective agencies listed). Authority to command is established in legislation or by agreement within an organisation (note - presumably this is the normal delegation of an authority to an officer within the public sector). Command relates to a particular organisation and operates vertically within it.

- **Control** refers to having direct influence/power over resources applied to achieve a particular objective. Authority for control is generally established in legislation and carries with it the ability to control resources within an agency. In specific

circumstances legislation allows for control over other agencies.

For example, under the *Public Safety Preservation Act 1986*, once an emergency situation has been declared the emergency commander may take control of any resource whether it is in the charge or control of any person or not. Under the *Disaster Management Act 2003* (section 77), DDCs and declared disaster officers once a disaster is declared, assume general powers of control, direction and command over any resources provided in circumstances specified in Section 69(b) to prevent or minimise loss of life, property or damage to the environment.

▪ **Coordination** refers to the bringing together of organisations to ensure effective disaster management before, during and after an event. It is primarily concerned with systematic acquisition and application of resources (people, material, equipment etc) in accordance with priorities set by Disaster Management Groups. Coordination operates horizontally across organisations and agencies and, as well, between disaster coordinators at Local, District and State levels.

3.6 Control of Response to Disaster Events

The Queensland *Disaster Management Act* does not clearly identify or specify the person who is to assume the role of overall disaster controller. The Act depends upon the usual lines of command and control authority for resources within agencies, and relies on coordination at State, District and Local levels to achieve a coordinated unity of response between agencies.

At all levels, Disaster Management Plans are required to outline the roles and responsibilities of entities involved in disaster operations and disaster management. Part Three of the State Disaster Management Plan deals with *Response: Coordination of disaster operations*. It states "It is essential that, prior to a disaster event, responsibilities for command, control and coordination are clearly articulated within the disaster management arrangements at local, district and state levels."

It then describes that the coordination of events occurs through the Disaster Coordination Centres established at each level. Local Government coordination includes "coordination of available resources, including those allocated from the Australian Government (usually military assistance), State and Disaster District, in support of the disaster affected community". This wording is identical in the description of the responsibilities for Disaster Coordination Centres at the three levels.

The XO role to the SDMG currently includes "coordination of Commonwealth and State assistance for disaster management and disaster operations". The intent that this position coordinates State assistance for disaster operations is evident. However, it is limited to coordination of assistance, not command and control.

The Act requires Local Governments to 'manage' disasters in their area and the State Plan provides that the LGCC will 'coordinate' resources from all levels of government in response to disasters in their community. The three tier system of Disaster Management Groups could be construed by some to infer a hierarchical relationship where State decisions have precedence. There is no such description within the Act or State Plan. The arrangements rely on each agency providing its response and for each to coordinate at State, District and Local levels. However, there is provision for the Chairperson of the State Disaster Management Group to provide written directions to a District Group, and District to Local, about performance of functions (Section 46).

3.7 Role of Executive Officers to Disaster Management Groups

The role of Executive Officer (XO) is not consistent in its meaning for the three levels of Disaster Management Groups. There is an Executive Officer position established for each Group within the Queensland Disaster Management System, however, their roles vary greatly:

- The Local Disaster Management Group XO is usually the CEO of the Local Government and their role is to help the local group to manage and coordinate 'disaster management' business (a clear supporting role).

- The District Disaster Management Group XO is a member of EMQ appointed by the

EMQ Executive Director pursuant to the Act in the role of XO to the SDMG. The role of the DDMG XO is:-

(a) to advise the group and district disaster coordinator of the group about matters relating to disaster management that are relevant to the disaster district for the group;

(b) to advise and provide other support services to the group or a local group to facilitate disaster management in the district;

(c) to regularly review and assess the district disaster management plan and local disaster management plans for the district, and ensure the plans are consistent with any relevant disaster management guidelines;

(d) to advise the district disaster coordinator of the group during disaster operations;

(e) to regularly report to the group about the performance of the executive officer's functions under paragraphs (a) to (d).

The role is advisory as well as executive, that is, to ensure plans are consistent with relevant Disaster Management guidelines.

▪ The State Disaster Management Group XO is the Executive Director of EMQ. This role has the following functions:-

(a) to regularly review and assess the effectiveness of disaster management by the State, including the State disaster management plan;

(b) to regularly review and assess the effectiveness of disaster management by district groups and local groups;

(c) to establish and maintain arrangements between the State and the Commonwealth about matters relating to effective disaster management;

(d) to ensure that disaster management and disaster operations in the State are consistent with the group's strategic policy framework for disaster management for the State;

(e) to manage and coordinate the business of the group;

(f) to coordinate State and Commonwealth assistance for disaster management and disaster operations;

(g) to ensure that persons performing functions under this Act in relation to disaster operations are appropriately trained;

(h) to appoint, under section 27, the executive officers of district groups;

(i) to regularly report to the group about the performance of the executive officer's functions under paragraphs (a) to (h);

(j) to support the group in the performance of its functions.

The roles prescribed are broad, include supporting, executive and governance functions, and are whole State focussed with the exception of (e) and (j), which are roles usually associated with an XO role, that is, to generally support the Group in all of its functions.

The Executive Officer of the State Group is to:-

- review and regularly assess the effectiveness of the State's Disaster Management system, presumably with a view to continuous improvement;

- manage and coordinate the business of the Group; and

- ensure the Disaster Management and Disaster Operations in the State are consistent with the Group's strategic policy framework.

In effect, the Act as it currently stands assigns to the XO the responsibility to ensure the State's Disaster Management system operates as the strategic policy of SDMG intends, in all of its aspects and in all phases of Disaster Management. This is a far-reaching responsibility that arguably would involve extensive system development work and regular assessment and reporting on how well the Disaster Management system performs, including each agency's role within the system. The role is, in its conception, beyond the

capacity of any one individual or position. An XO may also be placed in a conflict of interest position in being responsible to ensure the overall effectiveness of the Disaster Management arrangements, but also assigned key operational roles within it. This issue is addressed in detail in subsequent sections of the report.

3.8 Auditor-General's Review 2004-05

As the Auditor-General commented in the performance management systems review of Queensland's Disaster Management System in 2004-2005, "there is scope for fine-tuning the existing Disaster Management system through enhanced integration and a more robust governance and risk management framework". The report made a range of suggestions to enhance the overall efficiency and effectiveness of the State's Disaster Management framework arrangements and outcomes. These were:-

- Development of coordinated strategic and operational priorities for disaster management at the Local, District and State levels and an associated performance management and monitoring framework.

- Development of a suitable governance structure for the bodies and committees which support the Queensland Disaster Management system.

- Development of a more coordinated approach to communication throughout the Queensland Disaster Management system.

- Review of the current Disaster District boundary framework and its relevance to the regional boundaries established by other public sector lead entities.

- Development of monitoring mechanisms to ensure local, district, functional and threat-specific Disaster Management Plans are relevant, up-to-date, reliable and linked to overall Statewide strategies for Disaster Management.

- Development of a hazard risk profile for Queensland which is based on information from local, district, functional and threat-specific plans.

- Need for more effective governance over business continuity management at public sector entities.

The Auditor-General considered the 2003 *Disaster Management Act* during the review, but

did not have access to the State Plan or Policy Framework which were prepared subsequently.

Action is continuing at many levels within the Disaster Management system to deliver on all of these recommendations. There is a requirement for further continuing work on issues such as a well-coordinated State communications system which requires significant expenditure and development work at all levels in the system. The outcomes of this report are likely to complement the work that is continuing on implementing the Auditor-General's recommendations. An integrated or well coordinated communication system would now be a very high priority given findings from the interim report into the Victorian bushfires.

3.9 Concluding Comments

- Queensland's 'bottom-up' tiered Disaster Management system is consistent with other jurisdictions. It is a robust, effective system if the elements work together in a trusting cooperative way as intended.

- Queensland's *Disaster Management Act* is dated 2003. Supporting documents that expand upon the legislation such as Operational Planning Guidelines were released in 2006. The State Disaster Management Plan was released in June 2008. The arrangements are relatively recent and consequently are still being fully implemented.

- Many of the points that address the reported 'problems' encountered during events are addressed in the Plan and Guidelines but could usefully be incorporated in the Act as well.

- Many Groups were operating on their own interpretation of the *Disaster Management Act* prior to the release of the State Plan and may not have adapted to the clarified explanation of how the system is intended to operate.

- The Queensland *Disaster Management Act* does not specify that there will be an individual who is to be the single overall point of control during the response phase of a disaster event.

- Roles of Executive Officers to Disaster Management Groups require modification to achieve consistency.

- The role of the Department of Community Safety and EMQ in developing, monitoring and continuously improving the State's Disaster Management arrangements requires clear provision in the Act.

Queensland's Disaster Management legislation and policy could be strengthened by attending to these issues.

4. Other Arrangements to Deal with Crises, Emergencies and Disasters

There are a range of inter-governmental agreements backed in certain cases by uniform legislation between the Commonwealth Government and the State Government that should utilise where appropriate and complement the State's Disaster Management arrangements.

The pre-eminent arrangement relates to the National Counter-Terrorism Plan which provides strategic governance at State level through a State Security Committee.

The State Security Committee is chaired by the Premier and has core members of the Minister for Police, Corrective Services and Emergency Services, the Director-General of the Department of Premier and Cabinet, and the Commissioner of Police. Other Ministers and Directors-General could be invited to attend according to the nature of the situation.

The National Counter-Terrorism Plan requires that the State can at short notice operationalise a Crisis and Communications Centre to support the State Security Committee.

A State Crisis and Communication Centre (SCCC) is established and this is supported by a Security Planning and Coordination Office comprising some ten personnel reporting to an officer-in-charge who reports to a Deputy Commissioner of Police who in turn advises the Director-General, Department of the Premier and Cabinet.

Situation reports provided to the State Security Committee are integrated within the SCCC by drawing information from the Police Operations Centre, the State Disaster Coordination Centre and information from other agencies. Integrated reports to the State Security Committee could also be provided to the State Disaster Management Group meetings in support of the Director-General of the Department of the Premier and Cabinet in that position's joint role as Chair of the State Disaster Management Group and a member of the State Security Committee.

There is a clear need to ensure coordination/integration of resources in support of

arrangements for the State Crisis and Communications Centre and the State Disaster Coordination Centre. The SCCC has developed an Automated Notification System and an Information Management Exchange System to manage situation information from relevant agencies and produce reports for the Security Committee. A Crisis Communications Network links agency media officers and is supported by a whole-of-government integrated website for consistent release of public information.

A disaster response following a terrorism event (depending on its scale) would be controlled and coordinated by the Commissioner of Police or nominated senior Police Officer utilising as necessary, Disaster District Management and Local Disaster Management arrangements pursuant to the State *Disaster Management Act.*

4.1 Other National and State Agreements

There are a number of other National and State Agreements about emergency response and disaster management arrangements to apply in cases such as oil spills at sea, health-related pandemics, and threats posed by introduced pests and diseases.

In all of these arrangements, a Lead Agency at State level is specified, with powers provided to a leader of that Agency to take control of an emerging disaster situation, that is, to assume command of and control of the situation. In most cases, the relevant State Agency has a State-specific plan and, in some cases legislation, to guide the State's response.

These arrangements have the potential to conflict with existing State Disaster Management structures and governance arrangements. Possible issues may include overlap, duplication and/or omission in regard to operations and logistics. In practice, this rarely occurs as Lead Agencies are represented on the SDMG and are fully familiar with arrangements. The preferred way to address any possible issues would be to ensure the State *Disaster Management Act* contains a provision that the Disaster Management arrangements will be used by Lead Agencies to support their response to particular events pursuant to National Plans. Their own State Plans would specify, and some already do,

the utilisation of the State's Disaster Management arrangements.

It is also noteworthy that, at a State level, there are at least two arrangements in place for seeking assistance from the Australian Defence Force in respect to Disaster Management. One arrangement is through the counter-terrorism response arrangements involving Commissioners of Police at National level, and the other is through the State's Disaster Management Group, chaired by the Director-General but attended by other Directors-General including the Director-General of Emergency Services and the Commissioner of Police. Both approach avenues require State Government level requests. Requests are not formally recognised from other levels. The Australian Government Defence Instructions (General) (Ops 05-1) Defence Assistance To The Civil Community (DACC) – Policy and Procedures specify that:-

S(12): "The State/Territory Governments are primarily responsible for combating disasters … Commonwealth Government resources (including Defence Assets) may be made available in situations where the State/Territory authorities are unable to react with sufficient speed, or lack the necessary resources or skills".

Categories of counter disaster and emergency assistance are then specified.

Category 1: "Provided by Local Commanders from their own resources in localised emergency situations where immediate action is required to save human life, alleviate suffering, prevent extensive loss of animal life or prevent widespread loss/damage to property" – not to normally exceed 24 hours.

Category 2: For more extensive or continuing disasters for the same reason as Category 1.

Category 3: Assistance associated with recovery not directly related to the saving of life or property.

Categories 1 and 2 do not involve cost recovery, however Category 3 does, unless a cost

waiver is approved by the appropriate Director-General.

The Instructions then outline detailed procedures to be followed by relevant Defence personnel before approving of requests for assistance. Whilst local Commanders may approve Category 1, Emergency Management Australia is the contact point which in turn liaises with Headquarters Australian Theatre to determine resources required and availability. Defence assistance is not normally provided as a 'labour force' during recovery and cleanup phases of disasters (Section 17) when other resources have the capability to undertake the task.

In all disaster events, requests to the Commonwealth for Defence Force assistance are to be made through the Chairperson of the SDMG.

5.   Comparisons with Other Australian Jurisdictions

5.1 The Legislation and Guidelines

Attachment 2 contains the comparative summary of the legislation, regulation, guidelines, plans and frameworks that apply to emergency management arrangements in other States and the Territories of Australia.

Salient issues from this comparative table are as follows:-

- All States and Territories have emergency management legislation. Queensland has selected the term 'disaster management'.

- SES legislation varies. In Queensland, the ACT, the Northern Territory and Tasmania, the SES provisions are embedded in the emergency or disaster management legislation. In New South Wales, Victoria, Western Australia and South Australia, the SES is provided for in separate legislation.

- Funding arrangements for the SES are commonly shared between State Government and Local Government.

- Disaster or emergency management legislation is supported in all cases by policy frameworks and guidelines. In Queensland, the strategic management framework and State Disaster Management Plan provide details to complement the *Disaster Management Act*. Other jurisdictions also have State emergency or disaster management plans.

- At the State level, Committees or Councils have been formed in all jurisdictions to set strategic direction and develop policy. In all jurisdictions committees or councils are responsible for overseeing and adopting, after recommendation to the appropriate Minister, the State Disaster or Emergency Management Plan.

- In respect to prevention, a State Disaster Mitigation Committee reports to the State Disaster Management Group in Queensland. New South Wales has a State Mitigation Sub-Committee, while Victoria charges the Emergency Services Commissioner with establishing and monitoring standards for the prevention and monitoring of emergencies.

- In respect to preparation, most of the legislation in all jurisdictions is comprehensive regarding the requirement for detailed planning at State, District or Region and Local level.

- In respect to response, there are a range of differences between the jurisdictions. New South Wales, Victoria, Western Australia and South Australia specify the Officer-in-Charge or Chief Controller of a response phase of a disaster at State level to be the Commissioner of Police, or senior delegate in the case of New South Wales. Queensland's legislation has no provision of this kind. Other Territories, for example the ACT and the Northern Territory, and the State of Tasmania, appoint a person to be the State Emergency Management Controller for each particular emergency. By convention this is a senior Police Officer in all jurisdictions.

- In respect to response at Regional or District level, there are different arrangements. States with regional structures (Victoria and the Northern Territory) appoint a member of the Police Service. Queensland has a District Disaster Management structure, as does South Australia, Western Australia and New South Wales.

- At District level, Queensland, New South Wales and Victoria have appointed Police Officers to chair District Disaster Committees, whilst Western Australia has appointed a District Emergency Coordinator.

- At Local level, Queensland legislation specifies that there must be an elected representative to chair the Local Disaster Management Group. The legislation does not nominate the Chair as the Officer-in-Charge of a disaster situation, a role performed by a public official. In some cases the Group Executive Officer, often the Council CEO, performs this role, especially in the case of smaller Councils. New South Wales has local Emergency Operation Controllers, and other States require the identification and appointment of a local Controller who could be a Police Officer or another officer from the Emergency Services organisation.

In summary, Queensland's main legislative difference from all other jurisdictions is that the Queensland Act does not clearly provide for the appointment of a controller (officer with overall responsibility) for the disaster event. This is considered by stakeholders consulted during the review to be a necessary enhancement.

- The arrangements at Local level differ. Some jurisdictions prefer the Council to determine the Chairperson of the LDMG and Disaster Controller/Coordinator as in Queensland. Others appoint a public official from State organisations.

- All States have a bottom-up escalation process for the management of disasters. When disasters demand elements of a State-down approach, the current Queensland Act may require greater enabling provisions. However, the foundation of escalation from Local level to seek support from District level initially and then State level, must be maintained.

- In respect to recovery, legislation across the jurisdictions does not cover this phase well as arrangements are generally outlined in accompanying plans and policy documents.

5.2 The State Disaster Management Plan

The Queensland State Disaster Management Plan was approved by the Minister in July 2008. The Plan provides more detail and explanation than does the Act, for example:

- It gives definitions for command, control and coordination. These definitions are important when attempting to identify the powers, roles and responsibilities within the Disaster Management arrangements.

- It identifies the incumbents of the various positions as described in the Act, for example, the Director-General of the Department of the Premier and Cabinet as Chair of the SDMG, Executive Director EMQ as XO to the SDMG etc.

- It clarifies the specific roles and responsibilities of the various agencies involved in disaster operations.

The 2008 Queensland Disaster Management Plan is still being finalised and is consequently not yet available on the Web, but has been distributed widely within State, District and Local levels.

The Queensland Plan at this stage contains less detail than the New South Wales Plan which:-

- contains an extensive distribution list.

- prescribes the planning to be done by subordinate Groups and lists State Sub-plans and Supporting-plans that form part of the overall State planning framework.

- is more detailed in spelling out the roles and responsibilities of Departments and agencies within the DM system. It contains a detailed list of responsibilities of Coordinators and Controllers from the various participating organisations.

- is explicit in identifying the various command and control functions for each type of event.

- is clear and unambiguous in describing the sequence of actions at State, District and Local levels for emergency response operations from early warning, through activation to stand down.

- spells out the authority of certain agencies under other legislation such as the range of authorised persons who can close roads and under what powers and circumstances they can do that.

The Queensland Plan does require further enhancement. It should provide a strategic overview of the State's hazard and risk profile, agreed risk management strategies for certain disasters in certain parts of the State, and provide a clear statement of roles and responsibilities and direction and coordination arrangements including key contacts when an emergency occurs. The recovery arrangements also require strengthening to ensure appropriate coordination and leadership of the State's support for local recovery operations. All leading State Agencies and EMQ need to ensure the content is sufficiently informative to clearly guide State preparation, response and recovery from disasters through the District and Local structures.

6. Assessment of Current Legislation, Policy and Arrangements Against the Principles

6.1 Disaster Management Must be Comprehensive

Current arrangements are based on this principle, although it is not sufficiently clear to all that the arrangements are in place to deal with all hazards and all agencies (stakeholders). The all hazard approach needs to receive greater emphasis in State Disaster legislation and Plans, showing clear linkage to all National and State Plans for dealing with non-natural disasters and all kinds of emergencies.

6.2 Progressive Disaster Management Arrangements

Queensland has made considerable progress in ensuring that communities take effective preparatory and preventive action prior to the onslaught of disaster events. The Act is not sufficiently clear regarding the State Government's leadership and directing role in respect to disaster events that are escalated or directed from State level down, rather than for most local disasters, escalated from Local level upwards. Also, recent disaster event evaluations have revealed that there is very significant room for improvement to ensure bottom-up arrangements work as intended. Instances of systemic and operational weakness were reported. Clear trigger points for escalation are required and a concerted effort (planning, training, exercising across Local, District and State levels) is required to ensure functionality.

6.3 Risk Driven Arrangements

The all hazards approach and the use at all levels throughout the system of the Australian Risk Management Standard should help to ensure adherence to this principle. Appropriate risk assessments should inform strategic and policy decisions at the State level, and consequently arrangements put in place at District and Local levels. A review of documentation and reports indicates that sound risk assessment and management is not yet sufficiently practised at all levels in the Disaster Management framework. The Auditor-General's recommendation that the State Plan be guided by an all hazard risk management assessment has yet to be formalised in the State Plan, although work has

been done to enable this to occur.

6.4 Integrated

The Act, Policy and Plans are not sufficiently clear at present to ensure unity of effort between all levels of Government and all elements of communities. Issues such as integrated communications systems, unified and well understood coordination, control and command arrangements and interlinking governance systems are all necessary. In this respect current arrangements need to be improved. Issues such as interlinking or end-on-end Plans between Local, District and State need to be further developed and/or revised.

6.5 Collaborative

Disaster Management arrangements are multi-faceted and governance arrangements quite complex. High levels of trust, teamwork and commitment must be present within the Disaster Management system. Changes to legislation, policy and plans will not automatically build the strength of relationships and the teamwork necessary to ensure effective Disaster Management. The review report comments further on these aspects when assessing results of consultation undertaken.

6.6 Coordinated

The arrangements as enunciated in the Act, Policy and Plans do provide for synchronised coordination, provided the arrangements are well planned and interlinked, the large numbers of people involved are well trained, and all levels in the system participate in regular exercises to highlight opportunities for improvement.

6.7 Flexibility

The Disaster Management arrangements may not be sufficiently flexible and scaleable based on a direct reading of the legislation and policy as it presently stands. Greater flexibility to deal with all hazards and all stages of disasters might be necessary.
This flexibility is best provided for in Plans and policy rather than in legislation. Legislation should not, however, constrain flexibility in approach and recommendations in this report

provide for required flexibility.

6.8 Professional

Whilst the legislation and policy provides for education, training, public stewardship and continuous improvement, results of consultation will inform the extent to which the current arrangements completely satisfy this principle. The requirements are extensive.

6.9 The Effective Utilisation of Existing Resources

It does appear that the current Disaster Management arrangements rely on existing resources to the greatest extent possible and that there is a smaller central core of personnel in Emergency Management Queensland devoted to full-time roles in respect to support of the Disaster Management arrangements.

6.10 Disaster Management Roles Complement Core Business Roles and Competence

Current legislation may not necessarily ensure this. The appointment of Police as DDCs and disaster event controllers is consistent with their core duties, but is not clearly specified in legislation. Current arrangements prescribe inconsistent roles and responsibilities at various levels within the system. For example, the Chairs of policy and strategy coordinating committees at Local, District and State levels involve a mix of elected representatives and public officials. Roles of elected representatives and public officials require clarification, especially during the disaster response phase of an event.

The roles defined for Executive Officer differ from one level of the disaster response arrangements to another. At State level, the role includes whole-of-State functions best assumed by a Department as well as the expected functions of an XO in support of SDMG. The review was cognisant of these apparent anomalies in considering results of consultation and in recommending enhancements.

6.11 The Importance of Local Disaster Management Capability as the Foundation of Queensland's System

Although the Act specifies this requirement, more could be said in the Act, Policy and Plans that it is Local Governments that must plan for, deal with, and recover from disasters at grass-roots level as they have the knowledge and expertise to best coordinate responses at that level. However, they frequently require State level resource support. It is local control and coordination arrangements that are built upon as response arrangements escalate to State level. District and State support responses and/or advisory and direction initiatives must be actioned and implemented at grass-roots level in cooperation with or through local arrangements.

This intention could be more strongly incorporated in the State's disaster documentation, to ensure that the significant investment in Disaster Management arrangements at Local level is properly recognised and supported by State Government.

These principles will help to guide the review in considering the results of consultation, and in framing recommendations to enhance the State's Disaster Management arrangements.

7. Conclusions Drawn from Consultation and Evaluation of Recent Disaster Management Events

Most commentators and written reports confirm that Queensland's Disaster Management system, based upon building blocks at Local level, at District level, and at State level, performs reasonably well in most instances. There are acknowledged requirements for improvements in the system, in some cases for all disaster events, and in others for particular disaster events.

7.1 Steering Committee Guidance

The review was informed by the Steering Committee established for this project which sought an assessment of the following critical issues:-

- the need for legislation to make it clear, for each disaster event, who was responsible for overall coordination and control of the State's response;

- whether there was sufficient capacity in current legislation for the State to be proactive and to 'lean forward' and give direction to State Agencies, Districts and Local levels in preparation for or dealing with particular kinds of emergencies;

- whether the arrangements pursuant to legislation and policy make it sufficiently clear that they are intended to be applied for all hazards for all types of (natural and non-natural) disasters;

- whether terms such as 'responsibility', 'command', 'control' and 'coordination' are sufficiently defined in the Act and supporting policy and guidelines;

- whether roles of Executive Officer and Chairpersons of Disaster Management Groups at the various levels are adequately defined and appropriately focussed;

- whether there are adequate trigger points for escalation of Disaster Management arrangements from Local to District to State level, and conversely whether there are adequate arrangements for direction to guide and inform responses for certain kinds of events from State to District to Local level;

- whether there is sufficient capability within the arrangements to effectively manage disasters including depth and scaleability of resources and the adequacy of education and training of those associated with Disaster Management;

- the extent to which legislation and policy needs to discourage individuals unfamiliar with the arrangements from inappropriately assuming control of disaster responses;

- that Disaster District boundaries are in need of revision because of a range of changes in regional Queensland including Regional Councils;

- reported uncertainty and confusion about the command, control and coordination arrangements for the State Emergency Service (SES) during disaster responses;

- uncertainty in some areas about funding, support arrangements and call-out and control arrangements during disaster events for the SES and other volunteer emergency services;

- the appropriate roles for Emergency Management Queensland, the Department of Community Safety and the Queensland Police Service in providing core services and functions in support of the arrangements;

- arrangements that might be put in place to ensure greater independence in the assessment of the effectiveness of arrangements and in organising continuous improvement;

- the best way to identify and deal with relationship breakdown and difficulties that can be experienced at all levels, both laterally and vertically, within the arrangements.

7.2 Strengths of Current Legislation, Policy Framework and Arrangements

7.2.1 Objects of the Act

The objects of the legislation have unanimous support. Aspects emphasised during consultation focus on the main object to help communities mitigate, prepare for, effectively respond to and recover from, a disaster or an emergency situation. The emphasis is on helping communities to effectively manage disasters or emergencies (emergencies in Queensland defined as having lesser impacts than disasters – see Strategic Policy

Framework 2005). The objects then emphasise the provision for effective Disaster Management for the State and the establishment of a framework for the management of the State Emergency Service and Emergency Services Units.

7.2.2 The Foundation

The foundation is built on a capable local disaster response well supported by other levels in genuine partnership. As the then Minister highlighted in the Second Reading Speech on 29 October 2003, the new Bill "provides formal recognition of the fundamental role that Local Government plays in the Disaster Management system. Disaster Management is a partnership between the three tiers of government, Commonwealth, State and Local. The strong relationship between the State, Local Governments and Indigenous Community Councils is particularly important as each has a critical role to play in disaster mitigation, prevention and preparedness, as well as response and recovery from disasters. The Queensland Police Service provides significant support for the operation of the Disaster Management system."

7.2.3 The Three Tier System

Consultation confirms that there is overwhelming support for the three-tiered system or framework to ensure effective mitigation, preparation and planning, response and recovery from disaster events. All stakeholders confirmed the fundamental importance of each of the levels, with each having critical roles to fulfil.

Local Governments strongly emphasised the importance of District and State levels of the framework being willing and responsive in providing resources to support local efforts and action in Disaster Management. Whilst acknowledging that it may be necessary at times for the State to provide strategic direction in respect to the outcomes to be achieved in dealing with certain types of disasters locally, Local Government emphasised very strongly that it is local people and local resources that inevitably bear the lion's share of planning, operational response and recovery phases.

7.2.4 The Importance of Districts

The fundamental importance of an intermediate level District structure to coordinate State response at District level in support of Local levels was also confirmed during consultation. The essential role of Police as DDCs was also emphasised and strongly supported by Local and State Government stakeholders.

There is an acknowledgement by all in the system that an intermediate Disaster Management level is necessary between Local and State. Most stakeholders confirmed that Disaster District boundaries within the State need to be modified to accommodate the revised larger Regional Council arrangements and other community of interest and disaster event issues. However, Local Governments and the Queensland Police Service confirm that the arrangements that will best suit certain regions of the State may not suit others. Mayors in particular represented at the Emerald conference and in consultation, urged the State to respect local communities of interest and geographic differences throughout the State, in establishing any revised Disaster District arrangements.

The State Government is currently endeavouring to achieve uniformity in its regional arrangements for all Agencies. The Queensland Police Service has also put forward a suggestion for revised Districts based on revised Local Government boundaries. This issue is addressed further when discussing the role of the District Disaster Coordinator.

7.2.5 Requests for Australian Defence Force Support

The Australian Defence Force provides support when requests are consistent with their guidelines for providing support. Previous reports commend the ADF for its strong support role when its personnel are deployed and have been appropriately tasked by Disaster Coordinators. There are issues to be clarified in respect to seeking and tasking ADF assistance between Local, District and State levels. Local, District as well as State levels of the Disaster Management system have linkages to key contact personnel in the Australian Defence Force, sometimes Local Commanders resident in their Local or District areas. These arrangements should not be discouraged. The involvement of local defence personnel in major disaster event preparation exercises is commended. However, these

relationships should not circumvent the agreed formal escalation arrangements and notification arrangements where the State wishes to place the Australian Defence Force on standby for an impending disaster event. The State has adequate capability to do this provided the Executive Officer or Chairperson of the State Disaster Management Group is advised promptly by the State Disaster Coordination Centre on advice from the Local Disaster Coordinator through the District Disaster Coordinator to that level, that such a request is justified. All arrangements for Category 1 assistance (see Section 4.1) that can be approved by a Local ADF Commander still need to be made through a formal SDMG process.

7.2.6 The Disaster Management Group Structure

The arrangements that establish Disaster Management Committees with supporting Executive Officers at State, District and Local levels were well supported. Some anomalies in these arrangements are considered deficiencies in the current arrangements, and are discussed below.

7.2.7 Planning and Exercises

The provision for comprehensive planning and the establishment of plans and conduct of regular exercises was supported. Exercises should involve the three levels of the system. This helps to ensure that all levels have considered mitigation and prevention measures as well as response and recovery phases.

They should be well prepared to manage emergency events, have the capability to readily respond, and the capacity to ensure effective and coordinated recovery following the disaster. Many consultations and previous reports and reviews have emphasised a priority to conduct more regular and comprehensive exercises.

7.2.8 Relationships

There was unanimous agreement that any Disaster Management arrangements and policy would only be effective if the framework was supported by collaboration, genuine trust, partnerships and teamwork within each level and between each level. Disasters can bring out the best and worst of relationships. Even though recent disasters had brought out the positive strengths of relationships, most consulted acknowledged there was significant room for improvement at all levels, for example, inter-agency at State level, District level and Local level and within agencies at all levels as well.

7.2.9 Declarations

The capacity to declare a Disaster to provide powers to individuals to enable an effective response, and the capacity to activate the financial assistance arrangements, were considered fundamental parts of the legislation provided they were both declared and activated at sufficiently early stages in the process. Earlier declaration or a different kind of early notification was suggested as a necessary addition.

7.2.10 The State Emergency Service

The role of the SES and all other volunteers was resoundingly applauded at all levels. Governance, management and control arrangements for the SES and the volunteers requires further clarification and enhancement. This is discussed in the Section on the SES and volunteers.

7.2.11 Individual Effort and Commitment

There was unanimous acknowledgement that all personnel involved in the management of disasters had put in a superhuman effort in recent events and that this, plus strength of relationships, had achieved quite remarkable, positive results despite a number of failures and imperfections in the system.

7.3 Limitations of the State Disaster Management Act, Policy and Framework

All stakeholders and a range of reports into previous disasters confirm a requirement to enhance and further clarify current arrangements. Certain inconsistencies in written material need to be clarified. Certain relationships need to be strengthened within the arrangements as well. Key issues identified and suggestions made are outlined below.

7.3.1 Objects of the Legislation

The main objects of the Act, that is, to help communities deal with disasters, is not sufficiently enunciated. Within the State Disaster Management Plan, the comment is made, "It is the local governments that are the focus for managing disaster within their own communities. State and District levels are to provide additional resources, support, assistance and expertise as required".

Consultation revealed that Local Disaster Management Groups and Local Governments believe that there should be a clearer enunciation of the requirements for District levels and State level to respond to and deliver support, assistance and resources necessary to deal with disasters at the Local level. Local Government acknowledges the requirement for State to advise and direct in respect to certain non-natural events provided this is done through the agreed framework. Both sentiments need to be strengthened in the Act.

Recommendation 1

The basic tenet of a local community response as the foundation of Queensland's Disaster Management framework, with a clear description of the relationships between the levels and description of the phases of Disaster Management, need to be more strongly emphasised in the "objects" of the legislation and "how objects are to be achieved".

7.3.2 Requirement for the State to Provide Direction to District and Local Levels

There is no clear enunciation in the legislation that for certain disaster events and for certain circumstances, the State will need to provide leadership and give direction to District levels and, in turn, Districts to Local level regarding responses and outcomes to be achieved in respect to different types of national and whole or part-of-State disasters, for example swine flu. The capacity for the Minister, the State, and the District Disaster Coordinator to give directions to the next lower level in the tier of arrangements, is provided in the legislation (Sections 45-47), but directions are specified in respect to the performance of a Disaster Group's functions, in which case directions are to be in writing.

The Act needs to make it clear that just as requests for assistance are escalated up to State and sometimes Federal level for assistance response, there will be times when National Government needs to direct State in turn to direct District and Local in respect to particular disaster events. The direction should generally cover outcomes to be achieved, and methods to be adopted. Planning, logistics and taking action should be directed and controlled from a District level and/or through Local level.

Each level has its part to play. Requests for assistance are escalated upwards with the expectation that assistance will be provided and that appropriate action will be taken at a whole-of-District level or, at a Local level. In similar fashion, direction needs to be given from State level to District and to Local in respect to specific non-natural disaster events where information and knowledge about National and State requirements may not be well understood locally. Enhanced interlinking plans between the levels for specific types of events should eventually address such issues, especially for non-natural disasters.

In the instances of the State and/or the District providing directions downwards, it would be important to recognise that during a response to emergencies and in early recovery phases, such directions may need to be verbal. However, they should be promptly formalised in writing and emailed to the appropriate level as an audit trail of confirmation about who, and at what level, critical decisions were taken.

This is important to inform the regular assessment of the effectiveness of Disaster

Management arrangements and respond to external investigations such as a coronial inquest that may arise in the event of loss of life.

Recommendation 2

The Act be amended (Sections 45, 46, 47) to enable verbal directions in times of disaster responses from a State Controller to DDC to Local Controller, which must be committed to writing promptly to formalise the record.

7.3.3 An All Hazards One System Approach

Queensland has obligations nationally in respect to a range of emergency and disaster events such as counter-terrorism, the management of population health, the management of introduced pests and diseases, and issues like the national response to oil spills in coastal waters. Many of these agreements are quite specific in respect to the obligations placed upon elected representatives and leaders of organisations such as the Commissioner of Police, the Chief Health Officer or an officer in charge of Maritime Safety for the State.

Some consulted during this review were of the view that Lead Agency arrangements in such circumstances may cut across State Disaster Management arrangements. Whilst this could be the case, it does not need to be. The State Disaster Management Plan should show all linkages to such National and State arrangements and agreements. It should list contact officers and their contact details, and should incorporate obligations within the National and State Agreement for those charged with responsibility for such events.

Nominated Lead Agencies or officers-in-charge should utilise the State's Disaster Management arrangements to best effect during such events. Most already are reported to do so. This will ensure that experts provide appropriate leadership, guidance and direction about what needs to be achieved at various stages of the event, and rely on State Disaster Management arrangements to plan and deliver the logistical response. This applies particularly at Local level where, as previously stated, Local Disaster

Management arrangements are well rehearsed and respond effectively provided they are given the necessary leadership and direction in respect to desired outcomes.

It is therefore imperative that officers responsible in Lead Agencies immediately alert the State Disaster Management arrangements through the Watch Desk at Kedron, the designated Disaster Management Assistant Commissioner of Police, or the Chairperson or designated Controller of the State Disaster Management Committee should a potential disaster threat be posed. The principle here is important. The Lead Agency provides professional and technical advice, determines strategy and clearly articulates the outcomes that are to be achieved. State Disaster Management arrangements can then be used to manage the response logistics to ensure outcomes are delivered through the approved Disaster Management arrangements at State, District and Local levels.

Recommendation 3

The State Disaster Management Plan incorporate linkages with all Lead Agencies and officers in control of National Plan or Agreement response. All of these Plans and Agreements should have a formal requirement to ensure officers in charge work within the State's Disaster Management framework to deliver Disaster Management responses.

7.3.4   A Proactive State Response

One limitation of the existing response arrangements is said to be that the State is not sufficiently proactive or early in becoming involved. Other stakeholder comments included that the State was not sufficiently prepared or responsive in fulfilling its supporting roles and, where necessary, directing roles in regard to large, natural disasters or non-natural disasters. The State revealed that a lack of requests from other levels was sometimes the reason for a perception of slow response.

The current Act provides specifically that the Minister and Premier may declare a disaster situation for the State or a part of the State if they believe a disaster is likely to happen (Section 69). Similarly, at a District level, a District Disaster Coordinator can recommend to the Minister that a disaster situation be declared if a disaster is likely to happen (Section

64).

Slowness in response on the part of the State to declare a disaster "likely to happen" may stem from a reluctance to make a declaration early, before the full impact of an event is known, or communication breakdown and failure within the State Disaster Management Framework itself. For example, if Lead Agencies or officers responsible for non-natural disasters do not inform the nominated Disaster Coordinator or the Chairman or Executive Officer of the State Disaster Management Group of an impending event or problem at an early stage.

In practice, Lead Agency Officers-in-Charge are often members of the SDMG or bring the issue immediately to the attention of their Director-General who is a member of the SDMG.

There would appear to be very few downsides to an early declaration of a disaster in all circumstances where, through an appropriate hazard assessment and proper risk management appraisal, there is a reasonable basis to declare a disaster as there is likelihood that it will occur. Likelihood does not imply certainty or even a high probability. The risk management framework (AUS:NZ 4360:2000) describes "likely" as a probability of 1 in 10.

Explanatory notes to the Bill in 2003 went to some length to point out that the current Act does not preclude powers to be exercised under other Acts in tandem with the Disaster Management Act, excepting always that the *Police Powers and Responsibilities Act 2000* and the *Public Safety Preservation Act 1986* do continue to operate and have precedence in the event there was a conflict.

During consultation the Queensland Police Service emphasised a need to amend the *Public Safety Preservation Act 1986* to provide powers to support an immediate response to rapid onset emergencies/disasters such as landslides. This suggestion is supported. In respect to more typical disasters, there may have been a past culture of not making early declarations, or possibly a delay in processing necessary paperwork, or the failure at any of the levels in the system to promptly advise the relevant person of an impending

event and activation of a coordination centre. Some previous reviews of disaster events have commented upon the slowness in declaring disasters and highlighting difficulties experienced in quickly obtaining a Minister and/or Minister and Premier's signature to paperwork. A verbal confirmation (minuted by the requesting officer) should suffice in the first instance, backed up by a written formal declaration as soon as practical.

The declaration of a disaster does, according to the explanatory notes to the Bill in 2003, impinge on the rights and liberties of individuals. It confers immunity from proceedings of prosecution if officers authorised under the Declaration are acting with the best of intent, and does provide for the overriding of other State legislation where this is necessary in the interests of protecting life and property and in managing the disaster event. These powers should not be declared lightly. It is proper that the Minister and/or in the case of the whole State or part of the State, the Minister and the Premier, continue to make such declarations formally on the direct request of a District Disaster Coordinator or State Disaster Event Controller/Coordinator or Chair of the State Disaster Management Group, initially verbally, but backed up as soon as practical in writing.

Administrative arrangements need to be devised and specified in the State Disaster Management Plan with links to all other Lead Agencies to ensure that the preparation of paperwork to have disasters declared is expedited. Occasions were reported, during consultation, of declaration paperwork being duplicated and of declarations being not promptly provided to a Minister due to administrative breakdowns.

The Act specifies that it is the Executive Officer of the State Disaster Management Group who is responsible to ensure the effectiveness of these arrangements. In the case of the Police Service, a recommendation should be made directly from a District Disaster Coordinator to the Minister, with complementary advice to the Watch Desk at Kedron and to the Commissioner of Police. The Queensland Police Service would prepare the necessary administrative instrument for signature. In the case of a State or part-State disaster, any Lead Agency officer or Director-General could immediately notify the Chairperson of the SDMG with a cc copy to the Watch Desk at Kedron so that the Executive Officer to the SDMG may perform the administrative paperwork and support

arrangements required.

Should the State prefer a term such as declaring an "impending disaster", this could be easily defined and incorporated in the Act. In addition, for such events a declaration may need to be in force for more than the current seven days.

Queensland Health, on the recommendation of the Chief Health Officer of Queensland to the Minister for Health, also has legislative provision to declare a health emergency situation granting provisions and powers to deal with serious population health epidemics/pandemics. In practice, the Department has been able to deal with health issues in a cooperative way with the community and hence rarely if ever calls on the provision.

Recommendation 4

- **District and State levels utilise the current Act to make pre-emptive declarations of a disaster event (likely disasters) so as to be proactive in leading and controlling disaster events. All levels of the system should immediately notify other levels if they activate the Disaster Management arrangements.**

- **The *Public Safety Preservation Act 1986* be amended to provide powers for Police Officers to provide an immediate response in the event of a rapid onset disaster event such as a landslide.**

7.3.5 Activation of Funding Relief

A number of personnel consulted considered that funding arrangements through the National Disaster Relief and Recovery arrangements or the State Disaster Relief arrangements, were not activated quickly enough in the event of a disaster. Some suggested they be activated as part of a disaster declaration. State levels confirmed that the arrangements could be expeditiously activated provided the Department of Communities was promptly advised at a District level by a Local Coordinator or DDC. The appropriate activation for these arrangements is then to the Department of Communities Head Office which makes the appropriate recommendation to the Executive Officer of the

State Disaster Management Group for the Chairperson to activate the relief arrangements with the Commonwealth.

If the Department of Communities at District level has not been asked to declare such arrangements, then it is understandable that there will be a slowness in response to relief arrangements being delivered. The required criteria for request is if any individual in the community is experiencing personal hardship. The Department of Communities explained that it would not be appropriate to link disaster declarations with relief arrangements due to the need to satisfy separate State and National criteria. Where agreed protocols are followed, activation is reported to be achieved promptly.

Recommendation 5

Current procedures to activate disaster recovery funding arrangements be retained and processes be reinforced.

7.3.6   A Controller with Overall Responsibility at State, District and Local Levels

Overall responsibility for command, control and coordination during the response and early recovery phase of disaster events in Queensland is not as clear as it should be.

This was the most strenuously discussed and debated issue arising during review consultations. The frequent strongly voiced complaint from Local Government was that in the event of a major disaster, no one seems to be in charge at a whole-of-State level. At State level there was concern expressed that some local elected representatives inappropriately assume control during a disaster response. Impacts can be adverse if the role of local coordinators is compromised or if District arrangements are bypassed and Local levels seek support directly from State Government in Brisbane.
The position is clear at District level. It is the District Disaster Coordinator who is in charge of responses. As these officers are commissioned Police Officers, they do have the power, as part of their normal District Officer duties, to take control of incidents including major incidents and disasters in their sphere of operation. Under a declared disaster situation, their powers are broadened. They can control an event at this level adequately which includes power to direct and control any resources available within the District under

prescribed circumstances.

The statement in the current State Disaster Management Plan that Police Officers cease being Police Officers in their DDC role however is not appropriate. Serving Police Officers, whilst on duty in any capacity, retain their powers and discretion of 'constables pursuant to common law'. The Plan should be amended to acknowledge that Police Officers fulfil a dedicated DDC role for purposes of the *Disaster Management Act* and will be relieved of their usual command position in the Queensland Police Service for the period of their DDC obligations.

The QPS does have depth of Commissioned Officers (over 200) who are all trained in Disaster Management locally and nationally. They are best placed to fulfil DDC roles on a 24/7 basis during disaster events and during non-disaster periods when time is to be devoted to planning, training, conduct of exercises and continuous improvement at District level.

At a Local level, the situation varies. Local Disaster Management Groups have generally developed local arrangements that suit their purposes. Local controllers/coordinators of disaster responses can be Chief Executives (small Councils) or their nominees (larger Councils) and occasionally Mayors (who are also Chairs of the LDMG). Arrangements ensure that the Local response is as effective as local resources allow. Arrangements, however, do require clarity.

It is necessary to remove from the Act the provision that the Chair of the LDMG manages the disaster. Mayors or Local Councillors, as elected representatives, are not provided with authority to direct operations or deploy the Council's resources pursuant to the *Local Government Act 2009*. This is a role to be performed by the CEO. (The current *City of Brisbane Act* has different provisions.) The *Disaster Management Act* should assign the role of managing the disaster event (or preferred terminology coordinating/controlling the disaster event) to the CEO or CEO's nominees who are knowledgeable about arrangements and who have all been trained and are practised through exercises in the role. The arrangements must have depth with sufficient trained officers to ensure

sustained 24/7 operations. There should be no exceptions. Models relying on only a single individual are neither viable nor sustainable.

At a State level the situation is also reported by many at Local level to be confusing and requires clarification.

In the event of a disaster that requires a National response provided for in a National Plan or Agreement, the arrangements are clear. Section 5 of the report outlines arrangements under the National Counter Terrorism Plan. The Premier chairs the State Security Committee and the Commissioner of Police, through the Deputy Commissioner of Police supported by a State Crisis and Communication Centre, commands, controls and coordinates the necessary response.

In other National Plans, other officers and/or Agencies are declared to be the Officer or Agency in charge of and having responsibility for managing the event. This review has discussed these issues with representatives at State and National levels and would suggest that in respect to National Agreements relating to disasters, the following occur.

In existing National/State Agreements, there should be a provision that obliges the Officer-in-Charge or Agency-in-Charge to work through the State Disaster Management Arrangements. The nominated Agency or individual will still be responsible and in charge of the event, determining response strategy and outcomes to be achieved at State, District and Local levels. They should, however, utilise all of the benefits available through the State Disaster Management Framework to coordinate, manage and control the event. This will mean that strategy and policy are determined at a National/State level, that outcomes to be achieved from the event will be determined by the Lead Agency, and that the Lead Agency will utilise arrangements that exist at State, District and Local levels to ensure appropriate logistical response at grass-roots level.

It would be unproductive and inefficient for the State's Disaster Management arrangements not to be used and for other parallel arrangements to be created for a one-off response. Experience confirms that parallel arrangements are less certain and slower

to respond and place unrealistic demands on Officers-in-Charge.

In respect to the overall control of all other disasters, the current State legislation does not appoint a Controller in Chief or officer in control of each disaster event as is the case in all other jurisdictions. In all other jurisdictions, the legislation prescribes, or the convention followed, is that the Commissioner of Police is appointed the Coordinator-in-Chief.

The Act does specify in Section 21 currently, that it is the Executive Officer of the State Group (currently the Executive Director of Emergency Management Queensland) who has a broad range of responsibilities and obligations including "to coordinate State and Commonwealth assistance for disaster management and disaster operations". This is interpreted by some to clearly assign coordination responsibility for the State's management of disaster events and disaster operations at a State, or part of State, level to the Executive Officer, SDMG. Other stakeholders consulted refute this interpretation. The provision requires amendment.

The current legislation and policy guidelines envisage that the only command and control arrangements necessary will be those relating to each individual Agency involved in the Disaster Management Framework as exercised by the Minister and Director-General pursuant to their respective legislation, and for all Agencies in respect to accepted Ministerial delegation of authority. In practice, this arrangement is reported to be not working sufficiently to enable the State to make expeditious decisions and take prompt action to direct or support District or Local Disaster Management Groups when the need arises.

Disaster Management in Queensland is reported to lack efficiency and effectiveness because of this limitation, for example:-

- Lack of clear unity of State control and authority to direct responses can cause confusion and duplication between State Agencies.

- Local levels do report receiving conflicting information, advice or direction from State levels during disaster responses.

- Slow and confused or contradictory decisions about committing State resources and spending money was a frequently expressed experience.

- State resources (deployed forward with the best of intent) are reported to establish duplicated lines of reporting to State level bypassing both Local and District levels at times.

- State personnel (EMQ), with an intention of endeavouring to support at Local levels, are perceived by some to be taking control of local operations.

- State making duplicated and inappropriate requests for information, where meeting the request compromises a local focus on the disaster response.

In terms of the principles for effective Disaster Management, the current lack of clarity in the Act and attempts to compensate for this evident at State planning level, compromise principles of ensuring integrated arrangements, unity of effort and efficient response. An erosion of collaboration, trust and relationship then impairs coordination efforts. The whole system can then become compromised and fail to make the best use of available resources.

The review acknowledges that at times during major disasters, there will be a requirement for leaders and managers to be creative and innovative in their approaches and because of impending disaster, to work around existing arrangements. What is essential at these times is that District and Local levels are fully informed about the State's requirements, intentions and actions so that they do not compromise, but enhance, District and Local arrangements already in place. The provision for such flexibility and the required protocols should be incorporated in State, District and Local Plans when agreed arrangements are not followed.

One approach to clarifying a leadership role at State level would involve strengthening Section 21(f) of the Act to read: "to coordinate State and Commonwealth assistance for disaster management and coordinate State disaster operations and responses". The key word is still "coordinate". This would not clarify that this individual had overall control of the event with necessary authority to direct, coordinate and control the State's response.

The majority of stakeholders consulted believed that for every disaster event there should

be a nominated person in control, with authority to accept overall responsibility at State level.

This does not imply usurping the State's Disaster Management arrangements, but rather, working within the State Disaster Management legislation and policy framework to ensure the State's priorities and outcomes are achieved.

The State should not coordinate District or Local disaster arrangements directly, but rather give directions to Districts and/or Local Disaster Management Groups where such directions are necessary (for example, non-natural or major natural disasters). The State should also inform District and Local levels about action the State is taking outside of the normal arrangements as a result of unforeseen imminent threats. Arrangements should be anticipated and covered in Plans to the greatest possible extent.

The review has confirmed that the State does need to take decisions expeditiously and provide required support and, at times, strategic direction to District and Local levels about outcomes to be achieved in certain types of disasters. Hence, an officer appointed to undertake this role is essential for all disaster events. It would provide the certainty and efficiency of State response and support to District and Local levels that all stakeholders desire.

It is therefore recommended that the Chair of the State Disaster Management Committee assigns this role to an appropriate senior experienced public official for each disaster event. The authority required is primarily one of coordination and State level decision-making, for example approval promptly of expenditure. It is also about control (as defined) of the State's resources. It would involve issuing directives to District and Local levels in certain types of disasters directed to specific outcomes.

The role of overall control is not considered one that should be assumed concurrently with the role of being the Executive Officer to the SDMG, a position that has responsibilities to support this Group and the Controller during the management of a major State disaster event. The role of Controller would be to ensure a decisive and effective response to the

disaster event overall. If this occurred, there would be a direct line of communication for requests for assistance, support, control and authority as follows:-

At Local level – an experienced trained public official with the role of Disaster Coordination Centre Controller and Coordinator.

At District level – the District Disaster Controller/Coordinator with power of coordination and following a declaration, command and control authority of the event within the District.

At State level – a senior officer experienced and trained to take the role of overall control/ coordination of the event to direct (command) and make or influence resourcing decisions on behalf of the State.

For specified non-natural disasters, the Lead Agency will provide professional direction and outcomes necessary but use the State Disaster Management arrangements for implementation of operations. This may require a Lead Agency Officer-in-Charge to work very closely with the State's regular disaster event controller who could be in the best position, because of training, established contacts and experience, to control and coordinate the overall logistical response through agreed District and Local arrangements. The emphasis would remain one of clarifying agreed approaches and outcomes and supporting District and Local levels to take necessary action at their level to deal with the disaster or emergency event.

Recommendation 6

▪ **The Chairperson of SDMG (where leadership is not already defined in relevant National Plans) nominate a senior officer to assume overall responsibility for control and coordination of each disaster event to ensure a decisive and effective response.**

▪ **At Local level the Act provide for the CEO in consultation with the LDMC to appoint a public official/s with required training and competence as Local Controller.**

7.3.7 The proper function of the State Disaster Management Group

Consultation revealed that the SDMG was active during disaster events, meeting at least

twice daily. Consultation also revealed that during non-disaster times, this State Group may meet only as specified minimally (every six months), and that the relevant Departments of State may have had little input to the current State Plan. Recently appointed representatives on the State Disaster Management Group may understandably, have limited knowledge about the total Disaster Management framework or the way in which it is designed to operate.

The functions outlined in Section 18 of the legislation are adequate and make it clear that the State Group has a strategic and policy-setting role and a role to ensure effective Disaster Management is developed and implemented for the State. The Chair, in recognition of these obligations, has commissioned this review.

In addition, the Group is to ensure effective arrangements between the State and the Commonwealth in respect to Disaster Management; to identify resources to be used in the event of disasters either within or outside the State; to keep the Minister informed about matters relating to Disaster Management and disaster operations; to prepare the State Disaster Management Plan; to perform any other functions given to the Group under this or another Act, or perform incidental functions.

Stakeholders with knowledge of SDMG confirmed that the Group should resist the tendency to become overly focussed on the operational detail of response plans to disasters that should be planned and delivered at a District or Local level. The State Group has, perhaps of necessity, become involved in certain of these details during disaster responses in recent times because of, for example, emerging legal and commercial challenges that may interfere in response arrangements that can probably only be resolved at State level. There may also be a feeling that Agencies responsible for the creation of Plans at either State, District or Local level may not be sufficiently informed, or insufficiently trained or capable as is necessary, to ensure Plans are comprehensive and have dealt with the most salient issues.

There are also occasions reported where SDMG members and elected representatives become directly involved at meetings of the State Disaster Coordination Group at the State

Disaster Coordination Centre in planning the details of coordination responses. This involvement is not consistent with the role of an SDMG but may be addressed by appointing a sub-committee of SDMG to work with key operational response personnel should such direct involvement be necessary.

The review also notes from consultation and review of documentation, that the State Plan requires enhancement. See Section 5.2 of this report. The State Disaster Management Group is therefore placed in the position where it is required to make strategic policy decisions without the desired time or information to undertake proper risk assessment and analysis of issues.

For example, a policy has been made in recent times at State level, to direct the early evacuation of local or district communities if the State believes the extent of impending risk warrants such evacuation action. Some Local Councils have prepared risk based evacuation plans and others have not. However they are understandably questioning the depth of risk management assessment and analysis that has supported such decisions made at a State level. In similar fashion, instances of communication to the media about likely local outcomes for flood events and action to be taken in response to flood events, are reported to have been generated at State level without a measured assessment of risk and without necessary consultation with District and/or Local levels.

Decisions of this kind, although well intended, may not be well informed by a depth of local and district experience, and are being taken during disaster situations rather than being taken as strategic decisions during non-disaster times as part of routine planning activities.

It is suggested that the SDMG assign sub-committees to address detailed policy or operational issues during both disaster and non-disaster time and incorporate these deliberations in sub-plans of the State Disaster Management Plan. For example, trigger thresholds for an evacuation decision could then be clearly identified and agreed. The SDMG should also be encouraged to meet as necessary during non-emergency/ disaster times to consider strategy and policy. The Executive Officer would ideally arrange necessary induction briefings to all newly appointed members before their first scheduled

meeting attendance.

Recommendation 7

- **The State Disaster Management Group focus on Disaster Management strategy and policy with sub-committees or appropriate levels in the Disaster Management system assigned detailed disaster planning or risk management assessment roles.**

- **New group members be provided with an induction briefing about the State's Disaster Management arrangements by the Executive Officer prior to attending their first meeting.**

7.3.8 Functions of Executive Officer of the State Disaster Management Group (SDMG)

The Executive Director, Emergency Management, Queensland, is appointed Executive Officer (XO) of the SDMG pursuant to Section 19(1)(c) as an appropriately qualified officer of the Department, currently the Department of Community Safety.
"Appropriately qualified" includes qualifications, experience or standing appropriate to perform the functions of the Executive Officer of the State Group. Example of standing is provided as a classification level in the Act. The review notes that standing, in practice, is based on a range of factors of equal or higher significance than level of salary and classification such as expertise, capability, the gaining of respect and the ability to inspire and influence followers.

A number of points need to be made about the legislation and the incorporation in the Executive Officer's role of the extent of functions currently assigned to that role pursuant to the Act.

It is argued that the role of Executive Officer of any committee or a group like the State Disaster Management Group should primarily exist to support the group in its functions and activities. For example, an XO provides necessary information to the Group and ensures the Group's decisions are promptly actioned. For example, strategic and policy

decisions impacting on planning need to be actioned through the Department of Community Safety which would inform all relevant agencies. During disaster response and recovery stages, SDMG decisions would be actioned by controllers/coordinators at State, District and Local levels.

In addition to this role, which is a very significant one, under current legislation the Executive Officer is to:

(a) regularly review and assess the effectiveness of Disaster Management by the State including the State Disaster Management Plan (this role has not been regularly performed to the knowledge of the review since the Act came into being in 2003).

(b) regularly review and assess the effectiveness of Disaster Management by District Groups and Local Groups (the review has not been provided with a copy of regular review reports but has been provided with reports into specific disaster events).

(c) establish and maintain arrangements between the State and the Commonwealth about matters relating to effective Disaster Management (the State Plan does not highlight or summarise any of these arrangements to the extent that they can be utilised during a disaster event). The maintenance of these linkages are a feature of all State Agencies with their Federal counterparts. They need to be incorporated in the State Plan and regularly updated.

(d) ensure that Disaster Management and disaster operations in the State are consistent with the Group's strategic policy framework for Disaster Management by the State (this review is a step in this direction).

(e) manage and coordinate the business of the Group and to coordinate State and Commonwealth assistance for Disaster Management, disaster operations (a standard function for the Executive Officer on behalf of the Chairperson).

(f) ensure that persons performing functions under this Act in relation to disaster operations are appropriately trained. (There remain numbers of people at all levels who require training despite a concerted effort by the XO through EMQ regional personnel in recent years.)

(g) appoint under Section 27 the Executive Officers of District Groups.

(h)   regularly report to the Group about the performance of the XO's functions.

(i)   support the Group in the performance of its functions.

In addition to these roles, the review was advised that the State's practice in recent events is that the Executive Officer of the State Group also assumes overall responsibility for coordination of the State's operational response.

The Act currently prescribes unreasonable and unsustainable expectations onto any one individual appointed as the SDMG Executive Officer. An Executive Officer should have a specific role to support the State Group, and in time of disasters, this is considered a full-time role. In non-disaster time, it is simply not practical for one individual to satisfy all of the other functions assigned.

In practice, the arrangements are that the Department of Community Safety, through its Division of Emergency Management Queensland, endeavours to fulfil all of these functions. The Department, through Emergency Management Queensland, has modest resources in regions throughout Queensland, including Regional and Area Directors with a range of roles including to support District Disaster Coordinators as Executive Officers, and to ensure acceptable standards of training for all involved in Queensland's Disaster Management arrangements and to ensure the effectiveness of Local and District Plans which, in turn, inform the State Plan.

The Department of Community Safety should therefore be assigned many of the functions currently assigned to the Executive Officer, so that an Executive Officer can perform the appropriate supporting role for the State Disaster Management Group along the lines of the role recommended for District Groups. That is, to advise the Group and Chairperson of the Group about matters relating to Disaster Management that are relevant to the State's Disaster Management Plan, and Disaster Management strategy, policy and intentions, and to take executive action as directed by the Group. For example:-

▪   advise and provide support services to the Group to facilitate Disaster Management in

the State, including the strategic direction for further enhancement of arrangements;

- regularly review and assess, in consultation with Group members, the appropriateness and comprehensiveness of the State Plan and its sub-plans;

- advise the Chairperson of the Group during disaster operations, including SITREPS and media releases; and

- take action or oversee, on behalf of the Chairperson, the satisfactory completion of agreed Group tasks and report back.

The review noted that in many respects the State Disaster Management Framework has not been adequately developed or supported, despite the dedication, commitment and performance of the individual assigned to the Executive Officer's role. The role is beyond the capacity of any one individual, especially in the environment of numerous recent disasters.

The review understands that the conception of Emergency Management Queensland was to provide the capacity to undertake some of the roles that have been specified for the Executive Officer. These roles should preferably be separated out from the XO role and assigned to the Department of Community Safety and EMQ as part of that Department.

7.3.9 Overall Control of Disaster Events

There are a number of options that the State, through the Chairperson, SDMG, needs to consider in making this determination, even if on a disaster event by event basis. The Chairperson of the State Disaster Management Group should assign responsibility for this role generally for frequently occurring natural disasters or in each particular disaster where the role has not been previously defined. Earlier, it was confirmed that the role has been assigned in the case of many National/State Agreements including the National Counter Terrorism Plan. In the case of Agency-specific disasters not covered by National Plans, a decision may be self-evident, for example mining disaster – a senior officer of the Department of Employment, Economic Development and Industry (Mines).

The review has considered a number of issues in respect to this determination for regularly occurring State natural disasters. Key points to be noted in arriving at a decision are:-

▪ Stakeholders want a person appointed to this role and need to know at a very early stage in the disaster event who the person is.

▪ There are differences of view about whether the person should be the Director-General of the Department of Community Safety, the Chairperson of the State Disaster Management Group, the Commissioner of Police, a lead agency CEO, or the Executive Officer of the State Disaster Management Group (but more appropriately expressed as the Executive Director of Emergency Management Queensland rather than the XO to SDMG).

▪ The person commissioned to be in charge at State level must be assigned full-time to this role during the critical period of response to the disaster and the early recovery phase.

▪ The person in charge needs to have a detailed understanding of, and experience with, the State's Disaster Management arrangements and of the Plans and policies that support those arrangements.

▪ The Controller must have extensive experience in command and control of disaster events and in non-disaster times build the relationships at State level and Federal level necessary to support those events.

▪ The position must have depth of support through back-up equivalently experienced resources that can ensure a sustained 24/7 operation and take over at any time from this individual should the need become evident during a disaster event.

(Any arrangement that relies on a single individual, such as an Executive Officer to a State Group, working 24/7 for one to three week periods is not a sound foundation on which to build the State's Disaster Management response capability.)

▪ The person should have the public profile to inspire community confidence in times of disaster, and the standing with State, District and Local levels in the Disaster Management system to be acknowledged as a leader and director of activities at such times.

One option is for the position of Executive Director, Emergency Management Queensland, to be assigned the Controller/Coordinator role for all disasters other than those that are specified in other National Plans and Agreements. Issues in such an appointment are:-

▪ The incumbent of the position is required to have the experience and qualifications to perform this task. However, the position currently is not supported by a depth of similar senior executive capability and experience within EMQ to step up and relieve or take over this role when required during a protracted disaster event.

▪ It is not feasible for one individual to effectively perform this role as well as the Executive Officer's role to the State Disaster Management Group as currently defined, during a major protracted disaster event.

▪ The authority and standing of this position based on stakeholder consultation would be supported in some quarters but not in others.

- EMQ through its Department can access immediate back-up support from Fire and Ambulance Services, however during disaster events these organisations are relied upon to control/coordinate their own emergency response.

- The community would need to be educated in respect to the role and the incumbent appointed to it so that the level of standing of the position is achieved in the eyes of the community. The review did not accept as a basic principle the DCS assertion that the organisation (EMQ) charged with the responsibility for overseeing and supporting the State's Disaster Management arrangements was the only organisation or individual that as a matter of sound principle could assume control of a disaster event. The arrangements need to be sufficiently robust so that others can take control of disaster events as already required under a number of current Federal/State Agreements.

- The review noted concerns expressed by some stakeholders that EMQ personnel lacked the standing and experience for the role. Others expressed support for EMQ in this role.

- The Executive Officer, EMQ, is a member of the State Disaster Management Group through virtue of role as Executive Officer. If the Executive Director is to be the Controller of events, then the Executive Director should be a member of the Group with another appointee to the Executive Officer position to properly support the Controller and the Group during a disaster event.

Another option is to appoint the Commissioner of Police or the Commissioner's nominee. Enquiries reveal that a Commissioner of Police, or the Commissioner's senior nominee, is always appointed to this role as Controller in other jurisdictions for sound reasons that include:-

- Commissioned Police Officers and their non-commissioned ranks are the individuals charged with protecting life and property and keeping peace and good order in society generally in their everyday role.

- Police have a community-based focus and obligations. They are the organisation to which the community turns in times of trouble, and this includes disasters. Members of the community accept that Police Officers have powers to advise, direct and support people during such times.

- Police Commissioned Officers have all had extensive disaster and emergency management training and are practised in these skills in their roles as incident controllers, and in Queensland District Disaster Coordinators for a range of small and large incidents and for the management of disasters.

- Police Assistant and Deputy Commissioners – some 13 officers have the capacity and capability to perform the role backed by strength in numbers of Chief Superintendents and Superintendents.

- Police Officers in their normal role have powers that enable them to deal with a range of community issues prior to the declaration of a disaster, and have the critical mass of capability that is supported and scaleable throughout the State.

- A Police Controller would deal with State and Federal counterparts and DDCs as they would in day-to-day roles.

- Police respond on a daily basis at District level to commands from HQ and Regions and, in turn, District Officers who are the DDCs currently have daily roles to command and control subordinates.

- A Police Service like QPS therefore has over 200 officers fully trained and experienced to control operations and has backup capability through the Public Safety Response Team and Specialist Support Branch to deploy up to 200 fully trained additional resources to disaster frontline areas.

Concerns were raised by some stakeholders in respect to an apparent lack of experience or commitment by certain District Officers to this task. The nomination of appropriate officers and provision of dedicated time to Disaster Management and training would deal with any such concerns were they to be verified.

The Queensland Police Service is the more appropriate and logical organisation that has

the credibility, experience and resource capability, in the viewpoint of this review, to fulfil this role adequately. This is the most appropriate, effective and lowest cost solution and one in step with other jurisdictions in Australia. The Queensland Police Service has advised that it would appoint a dedicated Assistant Commissioner to perform this role supported by a cohort of Assistant Commissioners to ensure depth of response capability, especially if it was necessary to control multiple disaster events simultaneously.

This arrangement would also provide a complementary benefit in that it would help to ensure that EMQ was in a position to focus on developing, maintaining and evaluating the Disaster Management system, providing training, developing strategy and policy for SDMG consideration, and ensuring consistency, adequacy and comprehension of Local, District and State Disaster Management Plans. In an emergency, EMQ personnel would be active in roles as the supporters and enablers of the system on Local, District and State Disaster Management Groups, but not in control of the disaster event response.

Recommendation 8

The Commissioner of Police, through a dedicated Assistant Commissioner (supported by a cohort of Assistant Commissioners to ensure adequate coverage), be assigned responsibility for overall control of each natural Disaster Management event in Queensland as the preferred arrangement.

7.3.10   Trigger points in the escalation and declaration of disaster events

Any level of the State's Disaster Management Framework, that is, State, District or Local, can be activated at any time without declaring a Disaster. The State Plan, however, specifies that if Chairs at Local level or DDCs activate, advice of that activation must be conveyed to the Executive Officer of the State Group. Activation at State level is initiated by the Chair and the Executive Officer, with advice to relevant District and Local Groups.

If Lead Agencies responsible for disasters activate immediately they are notified of a problem and let the Executive Officer of the State Group know, then in turn, relevant DDCs and Local Groups should be immediately alerted that a disaster is likely to occur. These arrangements are reflected in the State Plan, but need to be reflected in the Plans

of Lead Agencies responsible for managing specific kinds of non-natural disasters. It may be prudent to reflect this as well in the Act.

The State Crisis Communication Network could be immediately activated to provide information and reassurance to the community about impending terrorist events or health-related threats. The State Disaster Coordination Centre can be activated to fulfil its functions.

If the arrangements are working as intended, and if they are well rehearsed, then all levels would be activated and involved at the outset of a disaster event, even if standing ready to respond. Trigger events are therefore available to ensure all involved in Disaster Management in Queensland are immediately informed if any level of the Disaster Management system is activated for an event likely to occur or which is occurring.

In respect to trigger events in disasters that are expected to have Local or District impact, Local levels or District levels are afforded the discretion to seek assistance from a higher level if unable to adequately respond (due to resource constraints, disruption etc). This convention may need some additional trigger event definition.

Stakeholders confirmed that:-

- Local levels are sometimes reluctant to acknowledge that they need help before they are at the position where they are being overwhelmed by the event;

- Local levels may not recognise or appreciate the scale of the event and may not be working as collaboratively with neighbours as is necessary to determine overall priorities;

- an individual Disaster District may not appreciate the overall significance of the event in widespread natural disasters when many normal communication channels are destroyed;

- there are also reports at a Local level of cynicism about the capacity of the State to assist and a tendency for larger Regional Councils to draw on neighbouring Councils

and other organisations for support without using the escalation process through Districts to State level.

In specifying trigger points for escalation, State Government needs to be sensitive about the goodwill, pride and commitment of local and district communities in dealing with events, and not create expectations on the State that cannot be fulfilled.

Some suggested trigger points for Local escalation or District activation and, where necessary overall control, for discussion and negotiation with Local Disaster Management Groups and District Disaster Management Groups might include:-

- at a point where more than one Local Government area is involved;

- at a point where the Local Disaster Management Group does not have authority for, or the resources for, a response it desires to deploy;

- at the point where it seems apparent that significant damage has occurred to State or Commonwealth assets that require a higher level State appraisal than available locally;

- at a point where local event controllers are unable to deal with all of the issues due to the size of the disaster, large number of requests for assistance, shortages of backup support, communication etc.

Disaster Districts should escalate when trigger points are reached such that:-

- the authority to deploy assets or resources within the District by relevant State Agencies is exceeded;

- the event involves more than one Disaster District and damage to State assets is likely to be considerable;

- multiple Disaster District coordination roles would reside with Regional Assistant Commissioners of Police who should have the authority to adjust District arrangements and the flexibility to suit circumstance as necessary to deal with each disaster event.

Trigger points should be determined jointly by Local, District and State levels following informed discussion, and incorporated in all relevant Plans.

Recommendation 9

Suggested escalation trigger points be discussed with District Disaster Coordinators and Local Disaster Coordinators, and if considered practical and useful, be incorporated in Local, District and State Disaster Management Plans.

7.3.11   Integrated State Information and Communications Systems

At the present time, there are different communication systems and different incident management and control systems operating throughout the State. Disaster Management responses will not be well coordinated until there is one common integrated communications and incident management system, or several compatible systems able to work as one, able to link Local with District with State across all Agencies. The system requires redundancy and backup as disasters destroy power sources and overload data and telecommunications systems.

This project is a significant undertaking and would require investment on behalf of the State and Local Government. The size and complexity of the task should not be underestimated and a staged approach might be appropriate building on the following:-

- Local Governments are already starting to adopt a commercial incident management and control system which might be thought of as at least one of the options for a standard for Local Councils.

- EMQ has recently procured the rights to a New South Wales Emergency Service request for assistance and tasking system, the RFA system, which has been provided to Queensland on the basis that it is used by government within the SES framework. (It may have some limitations in that it is not a web-based system.) Some Local Councils have considered the product and consider that modification cost might be involved to suit local arrangements.

- The AIIMS (incident management) system is in use in some Agencies but not in others. This review recommends that a useful policy consideration of the State Disaster Management Group would be to prepare a Plan for enhancing the State's disaster communication and logistics systems and to implement that Plan at all levels in a three

year timeframe. In view of the recent interim report into the Victorian bushfires, this project does require urgent attention.

Recommendation 10

The SDMG commission the Department of Community Safety and seek the necessary funding to develop and enhance the Statewide Disaster Management information and communications system building on alternatives already in place and in consultation with all levels of Government.

7.3.12   Disaster Recovery Arrangements

The Department of Communities CEO or nominees chair the State/District Community Recovery Committee/s responsible for the preparation and implementation of District Community Recovery Plans following a disaster. The Department of Communities has prepared an excellent District Community Recovery Plan planning template with comprehensive guidelines including Memorandum of Understanding between government and non-government signatories for the provision of community recovery services following a disaster. Consultation with Local Government revealed that there is lack of clarity and understanding at the Local level about the State's support and leadership role in recovery phases following a disaster event. The contribution of certain State agencies to Local and District recovery planning and subsequent recovery action has been less than that required.

Councils acknowledged the efforts of the Department of Communities and their leadership in respect to community and social recovery issues. They confirmed that there was variable participation by State leaders in infrastructure, environmental and economic and industry recovery initiatives applicable at District and Local levels. Councils unanimously indicated that they need to be supported more effectively by State Government during lengthy recovery phases following disasters.

The review notes the operation of the State Disaster Mitigation Committee which may have a significant role in both disaster prevention and disaster recovery phases through determination of priorities and directing the State's resources to areas of highest need. A

State Disaster Recovery Plan is also being developed.

Other suggestions made to the review included:-

▪ the need for the law to more clearly articulate the phases of a disaster event and provide more detail about arrangements that are to be put in place during the recovery phase;

▪ to ensure clear leadership at State level for infrastructure, environmental and economic and industry recovery activities to complement the leadership evident for community and social issues;

▪ to ensure that leadership of these three elements, together with current community and social leadership, was available at District level throughout the State to develop District Plans, support Local Government in the development of their complementary recovery plans, and actively support recovery efforts;

▪ to clearly link response and recovery arrangements so that Coordination Centres do not stand down until suitable recovery leadership arrangements are in place at Local, District and State levels;

▪ to ensure these leadership arrangements remain in place until local recovery is substantially completed.

The Auditor-General Review Report of 2004 noted the lack of business continuity planning and management preparedness and planning in the Disaster Management system generally. Whilst preparedness and planning for community and social recovery issues has been well advanced, arrangements for infrastructure, environment and industry are not as well developed.

It would be desirable to provide for recovery arrangements in the Act and to mirror these arrangements in State policy and in the State Plan, with links to all of the relevant District Recovery Plans including the identification of leaders of the particular elements of recovery and key relationships and linkages with Federal counterparts.

The concept of task forces led at times by an eminent and respected community leader

(such as occurred after Cyclone Larry) is also acknowledged as a strength. If the leader has a strong background at Federal level (either Australian Defence Force or Public Service), then the capacity to gain immediate and effective action at Federal level can be enhanced.

It is also salient that the Department of the Premier and Cabinet, whose Director-General chairs the State Disaster Management Group, is the Department that does establish and maintain strong linkages and relationships with the Federal Government, and thus could nominate key relationships and maintain contact details for appropriate personnel in the State Disaster Management Plan. The review notes that contact details need to be contained in a readily updated addendum to the Plan and not released publicly for privacy reasons.

Recommendation 11

- **The State *Disaster Management Act* be strengthened by a description of the phases of Disaster Management with emphasis on the key elements within each phase including the recovery phase;**

- **Lead Agencies and nominated leaders in each area of Queensland for each of the four key elements of recovery be identified and provided with the appropriate training and familiarisation of their role to ensure the adequacy of planning at District and Local level throughout Queensland;**

- **Lead Agencies be responsible for maintaining strong relationships with counterparts at the Federal Government level to ensure necessary Federal support for State and Local recovery initiatives after disaster events;**

- **Response arrangements remain in place until the State Controller is satisfied that recovery leadership arrangements are in place at Local, District and State levels;**

- **Recovery leadership and support from State level remain in place until local recovery is substantially completed.**

7.3.13 An Integrated Approach to the Management of Donations and Volunteers

During disasters, it is frequently the case that Australians willingly offer assistance, including financial, goods and services, contra-arrangements or the donation of their own time.

The coordination of these arrangements should be an integral part of any State Disaster Management process but should not interfere with calls for help or tasking of response support. At the present time arrangements are in place within the Department of the Premier and Cabinet to manage State and National donation arrangements when these involve financial donations. Local Governments have a variety of arrangements in place, often intertwined with calls for assistance. In the event of donations of kind or contra-arrangements, or the desire by individuals to volunteer their time, the coordination requirements can be considerable and need to be linked to the Disaster Management response and early recovery arrangements to ascertain whether such offers can be safely accepted. The more significant the disaster event, the larger the logistical exercise of dealing with donations, other offers of assistance and volunteers.

At State, District and Local levels, linking arrangements must be established to ensure:-

- The State coordinates donations on behalf of Local Government for major events.

- State, District and Local levels devise ways to interlink offers of assistance to appropriate liaison or support officers in Control Centres to ascertain whether offers of assistance could safely add value and how they are to be taken up and coordinated.

Recommendation 12

The SDMG lead an initiative to deal at all levels with offers of assistance and donations from the general public in the event of disasters.

7.3.14 The State's Disaster Coordination Centre

At present the State has a central coordination location (the State Disaster Coordination Centre) at Kedron for the control of State disasters, where a range of Departments are

represented including EMQ, the Queensland Police Service, Department of Community Safety, Department of Communities, and other Agencies that might be directly involved in orchestrating a whole-of-State response through District Disaster Coordinators at District Control Centres and Local Disaster Control Centres. Other control locations and arrangements are in place at a State level including the State Crisis and Communications Centre to deal with counter-terrorism and information flows associated with Disaster Management issues. This latter centre could possibly be assigned media and communication roles for all disasters in a close working relationship with Kedron so that Kedron was able to focus on its coordination and control role and the provision of situation reports to SDMG.

The Police Communications Centre also serves as a command, control and coordination centre in times of emergencies or incidents including disasters. However, it may be prudent to utilise Kedron for disasters and leave Police Communications to deal with its usual life-threatening priorities in times of crisis. If the recommendation to appoint a dedicated Assistant Commissioner to control natural disaster events is supported, then this officer would determine the best use of DCS and EMQ facilities at Kedron including available aerial services in leading response to the event.

At this stage the State does not have one integrated Incident Management and Control System to be used by all in the event of a disaster. The endeavour over recent years to create one communications system with the one emergency number for the community to seek help in the event of a disaster and task emergency response, does not perform reliably when dealing with large volumes of requests. Stakeholders revealed some very concerning delays because of unreliable overload redirecting arrangements. Improving these arrangements is a priority.

Recommendation 13

The SDMG lead an initiative to integrate and/or inter-connect all of the control centres involved at all levels of the Disaster Management system in Queensland as part of the project to integrate State communications.

7.4 Local Disaster Management Arrangements

The recent LGAQ sponsored Disaster Management Conference at Emerald confirmed unanimously that local government must remain the foundation of Queensland's Disaster Management framework and system. Local Government plans for, responds to, deals with and leads recovery effort for local communities. Local Disaster Management Groups work with and through Disaster Districts to the State Government level.

7.4.1 Strengths of the LDMG

- The LDMG contains the people with the knowledge and experience of local issues, and the resources and community of interest issues required to oversee the strategy, agreed approaches and plans to manage disasters for their local communities and to determine when and where outside assistance is required.

- Elected representatives and officers of Councils point out that any action on the ground at a local level needs to be guided (commanded, controlled and coordinated) by local people who know all of the local issues. (Note that local people usually always include Police Officers, Teachers and Health Professionals, Fire Officers, Ambulance Officers and other State agencies including EMQ who are members of the LDMG if represented at the Local Disaster Coordination Centre.)

- Local support from SES units established within Local Government areas provide the first line of support to communities in times of trouble, along with local response agencies such as police, fire and ambulance. Backup response from Local and State Government volunteers and the Australian Defence Force is also available for serious large events.

- Local groups are best placed to develop local preparedness, response and recovery plans and have the local knowledge to properly inform that planning. They require support from District Disaster Coordinators and EMQ to ensure Plans are adequate and effectively interlock with District and State Plans.

- The involvement of local Police Officers, other response services such as fire and ambulance, local representatives of other State agencies and Regional/Area Managers of Emergency Management Queensland, ensures effective coordination across agencies locally and provides necessary linkage with District and State Management Groups.

- Event operational control centres, maps, other information and intelligence, and communications systems can be effectively established at Local level to deal with events up to a certain scale provided preparation and planning are adequate.

- The active involvement of elected representatives on the Local Disaster Management Group is considered important. Elected representatives have the necessary skill and experience as Chairpersons and provide a familiar public face to the community to keep them informed about the disaster event, building community confidence about the planned response, and reassure the community about recovery intentions. Elected leaders can do much to promote community confidence at these times. As well, certain Mayors of long standing bring a depth of local community knowledge to a coordination centre team.

7.4.2 Weaknesses of the LDMG (Based on Consultation with Stakeholders)

- Some Council representatives consider that the Local level is insufficiently respected or supported in the application of Disaster Management arrangements by the State. Interventionist roles by any State organisation that undermines the arrangements are unwelcome. This report emphasises that the primacy of Local Governments in response to events should be respected and strengthened.

- The principle of escalation on the decision of a local Controller (operation coordinator) or Chair of a Local Disaster Management Group is appropriate in most natural disaster events, but not all. Some disaster events, because of size and magnitude and/or

requirement for expertise unavailable at local level, need to be directed and controlled from a Federal or State level, down through District level to Local levels, for example, response to a disease or pest outbreak or to major natural events crossing multiple local council boundaries. Even in these cases, an effective response will depend on local control and action.

▪ A Local Disaster Management Group also may not fully appreciate the magnitude of a disaster event initially, and hence escalation to seek help and support may be delayed. This can occur when a local council focussing on its own response is insufficiently aware of the situation of a neighbouring council. In cases where a disaster event crosses council boundaries, District Disaster Coordination arrangements should be activated and be ready to coordinate support.

▪ The current system does not provide sufficient flexibility to enable two-way escalation to easily occur. Agreed and understood trigger points are required within the system and all levels need to respect these.

▪ There is confusion in some Local Disaster Management Groups about the proper role of elected representatives during the management of a disaster – strategic leadership, community communications and profile of event, detailed operational control, or all three. Some elected representatives are reported to assume overall control within Disaster Control Centres with limited knowledge of Disaster Management law, framework or systems, and with limited formal authority to perform the role.

▪ Local controllers or coordinators of a disaster event during a response and early recovery phase must be trained and experienced in the role, be authorised to deploy local council resources and incur expenditure, and have excellent knowledge of the State and District Disaster Management Plans and understand how the Local Disaster Plan and arrangements fit in with arrangements at District and State levels.

▪ Local Groups are not always in a position to respond well in the first instance to all hazards. Some require State support and input at an early stage, preferably prior to a disaster event occurring, for example in the case of public health 'pandemics'.

▪ Capacity for a council to conduct rapid local assessments immediately following a large impact event has been inadequate in a number of recent disaster events. This aspect

will require continued emphasis in EMQ led training.

- Some Local Disaster Management Groups bypass District disaster arrangements and exert influence at State and/or Federal level directly, thus potentially or actually causing duplication, uncertainty and the inappropriate allocation of resources during disaster event responses.

- At other times, State level influence can be exerted directly, bypassing District lines of coordination and control and endeavouring to take over the operational control of an event at the local level.

- It is sometimes difficult for Local Government to ensure the attendance of private sector entities essential to disaster management at the LDMG level, for example telecommunications and power. These organisations are an essential part of the local response.

- There is some confusion and difference of viewpoint between Local Government SES Unit local controllers and EMQ about their respective roles and arrangements relating to deployment and control of the volunteer SES. Clearer guidelines are necessary and relationship building is required in some cases. The Chief Executive has responsibility to develop policies to help the SES perform its functions. Doctrine developed by EMQ is reported to suggest a coordinating and deployment role for EMQ in respect to SES units during disaster responses. This role is not accepted by some Councils. There remain four possible lines of command and control for the SES during responses, namely from EMQ, from Local Government, from SES Coordinators and from DDCs following a disaster declaration. Clarification is necessary and is addressed in Section 8 of this report.

Conclusions drawn from recent evaluation reports into particular disaster events have also highlighted a range of imperfections in Local Disaster Management preparedness and capability. Some of these concerns are raised here because they are considered to be broadly illustrative of the extent of improvement necessary in managing disaster events at a Local level when District and State levels are also involved. Some recurring themes are outlined below, noting that these are based on a sample of local arrangements.

7.4.3 LDMG Issues

- Local Disaster Management Group members were not always sufficiently informed about, nor confident in, the range of Local Disaster Plans, their currency or their own roles within the Plans.

- Formalising strategic decisions and recording decisions based on proper risk assessments was not universally practised, for example, risk based strategic decisions regarding necessary evacuations being incorporated in local plans.

- Some Chairs of Local Disaster Management Groups were insufficiently conversant with the State's Disaster Management arrangements to lead the groups in their important stewardship role in respect to the adequacy of Local Disaster Management preparedness, plans, training and exercises.

7.4.4 Managing Disaster Operations

- Officers-in-Charge of Local Disaster Coordination Centres were not always clearly identified, may not all have the necessary training and experience for the role, and in some cases, were not adequately supported by other trained coordinators/controllers to manage operations on a 24/7 basis over a sustained period of time.

- The capacity of local Coordination Centres to scale up and accommodate District and State supporting arrangements within the one Control Centre was limited, hence the value of establishing a separate District Disaster Coordination Centre when more than one Local Coordination Centre was involved.

- The systems available to coordinate tasking arrangements and seek feedback on completed tasks were underdeveloped and unsuited to events of any significant scale.

- Councils had identified insufficient numbers of skilled personnel to be assigned control and coordination roles in the event of a disaster. Workloads at times were not equitably shared between senior officers in larger Councils, or alternatively, smaller Councils lacked the depth of available experienced senior people.

- It was considered necessary to acknowledge local coordination responsibilities as a core component of the officer's role.

7.4.5 Managing Information

▪ Information management systems were not fully effective, making it difficult to produce comprehensive situation reports.

▪ There were insufficient trained resources to perform urgent initial damage assessments in the event of a major disaster. The adequacy of response therefore lagged behind what was required, whether at Local, District or State level.

▪ The extent of administrative support for Coordination Centres was under-estimated.

▪ Calls for assistance and information systems dealing with the tasking based on these calls were not sufficiently robust and resulted in slow deployment of resources including SES deployment.

7.4.6 Issues Involving District and State Levels

▪ For major disaster events, the extent of support provided and input desired by politicians and State Agencies could quickly place an unrealistic burden on local arrangements. Some requests were considered unnecessary and disrupted emergency response.

▪ The capability of Disaster District arrangements to provide a necessary buffer for Local Council against the direct intervention by State trying to be helpful but in effect causing problems, needs to be emphasised.

▪ The critical link that liaison officers at a District level play with Local Government should be strengthened.

▪ The management of volunteers including the SES could be problematic because of their confused lines of accountability to Local and to State levels.

▪ Requirements for evacuation centres, emergency shelters and community recovery centres were insufficiently planned and resourced, and information provided to the community about the Centres was not well coordinated.

7.4.7 Education, Training and Exercises

▪ The State Disaster Management system is still relatively underdeveloped, and the requirement for education, training and exercises is significant throughout the State.

- Concerted effort will be necessary to achieve a satisfactory level of preparedness in Plans and in levels of competence for all individuals involved. (This is a large task and priority should be afforded for highest risk events and highest risk geographic areas.)

The review noted the considerable investment by the Department in training and exercises. The review also noted the investment by LGAQ and QTC in establishing Local Government Infrastructure Services and the consultancy service offered by that group to Local Governments to ensure their Disaster Management was effective. This initiative, and other consultancy services offered, may be one indicator to suggest that EMQ, with current resources, may be finding it difficult to adequately support the arrangements throughout Queensland at present.

The review was mindful of all of these issues in formulating recommended changes to legislation and changes in the way in which the State is endeavouring to lead and coordinate the State's Disaster Management arrangements.

7.4.8 Resourcing Disaster Management Arrangements

Many smaller Local Governments have scarce resources. They have a low rates base and other funding is primarily tied to purpose-specific programs. They have limited capacity to dedicate time, effort or resources to the Disaster Management system. They endeavour to comply with the requirements within such constraints.

Once the Disaster Management system is activated, smaller Local Governments may immediately require additional resources to manage external relationships such as volunteers, emergency shelters, public information and coordination with State Agencies. These resources may not be readily available within the Local Government area. Their Local Plans should reflect a requirement for immediate District or State backup for certain disaster events.

7.4.9 Under-estimation of Resource Requirements

The activation of a Coordination Centre requires many people with specified roles and responsibilities and a depth of backup. This means trained people who know their job well enough to operate in a crisis situation sufficient to work a 24 hour shift rotation for days

and possibly weeks. Desktop exercise may not sufficiently replicate the reality of operations, even for larger Regional Councils.

The centre also requires well organised procedures and protocols. Ability to write good SITREPS and briefs and to have the right type and number of coordination meetings with the right people in attendance is what makes a 'system' work well. The District's liaison officers representing State Departments all play a part. Providing healthy meals and proximate accommodation to support a 24 hour roster for Coordination Centre personnel is a basic but essential requirement.

The review, from all of its consultation, concludes that planning at Local level has improved in recent years but now requires updating and testing through exercises with District and State levels to ensure robustness and to elevate it to a higher level. Once the response phase of a disaster is concluded, Council staff may be fatigued. However, recovery demands and the reality that normal business has been unattended during the disaster, results in their return immediately to another stressful situation. Business continuity planning is a necessary part of disaster planning and readiness including the means to deliver essential public services during and following a disaster event.

Individual Local Governments are satisfying their obligations to plan and rehearse Disaster Management within their own boundaries. They do not always have the capacity to arrange exercises with surrounding Councils and Disaster Districts. EMQ has the role of ensuring that adequate levels of preparedness are achieved through such exercises.

7.4.10 A Local Focus and Commitment

Local Governments represented at the Emerald conference confirmed that the Local Government sector is prepared to invest in developing and maintaining their own capability to manage events locally. However, they expect the State to fulfil its part in properly supporting their endeavours. They acknowledge the necessity to adhere to State and District requirements when managing certain types of incidents, but expect the requirements to be clear and delivered through agreed Disaster Management channels. As was quoted recently in a submission by an officer summing up on behalf of a number of Local Governments to illustrate that more support and relationship building between State and Local levels is necessary:

"Councils that invest in Disaster Management and establish all of the necessary plans and arrangements, only to see the State take over in major disaster events, question why they bothered.

Councils who invest only minimally look to the above example and question whether investment is worthwhile if the State is going to take charge anyway.

The State uses the latter category of Councils to justify taking over.

Much of the existing Disaster Management policy was developed with limited consultation."

This comment provides a salutary reminder of the requirement to all charged with leadership responsibility for Disaster Management to exercise collaboration and relationship building as the means of achieving improvements necessary in the State's Disaster Management arrangements.

7.4.11 Conclusions

The Agency responsible for the effectiveness of the State's Disaster Management arrangements at all levels is the Department of Community Safety and, specifically, Emergency Management Queensland. Legislative and policy change may assist with clarifying some of these arrangements. A significant amount of continuous effort is necessary with all of the people involved in planning, training and exercises, conducting

regular assessments and providing reports, and developing integrated systems, so that all can be confident that all levels in the system including Local levels are well prepared to deal with major disaster events. Support and leadership from State level during recovery phases also requires a greater focus.

All involved in managing recent events have, according to reports, made enormous contributions. Success has depended on the efforts of individuals and their strength of collective action in a crisis despite systemic imperfections. However, the recent storm events in Brisbane and Cyclone Larry in North Queensland are reported to have pushed resources to the limit. Systems, plans and protocols must be improved as the basis for dealing effectively with more protracted disaster events. Improvement is considered a priority.

Recommendation 14

EMQ resources be directed to continually improving, monitoring and regularly evaluating the State's Disaster Management system with a priority focus on providing support to Local Government levels including interlinking exercises involving District and State arrangements.

7.5 Disaster District Arrangements

The middle level of Queensland's Disaster Management arrangements is currently based upon 23 Disaster Districts that collectively cover the geographic area of Queensland. These boundaries are reported to have served the State well for many decades. They are based on Queensland Police Service Districts which aligned with former Local Government boundaries based on community of interest issues. The Police Districts are the basis of that organisation's structure, aggregation of police stations and resources, command and control arrangements, and incident and emergency response management arrangements. Disaster Districts are led by a District Disaster Coordinator (DDC) who is a Commissioned Police Officer at the rank of Inspector or Superintendent whose normal role is District Officer in command of the Police District. District Officers are expected to know their Districts and the communities within them.

The Act establishes District Disaster Management Groups built around the concept of the Disaster District. They are chaired by the DDC and comprise representatives of all relevant District-based State Agencies and other infrastructure/utility service providers.

The Act confers on the District Disaster Management Group obligations such as:-

(a)   to ensure that Disaster Management and disaster operations in the District are consistent with the State Group's strategic policy framework for disaster management for the State;

(b)   to develop effective disaster management for the District, including a District Disaster Management Plan, and regularly review and assess that Disaster Management;

(c)   to provide reports and make recommendations to the State Group about matters relating to Disaster Management and disaster operations in the District;

(d)   to regularly review and assess the Disaster Management of local groups in the District;

(e)   to ensure that any relevant decisions and policies made by the State Group are incorporated in its Disaster Management, and the Disaster Management of local groups in the District;

(f)   to ensure the community is aware of ways of mitigating the adverse effects of an event, and preparing for, responding to and recovering from a disaster;

(g)   to coordinate the provision of State resources and services provided to support local groups in the District;

(h)   to identify resources that may be used for disaster operations in the District;

(i)   to make plans for the allocation, and coordination of the use, of resources mentioned in paragraph (h);

(j)   to establish and review communications systems in the Group, and with and between local groups in the District, for use when a disaster happens;

(k)   to ensure information about an event or a disaster in the District is promptly given to

the State Group and each local group in the District;

(l)   to prepare, under section 53, a District Disaster Management Plan;

(m)   to perform other functions given to the group under this Act;

(n)   to perform a function incidental to a function mentioned in paragraphs (a) to (m).

The essence of the District Disaster Management Group role is to ensure:-

- the comprehensiveness of Disaster Management planning for the District;

- the integration of planning and response arrangements with all local groups;

- the compatibility of communications systems; and most importantly

- the effective identification of all State Agencies and other service agencies and coordination of the resources that they can commit to support District and Local responses in the case of a disaster.

The functions of District Disaster Coordinators are:-

(a)   to manage and coordinate the business of the Group;

(b)   to ensure, as far as practical, that the Group performs its functions;

(c)   to coordinate disaster operations in the Disaster District for the Group;

(d)   to regularly report to the State Group about the performance by the District Group of its functions.

The DDC has a clear overall coordination role and in a declared disaster has the formal authority (powers assigned in law) to command and control the disaster event including all people and equipment.

The Executive Officer of a District Group is currently appointed by the State in consultation with the District Disaster Coordinator and has functions which include both advising and supporting the Group as well as to regularly review and assess the District Disaster Management Plan and Local Disaster Management Plans for the District and ensure that

Plans are consistent with any relevant Disaster Management guidelines.

In recent times Regional and Area officers of Emergency Management Queensland have been appointed as Executive Officers to District Disaster Management Groups. It is clear that in respect to planning, the role has been assigned in the Act to the Executive Officer to ensure the Plans are consistent with any relevant State guidelines, an acknowledgement in legislation that the Executive Officer has both supporting as well as executive compliance roles in respect to the District Disaster Management Groups' Plans.

Consultation with DDCs and State Agencies with regional presence confirmed that issues that need to be addressed in respect to Disaster District arrangements are:-

▪ Disaster District boundaries and aggregations need to be reviewed and revised in the light of larger local authority aggregations (Regional Councils) and changing capacity of State Agencies and other agencies at District and Regional levels throughout Queensland.

▪ Disaster District arrangements must be sufficiently flexible to enable scaling up when disasters involve several Districts or parts of Districts.

▪ The role of the Queensland Police Service Commissioned Officers as Chairs of Disaster Districts should be provided in the Act.

▪ Current Executive Officer arrangements need to be enhanced and clarified and also incorporated in legislation.

▪ The participation of some State Agencies in District Disaster arrangements requires strengthening as does participation and contribution by private sector organisations delivering essential utility and infrastructure services.

- The personnel involved in District and/or Regional Disaster Management coordination and supporting roles need to be sufficiently senior and authorised within their respective agencies to commit the State's resources to support Local Disaster Management Groups in dealing with disasters at ground level.

7.5.1 Disaster District Coordination and Boundaries

Police have exercised a District leadership and coordination role in the management of incidents, emergencies and disasters for many decades in Queensland. Understandably, the Queensland Police Service has used its own Police District boundaries as the aggregates for Disaster Districts, as these were aligned with particular communities of interest and local authority boundaries in earlier years.

Since this time, Council aggregates and boundaries have changed, and the shape and scale of State Agency capability throughout Queensland has also changed. There is great diversity in the scale and capability of Local Councils, just as there is variation in the capability of State Agencies and other utility service providers in various parts of the State.

The first observation that can therefore be made is that no one model of Disaster District arrangements will suit all areas of Queensland, and that different arrangements might be appropriate in different parts of the State to suit particular communities of interest, Local Government boundaries and State Agency boundaries.

In decentralised, lower population areas of the State that cover vast geographic areas, it is likely that minor amendments to current Disaster District boundaries to account for recent Local Government boundary changes might provide sufficient adjustment to achieve enhanced coordination.

An additional feature to be assessed is the capacity of State Government to contribute to District Disaster Management Group meetings and obligations including contribution to the District Disaster Management Plan, and the authority to commit their Agencies' resources to support local responses at grass-roots level in the preparation for, response to and recovery from a disaster event.

Appropriate boundaries are not likely to be determined if overly simplistic rules are applied,

for example if Agencies have few larger regions, their Regional Director can support only the same number of Disaster Districts. District support arrangements should be influenced by issues such as the location of resources, access arrangements during disasters, day-to-day working relationships and appropriate delegation of authority to Agency officers to approve the use of that Agency's resources. Communication ability in times of a disaster event is also important. District community of interest issues would also play a part. At times the nature and geographic spread of the disaster would also influence preferred District response arrangements. Flexibility in arrangements at these times may be necessary, respecting that the formalised District aggregates will be the basis of planning, coordination and exercising prior to disaster events.

In summary, District arrangements need to complement/support Disaster Management response capability to the greatest extent practical.

In keeping with the underlying principle of the *Disaster Management Act*, it would be important that the Chairpersons of District Disaster Management Groups, together with their Regional Assistant Commissioners, consult with Local Governments and other State Agencies represented in their geographic areas and community of interest areas, and seek their input, and hopefully, concurrence on revised preferred Disaster District arrangements.

In structuring revised Disaster District arrangements, the following issues raised in consultation during the review should be taken into account:-

- Certain regional Councils now have much greater Disaster Management capability than previously.

- Disaster events will cross Disaster District boundaries and hence flexibility in Disaster Management arrangements, especially during the response to the disaster phase, is necessary.

- For the largest regional Councils in the south-east of the State, the District Disaster Management Group and a Local Disaster Management Group might choose to coalesce for certain disasters involving only one Regional Council area and work as an integrated unit. In this case the District Disaster Coordinator would retain the responsibility to coordinate the State's support and response to the Local Government concerned.

- It is important that Disaster Districts cover more than one regional Council area in certain parts of the State such as the south-east, where major storm and flood events can involve two, three or four regional Council areas. The District Disaster Coordinator role becomes quite critical for events involving multiple Councils.

- To provide for local variations, so that Councils in more remote parts of the State might have one Local Disaster Management Group, but a number of sub-groups in more remote community centres in their local authority areas. This arrangement is preferred by certain larger Regional Councils in the South-East as well.

It is considered important that the Queensland Police Service lead the consultative initiative with Local Government and with State Agencies throughout the State to devise revised Disaster District boundaries and indicate the weight of support from Local Government and State Agencies in each of the proposed Districts to be established. Regional and Area EMQ officers should support DDCs in this process and be included in consultation.

The State Disaster Management Group should finally sign off on boundaries. When maps and boundaries are produced for publication in the State Disaster Management Plan, there should be a note that Police Regional Assistant Commissioners will make decisions upon appropriate boundary arrangements in the event of major disasters where flexibility across a number of Disaster Districts is required, and arrangements may need to be established where a number of Local Groups and District Groups that may need to meet in isolated circumstances because of flood for example, are well supported by Disaster District arrangements to effectively coordinate support arrangements by the State to the whole disaster area.

7.5.2 The Role of District Disaster Coordinator

Police should continue to have this role and this should be recognised in the legislation. Police should be assigned this role because District Commissioned Officers:-

- have been specifically trained at local level and at national level to manage disaster events;

- have the responsibility for day-to-day incident management and command and control of emergency events in their Districts;

- have developed strengths of relationships across their Districts with other State Agencies and the leaders of other essential utility service agencies;

- have recognised and established working relationships with the other emergency services in the District;

- most importantly, have established and do maintain working relationships with all Local Councils, including CEOs and Mayors, in support of community policing initiatives throughout their particular District.

Their assigned role is consistent with principles of achieving well-integrated, professional arrangements where DDC roles complement core business competence. Review consultation confirmed that the majority of District Disaster Coordinators perform the role well and devote sufficient time to the planning and preparedness side of the role as well as response and early recovery arrangements. However, questions were asked in respect to the seniority of certain District Disaster Coordinators and the amount of time that they dedicate to District Disaster Management arrangements.

Other issues raised were the continuity of District Disaster Coordinators and whether the current arrangement to have one back-up person in each District was adequate.

Larger District aggregates in future could enable more senior DDC appointments with a depth of back-up appointments in the event of transfer and/or extended disaster periods. Sufficient time needs to be allocated during non-disaster periods to training, the running and participation in exercises, and Disaster Management planning in consultation with all

other Agencies and Local Governments in the Disaster District area.

The Queensland Police Service supports the concept of appointing a specially designated Assistant Commissioner (to be supported by other A/Cs) to oversee Police Service disaster response capability and arrangements and fulfil coordination and control responsibility at State level for disaster events when overall responsibility and control is assigned to the Queensland Police Service.

The suggestion in one evaluation report that Regional and Area Managers of EMQ in future might assume the DDC role is not supported. These officers may have sound training in all of the phases of Disaster Management, and some may have extensive experience from previous careers. However, EMQ lacks capacity to support 24/7 operations. These officers do not have daily command and control responsibilities nor the necessary standing with district and community stakeholders.

Department of Community Safety (EMQ) personnel appointed to Regions and Districts in Queensland have essential roles to continually support Local and District Management Groups develop their coordinated Disaster Management arrangements and to assess the overall efficacy, effectiveness and efficiency of these arrangements. They have full-time roles fulfilling these requirements. There is a requirement for continuous improvement and further development, as the Disaster Management legislation and policy are relatively recent and all levels require planning and exercising enhancement.

7.5.3 Executive Officer Arrangements for a DDC

Positions are currently filled by Regional and Area personnel from Emergency Management Queensland. This arrangement was conceived to help ensure consistency across the State in respect to all phases of emergency management.

In practice, consultation revealed that the arrangements are not working as effectively as they should because:-

▪ Executive Officers have divided roles. They have direct accountability and reporting

obligations to EMQ, and a supporting role as Executive Officers to District Disaster Management Groups. Their primary accountability is to EMQ. This role also has a degree of inbuilt conflict in that the officers appointed to support District Disaster Management Groups are themselves charged with assessing and ensuring the plans and actions of those Groups are consistent with State requirements.

The problem of role division is reported to be exacerbated during response to disaster events where reports indicate that:-

- o Executive Officers can be directed by EMQ to leave their particular role and undertake roles in the management and response to disasters in the local disaster area or other parts of Queensland considered by the Executive Officer of SDMG to be of higher priority. Forward deployment may be considered necessary, but arrangements are reported to have been made without prior discussions/agreements with DDCs.

- o Staff of the Department of Community Safety at Regional and Area level have a broad range of responsibilities to support District and Local levels in ongoing disaster prevention, planning and assessment. Their movement for considerable periods during disaster events can be disruptive to these ongoing arrangements.

- o Of most concern is that the reliance of EMQ on the mobility of its senior people to support Local and District Disaster Management arrangements or State arrangements, contradicts the principle of local and district people with knowledge of the geographic area and strong relationships with the local community having control and coordinating responsibility for managing grass-roots disaster responses.

The review was given examples of Executive Officers being used in other than their supporting Executive Officer roles in disaster areas during the management of disaster events, thus establishing dual lines of reporting directly to EMQ in Brisbane without involving Local or District Coordinators, and causing confusion in respect to the delivery of District and Local responses.

- ▪ EMQ personnel in regional Queensland have a very significant and continuing role in

ensuring that Local and District levels are fully planned and prepared (including exercises) for all hazard disaster events. By all reports they perform this role diligently. It would be difficult to perform this role adequately, as is evidenced by the quite large development tasks for the Disaster Management system still to be completed, if also required for extended duties in other parts of Queensland during emergencies or in roles such as XOs to DDCs.

- Consultation with DDCs revealed their serious concern about the limitations of current part-time XO availability. DDCs have appointed their own Operations Officer to provide continuity of support to the DDC and DDMG and follow up initiatives agreed to support all phases of the Disaster Management process. DDCs also reported the difficulty of having District XOs who were subject to direction from Brisbane and therefore not in a position to fully support the DDC or DDMG. The QPS view is therefore that the currently assigned EMQ Executive Officer role to DDCs is not a viable model.

- For all of these reasons, the review concluded that the Executive Officers to the DDCs should be officers from the Queensland Police Service trained in all aspects of Disaster Management including the State's requirements, and the requirements of EMQ. The Police Service has strength of numbers to ensure the back-up of these positions at District levels throughout the State to ensure consistency and capability during response to disaster events. At least three trained officers should always be available to perform the XO role to a DDC for 24/7 protracted periods for major disasters. These arrangements are cost-neutral compared with others.

- The higher value use of EMQ personnel would be as members of Local Groups and as members of District Groups to guide and assist with preparedness and planning, response and recovery. They would continue to provide training, to ensure information system compatibility, to arrange exercises and to provide reports to EMQ in respect to the adequacy and consistency of the State's Disaster Management arrangements at Local and District levels. During disaster events, Regional and Area EMQ personnel would actively support District and Local arrangements through advice and supporting roles reporting through agreed Local and District arrangements. They would have a role in supporting recovery operations and ensuring that the State's level of commitment was sustained during this phase.

- EMQ officers would then be well placed to assess the effectiveness of Disaster Management throughout Queensland. In this way, EMQ would fulfil its higher value role in developing, maintaining and continuously improving the State's Disaster Management arrangements, and assessing how well arrangements work in practice. They would not become directly responsible for control or coordination of disaster events at District or Local level, or Executive Officer roles at District level.

Recommendation 15

- **Executive Officers to DDCs be serving Police Officers.**

- **Regional and Area officers of EMQ be members of Local and District Disaster Management Groups to enable them to fulfil their Statewide support and governance roles.**

7.5.4 The Role of Non-Government Agencies and Service Providers

Certain Local Governments and State Agencies reported difficulty in attending Local and District Disaster Management Group meetings. Participation in exercises and availability during disaster events is also a critical consideration.

Some Local Governments and Districts have little problem with ensuring all key stakeholders attend meetings, participate in exercises, and devote resources to support and help during disaster events. Strength of relationship is said to be the main catalyst in ensuring this level of involvement and cooperation.

It would be the role of Local Councils, supported by EMQ, to encourage the involvement of infrastructure and utility providers in planning and preparedness activity if they are not part of State Government, and similarly at District level. Should renewed efforts to ensure contribution and cooperation not be successful, then this should be reported to the State Disaster Management Group for further action with the appropriate organisations. Alternatively, the Act could place an obligation on providers of essential services (utilities, telecommunications and infrastructure) to attend and contribute.

7.6 Appropriate Roles in Disaster Management for Emergency Management Queensland and the Queensland Police Service

Managing major disaster response and early recovery phases is a demanding undertaking requiring excellent intelligence, sound judgement, accelerated decision making, speed of action and appropriate measured response. In such stressful circumstances it is to be expected that errors in judgement will occur, systems may not perform as intended, human relationships will be tested and, at times, found wanting. At the end of the day, event evaluation reports confirm that determined, committed people overcome these obstacles to eventually achieve successful outcomes.

It is essential for all levels of Government to learn as much as possible from each event and ensure lessons are incorporated into routine practice. The State Disaster Management Group and EMQ (through the current role of Executive Officer) have responsibility for ensuring that this regularly occurs.

Officers of EMQ would have an enhanced capacity to perform their overall support and assessment role well if they were provided with a greater opportunity to objectively monitor and evaluate the effectiveness of disaster events as they unfold. It would be preferable that they not be assigned set roles such as Executive Officer to DDMGs or SDMGs at such times but rather, be active, contributing members of these groups. Other organisations better resourced could perform XO roles provided the XO, SDMG responsibilities for the whole State system's effectiveness was assigned in law to the Department of Community Safety and EMQ in support of Local, District and State Disaster Management Groups.

It is also apparent from consultation that such an arrangement would enable the State to make better use of its Police and other Agency resources in managing disasters in Queensland. The Queensland Police Service has, as one of its primary functions pursuant to legislation, responsibility for "provision of the services and the rendering of help reasonably sought in an emergency or otherwise as are:

(i) required of officers under any Act or law, or the reasonable expectations of the

community; or

(ii)   reasonably sought of officers by members of the community."

The QPS is the recognised agency that the community turns to in times of trouble. The Police Service has been resourced to provide this support throughout the State and is the only organisation in all parts of the State which performs this role. It has the role, in conjunction with Queensland Fire and Ambulance Services, of responding to emergencies and incidents on a daily basis, including provision of the necessary communications and situation reports back to headquarters. Commissioned Police Officers receive the equivalent of six months' postgraduate level training in Disaster Management. Disaster Management is a core competency assessed and verified prior to obtaining the position of District Officer.

Emergency Management Queensland, from its earliest conception in its various forms, has been assigned the responsibility to develop, enhance and maintain Queensland's emergency management policy, framework and capability and look after or oversee and support the SES. Progress has been made since the more recent Act of 2003 to improve the State's readiness and capability to respond to disasters. However, reports of particular disaster events available to the review, prepared usually by independent consultants based primarily on anecdotal information, confirm that there is an ongoing requirement to more strongly support development and enhancement of the Disaster Management arrangements. For example:-

▪   That relatively short duration but intensive disaster events (eg Cyclone Larry and the Brisbane storms) revealed imperfections in the State's emergency management preparedness and response arrangements at every level.

▪   That these events pushed resources to the point of exhaustion and backup capability was not readily or easily available to sustain response efforts for longer periods.

▪   That these events were relatively short in duration and that more significant natural disaster events of longer duration are likely.

▪   That there is significant room for improvement in the operation of the State's Disaster

Management arrangements, and in particular, the linkages between Local arrangements, District arrangements and State arrangements.

- That EMQ, in endeavouring to coordinate the State's response to disaster events (possibly due to staffing constraints) at times seemed reluctant to support or work within the agreed arrangements.

- That the communications systems that are needed to support responsive and accurate flows of intelligence and information, to receive and process calls for assistance, and to enable effective tasking of frontline personnel are not yet fully effective. Systems are not sufficiently compatible across State, District and Local levels to guarantee an integrated, timely and effective response.

Although it is some five years since the *Disaster Management Act 2003* and much development work is acknowledged, the State's preparedness and capacity to deal with major disaster events has continuing room for improvement. The organisation originally established and assigned the responsibility to ensure this readiness and capacity is Emergency Management Queensland. This organisation has some 54 officers throughout the State recruited and tasked to perform this role. There is a core of some 12 officers at Kedron who maintain the 24/7 Watch Desk and support the Control Centre at times of disaster responses. (Numbers are approximate in that some training officers for the SES also provide support for Disaster Management training.)

This capacity is considered quite a modest level to support and assist Local, District and State organisations in their preparatory and capacity building work to deal with disasters. The resourcing is not sufficient to enable EMQ, as well, to be the leading response agency directly accountable and responsible for controlling and coordinating all major State disasters. The depth of capability required for this task, considering skill, competence and numbers of resources, is more readily available in the Queensland Police Service, acknowledging that for certain non-natural disasters it is officers from other large Departments such as Health, DPI and Transport/Main Roads who will have leading technical and professional roles in coordinating response to disasters.

The suggested roles for Police and EMQ personnel have complementary benefits. They more fully utilise the resources of the Queensland Police Service which has been established with this purpose as one of their major core functions throughout the State, and it ensures that EMQ will be in a position to deliver the extent of leadership and support required by Local, District and State organisations to ensure the State is not only disaster-ready, but learns more from each disaster event to improve future capability at all levels. The review received numerous positive comments from Local Councils (particularly more remote Councils) that they would appreciate greater contact with and support from EMQ personnel to assist them in their planning and preparation, and especially multi-agency and multi-level exercises. Larger Councils all acknowledged the value of more comprehensive exercises involving Local, District and State levels.

One of the important principles for effective disaster response is that arrangements are "scaleable" and supportable in a sustainable way for the extent of the disaster event and early recovery phase. Mainstream organisations in Queensland have this depth of capability, for example, Police, Health, Communities, Transport/Main Roads and DPI, and must therefore be used to the greatest extent possible in dealing with disaster event response and early recovery phases.

EMQ is a vital enabling organisation for these arrangements through support, monitoring and evaluation.

To resource EMQ as a mainstream State Agency capable of being the agency directly responsible for controlling all disaster responses, with its officers fully committed at Local, District and State level in dealing with those responses, would require a significant increase in resources. It would also require the officers to assume day-to-day leadership roles in their local and district communities. This approach would replicate resources that are dedicated to this purpose in other mainstream emergency Departments and other State Departments, and would as well, detract from EMQ's primary role in ensuring continuous improvement in the State's Disaster Management capability. Because of this conclusion, the review recommends the following arrangements:-

That the Department of Community Safety, through Emergency Management Queensland, be identified in the legislation as the Agency responsible to develop, continually enhance and maintain the State's Disaster Management policy, framework and capability. Its functions would include a number of the functions currently assigned to the Executive Officer of the State Management Disaster Group, for example Section 21:-

(a)   to regularly review and assess the effectiveness of Disaster Management by the State, including the State Disaster Management Plan;

(b)   to regularly review and assess the effectiveness of Disaster Management by District Groups and Local Groups;

(d)   to ensure that Disaster Management and disaster operations in the State are consistent with the Group's strategic policy framework for Disaster Management for the State; and

(g)   to ensure that persons performing functions under this Act in relation to disaster operations are appropriately trained.

The report in Section 10 suggests governance arrangements and annual reporting obligations to show how EMQ's role would be performed in conjunction with LDMGs, DDMGs and the SDMG.

Other Section 21 Executive Officer roles would be reassigned or retained for the XO position as follows:-

(c)   maintaining State/Commonwealth arrangements - a role for the State Disaster Management Group and its Executive Officer;

(e)   managing and coordinating the business of the Group – a function of the State Disaster Management Group and its Executive Officer;

(f)   coordinating State/Commonwealth assistance - a function of the State Disaster Management Group, its Executive Officer and the controller of the disaster;

(h)   appointing XOs of DDCs - a role for the Commissioner of Police;

(i)   regular reports on XOs' functions - roles for the State Disaster Management Group and its Executive Officer; and

(j)   supporting SDMG in performance of its functions - the Executive Officer and EMQ in respect to development and oversight of roles.

The Executive Director, EMQ, would become a member of the SDMG and Regional or Area officers of EMQ would become members of District Groups (as distinct from XOs) and remain members of Local Groups.

In addition to this list, Department of Community Safety/EMQ responsibilities would include:-

- to ensure that Queensland has adequate and compatible information, communication and incident control systems at Local, District and State level to deal with disaster events including: the receipt of calls for assistance; the issue of appropriate warnings; the tasking, deployment and follow-up confirmation of frontline operational response by all personnel in the event of a disaster; the gathering of information and intelligence and the preparation and despatch of situation reports. (In short, an integrated communications system that can cope with any level of disaster event in Queensland.)

The SDMG is also seeking clearer understanding at all levels about the stewardship, control and coordination of the State Emergency Services throughout Queensland, especially during disaster events. The State desires a strong partnership with Local Government in respect to the SES. Both levels have vital roles to fulfil, explained in Section 8.

In addition to this, continued EMQ effort is required in respect to the recruitment, training,

equipping, exercising and generally preparing this group of State volunteers for their role in support of all types of emergency and disaster events where they have recognised competence to contribute.

SES roles in future may be broader to cater for all disaster event types that may require a broader skills base and more intensive education and training for volunteers and more available time for participating in exercises of Disaster Management arrangements at Local, Local and District, and Local, District and State level.

The position of Executive Director, EMQ, with responsibility for the State's Disaster Management arrangements, would also have responsibility for State oversight, in partnership with Local Government, of the performance of the SES.

An Executive Officer to the State Group could then focus on what generally would be regarded as appropriate Executive Officer functions including:-

- to manage, coordinate and support the business of the Group;

- to bring to the Group's attention strategic Disaster Management issues prepared by any agency that require policy decisions of the Group;

- to ensure the Group is well supported during disaster responses in respect to its strategic decision-making role, coordination of resource decisions, situation reports, teleconferencing and the activation of communication channels to agencies nationally or at State level;

- to ensure the State Disaster Management Group remains conversant with all National and State Agency initiatives likely to influence Disaster Management through research and consultation during non-disaster periods (such as the reported Federal Attorney-General review of Disaster Management currently occurring).

The Department of the Premier and Cabinet established a Crisis and Communications Centre in the Department (now assigned to the Queensland Police Service), with a resource complement of some 10 people to provide information and communications support in the event of terrorist events and associated disasters. This unit would be one

option to perform the Executive Officer role for the State Disaster Management Group. There are others, including Police Officers or officers from the Department of the Premier and Cabinet. However, the role of Disaster Controller is a separate role from that of an Executive Officer which should support SDMG and the State Disaster Controller.

The review has formed a clear conclusion that, like all other States in Australia, Queensland should assign its Commissioner of Police, through a dedicated Assistant Commissioner supported by back-up Assistant Commissioners, the role of controlling and coordinating the State's response to disaster events. This officer and any other nominated back-up officer would develop and maintain the necessary working relationships with State and Federal Agencies essential to Queensland's Disaster Management system. The Department of Community Safety, through EMQ, should be responsible for developing and maintaining Queensland's Disaster Management system and playing its part with Local Government in overseeing, resourcing, supporting and, at times of disaster responses, directing/ controlling the deployment of the SES.

Recommendation 16

- **The Department of Community Safety (through EMQ) be assigned in the Act with the responsibility to develop, maintain, monitor and continuously improve the State's Disaster Management arrangements and systems.**

- **The Executive Director, EMQ, be a member of SDMG with the Director-General, Department of Community Safety.**

- **The position of Executive Officer, SDMG, be assigned appropriate support roles to SDMG.**

- **An officer other than the Executive Director, EMQ, or the State Controller of a disaster event, perform the role of Executive Officer to the SDMG.**

- **A dedicated Assistant Commissioner of Police be assigned the role of control, coordination and overall responsibility for Queensland's response to disaster events other than those subject to National Plans and Agreements.**

7.7 The Role of Elected Representatives in Disaster Events

Elected representatives at State and Local levels, especially the leaders, have critical

governance and policy roles in the State's Disaster Management framework. They have important roles to play in all phases of Disaster Management from preparedness through to response and recovery.

7.7.1 Local Government

An elected representative, often but not always the Mayor, is the Chair of the Local Disaster Management Group (LDMG). Functions of this Group are clearly outlined in the legislation. Chairs of Local Groups are expected to be thoroughly conversant with the State's Disaster Management arrangements. Their obligations as Chairs within those arrangements include ensuring that their Council and all local stakeholders are well prepared for disasters, and that response and recovery arrangements are properly coordinated, well rehearsed and professionally applied.

These governance and policy responsibilities do not empower a Mayor or other elected councillor as Chair to control and coordinate the response to the disaster event. This is the appropriate role of the Local Disaster Coordinator running the Disaster Coordination Centre. However, the Act is misleading as it currently lists as one of the LDMG functions (Section 30(1)(f)) 'to manage disaster operations in the area under policies and procedures decided by the State Group'. This wording is confusing. In practice, the Chairperson of the Local Group should not 'control' nor directly 'coordinate' the disaster response operations. The LDMG should oversee arrangements, set strategy and determine policy, and support all those charged with the operational response coordination role.

It is usual practice for Local Government to establish a Local Coordination Centre to coordinate and control response activities, and to appoint a person in control of that centre. This may be a Chief Executive and/or senior officers of the Council or other nominees of the Chief Executive who are assigned the necessary authority by the CEO to mobilise and allocate resources, incur expenditure and generally take charge of all of the Council's own personnel and equipment and their deployment and support and safety arrangements during the disaster response. At times local Controllers/Coordinators also need to task and deploy resources of other organisations contributing to the response.

It is essential that a person responsible for overall control of a Local Coordination Centre is appropriately trained and prepared for the role, and relieved during a disaster response by other senior personnel with the necessary authority to perform the same tasks when disasters are unfolding over several days to weeks. The appropriate role of elected representatives at Local level in respect to a local response to disaster events would include:-

- As the Chair of the Local Group to ensure disaster arrangements work as intended in legislation at a Local level and between Local, District and State levels.

- Being available and supportive of the Disaster Controller/Coordinator in the Local Coordination Centre, especially when an elected leader of long standing with excellent knowledge of the Local Authority area and its communities is available.

- To be the public face of the response to the disaster, to reassure the community and build confidence that the response can deal adequately with the disaster.

- To set and maintain an appropriate tone of response to the community.

- To provide visible presence, leadership and reassurance in areas impacted by the disaster (once again, as the public face of local disaster response efforts).

- To refrain from making public comment critical of the disaster response at any level during the event, but contribute to constructive criticism and improvement of arrangements in post-event evaluations.

- Leading local recovery strategy and policy and assisting the CEO secure through District and State levels necessary State Government, and through the State, necessary Federal Government, support.

It is important the local elected leaders do not inadvertently compromise established Disaster Management arrangements by, for example, seeking information inappropriately when information is not available and thus diverting officers from response coordination tasks; interfering in response tasking arrangements that have been set by the Local Coordination Centre; tasking resources in a manner that diverts them from core responsibilities already assigned; short-circuiting priorities that have been established through the appropriate channels or bypassing District arrangements and placing direct

requests on State and Federal Government. All of these instances were reported during the review.

It is appreciated during response to disaster events that elected community leaders need to be in a position to speak authoritatively about the situation and to provide the necessary reassurance and confidence to their communities that matters are being dealt with as expeditiously and professionally as possible. It is the responsibility of officers involved in management of the disaster event that they ensure succinct situation reports are provided to elected leaders so they may fulfil this expectation that the community has of them.

The Queensland Government and the LGAQ have published an information workbook – *Elected Member's Guide to Disaster Management* – to help elected representatives become conversant with the State's Disaster Management law, policy and framework. Another excellent publication incorporating Disaster Management into Local Government corporate planning practices is also available.

To assist in clarifying roles, the Act could include a section which explains that Disaster Event Controllers/Coordinators at Local, District and State levels are to be public officials, properly authorised, trained and equipped for the role. Their obligation during disaster events is not only local coordination and control, but as essential links in the State's leadership of major natural and non-natural disasters, to provide situation reports and requests for assistance to District level, and to respond to requests and directions regarding desired response outcomes/requirements from District and State levels. Local elected representatives have equally important governance, policy setting and community information and engagement roles.

7.7.2 State Government

The Chairperson of the State Disaster Management Group (SDMG) is the Chief Executive of the Department of the Premier and Cabinet. However, a Major Incidents Group is also established to provide Ministerial guidance to the SDMG in the case of very extreme events. This Group could possibly be merged into the State Security Committee to ensure that there is a standing committee of Senior Ministers, including the Premier, Deputy

Premier and Police and Emergency Services Minister which meets regularly to provide overall governance, policy, strategic direction and oversight of the State's Disaster and Counter-Terrorism Management arrangements.

Research in other Australian and North American jurisdictions lends support to the following leadership role for senior elected representatives:-

- Governance – ensuring the State Disaster Management arrangements are adequate and fit for purpose, regularly reviewed and continuously improved, to ensure that they work well during disaster responses.

- Making strategy and policy decisions in non-disaster time and during disaster response and early recovery phases.

- Providing support and resourcing to enhance the Disaster Management system throughout the State.

- Providing the public face – communication – media to tell the story, set the tone, and maintain confidence during response and early recovery phases. Some well researched effective public information and communication approaches involve factual, validated presentations along the following lines:

  o what we know

  o what we don't know

  o what we're doing

  o what we want you, the community, to do.

- Presence in this reassurance and public interface role in disaster zones during response and in early recovery phases.

- Ensuring recovery is well supported.

The State's senior political leaders should not be placed in a position where they feel the need to become involved in operational response decision-making, control or coordination. This may compromise their essential governance role. In the Queensland system it has been suggested that:-

- The Director-General, Department of the Premier and Cabinet, always appoint a Disaster Event Controller/Coordinator who will control and coordinate the State's response including chairing State Disaster Coordination Meetings at Kedron.

- The Major Incidents Group chaired by the Premier be properly constituted and established to fulfil the elected representative leadership role specified above.

- This Group could be merged with the State Security Committee and be renamed the State Disaster and Security Council, with the membership of the Premier, Deputy Premier, Minister for Police, Corrective Services and Emergency Services, and others as required.

- Council be supported by the Director-General, Department of the Premier and Cabinet, as Executive Officer or Secretary.

- The Commissioner of Police and the event Controller and Director-General, DCS, and Executive Director, EMQ, be present as expert advisors when the Council meets.

- The Council meet twice daily to be formally briefed and be in receipt of all SITREPS and response plans by the XO of SDMG from SDCC during disasters.

- The Council would provide the forum where senior political leaders could:

  o make strategic decisions

  o provide public leadership

o take and enable major resourcing decisions to strengthen arrangements

in both non-disaster and disaster times.

▪ The Chair or Deputy Chair or Minister for Police, Corrective Services and Emergency Services may find it convenient to be present at certain meetings of the SDMG chaired by the Director-General, DPC, to keep abreast of SITREPS and offer strategic direction and advice.

The functions of the State Disaster Management Group are clearly outlined in Section 18 of the Act and should remain as specified. The presence of Senior Ministers should enhance this intent.

It is necessary that all elected leaders at State level have a comprehensive understanding of the State's Disaster Management legislation, policy and framework, and therefore insight into the proper roles and functions of the State Disaster and Security Council and the State Disaster Management Group. These functions involve strategic decisions in respect to all aspects of the State's Disaster Management arrangements. State leaders should not be involved in detailed operational and logistical planning, which should be coordinated by the Controller of the event and the particular State Agencies and other organisations contributing to the response. Elected leaders have important State and community leadership and engagement roles to fulfil. They should be adequately supported by the State Disaster Management Group at the strategic level and by the State Disaster Coordination Centre through provision of accurate SITREPS so that they can perform these roles effectively.

A Controller/Coordinator for each disaster event will be appointed at the outset and preferably before the onset of the particular disaster. This responsible officer should, through situation reports and necessary Executive Officer and secretarial support, provide all of the necessary information and support that elected leaders need to perform their proper roles and functions to meet the community's expectations during disaster events.

Controllers at Local, District and State levels should discreetly but firmly discourage any

future attempts by elected representatives at any level in the system (even if well intentioned) to assume control of a disaster event. An overall State Controller, such as a dedicated Senior Assistant Commissioner of Police, should be authorised pursuant to the revised legislation to provide directions at State, District and Local levels to ensure that arrangements work as intended.

Recommendation 17

- **The Act be amended to make it clear that Disaster Controllers/Coordinators at all levels are to be authorised public officials with the necessary training and authority to properly discharge the role and provide an effective direct line of support, coordination and control of disaster events.**

- **The Act and State Plan provide guidance about appropriate role and functions of elected representatives during all disaster event phases.**

- **The Major Incidents Group and State Security Committee be merged to become the State Disaster and Security Council with role as suggested in this report.**

7.8 Mass Evacuations

The review sought clarification about the appropriate process and authorities necessary to ensure the evacuation of communities prior to the onset of certain extreme disaster events. Key issues involved in this determination are:-

- The issue must be addressed before an imminent disaster to provide time for large scale evacuations.

- That prior hazard assessment and risk management assessments undertaken by local communities should be fully informed by the disaster circumstances which may warrant evacuation.

- Local Disaster Plans should contain the details of trigger points for evacuation decisions linked to issues such as expected flood heights, tidal surge influence, and in some communities, major fire events and associated weather conditions.

- There should be a risk based strategic decision by the State Disaster Management

Group in respect to the pre-conditions for such evacuations.

- The State should consult with Disaster Districts and Local Groups to seek input to this analysis and decision during pre-event planning activity.

- The decision should be reflected in the State's Disaster Management Plan with links to appropriate District and Local Plans.

- Local communities and Districts should ensure the identification of evacuation centres and community recovery centres as a part of their Local and District planning process.

- Staffing, resourcing and support arrangements for these centres, and transportation arrangements, need to be negotiated between Local, District and State levels to ensure satisfactory arrangements are in place ahead of disaster events. (For major evacuations all levels must be involved.)

- Agreed arrangements must be publicised so that local communities are prepared.

If this preparatory work is undertaken, then an evacuation decision could be taken at any level pursuant to Plans provided it was supported by the Declaration of a Disaster, which would provide District Disaster Coordinators and Disaster officers with the necessary powers to operationalise and direct the evacuation process. The appropriate Disaster Warning alert could then be activated throughout impacted communities. Residents would be informed about assembly points etc through education programs and exercises held in non-disaster times.

This is another illustration where the early declaration of a disaster on the basis that it is likely to happen is necessary and appropriate.

During consultation a number of Local Governments questioned why the State had recently changed its strategic response philosophy to an evacuation approach from previous response approaches that contemplated management of the event at the Local level and less intensive evacuations. The State, in light of recent disasters such as Katrina in New Orleans, has reassessed tidal surge risk in certain coastal communities and has taken an appropriately measured precautionary approach. It might be prudent, however,

for State level to consult fully with all Local Councils in high risk flooding regions of the State and undertake the appropriate joint risk assessments to ensure that evacuation responses are measured and well rehearsed for particular scales of impending disaster events.

Recommendation 18

Planning and consultation be undertaken by EMQ with all levels of the Disaster Management system to ensure that necessary risk-based disaster evacuation plans are prepared at Local, District and State levels, supported by necessary community education and preparedness programs.

8.   The State Emergency Service

8.1 SES Provisions in the Disaster Management Act 2003

Part 6 of the current Act establishes the State Emergency Service.

The Act prescribes functions which are:-

(a)   to perform rescue or similar operations in an emergency situation;

(b)   to perform search operations in an emergency or similar situation;

(c)   to perform other operations in an emergency situation to –

(i)   help injured persons; or

(ii)   protect persons or property from danger or potential danger associated with

the emergency;

(d)   to perform other activities to help communities prepare for, respond to and recover
from an event or a disaster.

Section 83 outlines the Chief Executive's (Chief Executive DCS) responsibilities in relation
to the SES as:-

(a)   establishing management and support services for the SES;

(b)   developing policies to help the SES perform its functions effectively and efficiently,
including, for example, policies about training for SES members.

Section 84 of the Act provides that the Chief Executive may appoint a person as an SES
member only if satisfied the person has appropriate abilities, and that the SES consists of
persons appointed by the Chief Executive as an SES member.

Consultation during the review confirmed that there was confusion about control and
coordination arrangements for the SES especially during response to emergency and
disaster events. There were also different viewpoints about overall responsibility for the
SES and for the performance of SES units. The Act suggests that the Chief Executive's

responsibilities are prescribed and limited to those outlined in the Act, which are the establishment of management and support services for the SES, and developing policies to help the SES including policies about training. These are enabling and supporting roles.

The Chief Executive emphasised to the review that responsibility for the SES was a partnership between State and Local Governments. In Section 85, the Act explains that local controllers of SES units are appointed, on the nomination of Local Government, through the Chief Executive who appoints an SES member as a local controller.

Section 86 makes it clear that local controllers are to maintain the operational effectiveness of the local unit by ensuring:-

(a)   the unit's members have the necessary skills to competently perform their roles within the unit; and

(b)   the unit's equipment is maintained in an appropriate condition; and

(c)   the unit performs its functions and other activities in a way that is consistent with departmental or Local Government policies about the performance of functions and activities.

Local Controllers definitely have authority to ensure SES units are operationally effective and perform functions consistent with State and Local Government policies.

The Act, in Section 87, provides for the Chief Executive to specify functions considered appropriate for each SES unit in Queensland, having regard to:-

(a)   needs of the community locally;

(b)   members' abilities and competence;

(c)   resources available to the unit; and

(d)   the capacity of the unit to maintain the equipment it might need for the approved functions.

The Act also provides that the Chief Executive must consult with the Local Government for

the area in which the unit performs the functions before deciding on the functions of the SES unit.

It is clear from the current legislation that the Chief Executive has not been assigned (nor desires) authority to control, command or direct the SES. The roles prescribed for the Chief Executive are clearly framed in the context of consulting with Local Councils and considering the requirements of Local Councils before making certain decisions in respect to the SES Unit in that Local Government area.

8.2 Control and Deployment of SES Units

During disaster responses, SES units need to be tasked and deployed locally, and at times, to areas beyond their local Council area. Sometimes backup SES volunteer resources are required from adjacent or more distant parts of Queensland or from interstate. Disaster Controllers at Local and District levels may seek from State level, or respond to a request from State level, to deploy SES units most effectively to address priorities that spread across local and district boundaries. If requests are made through the Disaster Management chain of response with Local level consultation, there should be no difficulties. DDCs in particular have powers to direct resources once a disaster declaration is made. In practice, District and Local Coordinators report that they have little problem with current arrangements.

However, SES operational doctrine describes a different process to achieve operational control of the SES. Operations Doctrine (OD1.20) approved by the Executive Director, EMQ, in relation to 'The Hierarchy of Command and Control in respect to the Incident Management System' specifies a different relationship between the SES and EMQ. Section 4.3 states:

> *"The SES forms part of EMQ, a division of the Department of Emergency Services (now Community Safety). The Executive Director, EMQ, is delegated by the Chief Executive Officer as the operational head of the SES, and is responsible for defining the objectives, strategies and policies to be followed by the service and ensuring the service performs its functions in an appropriate, effective and efficient way".*

This role goes beyond the Act's provisions to help and support SES units. It seeks to have EMQ recognised as the body with operational control of all SES units and to ensure the SES in aggregate performs appropriately and effectively, that is, at a State level to ensure all SES units perform, compared with the Act's provision for the role of a Local Controller to ensure local performance.

The Doctrine at 5.1 states: "For RFAs (requests for assistance) that exceed the capacity of an individual unit, the command and/or control of the response will escalate via the Area Director, EMQ, to the Regional Director, EMQ, or delegate for action."

OD1.20 prescribes more authority to EMQ than is provided in the Act.

It is understandable that some stakeholders (including SES members) are confused about whether they are finally accountable to EMQ and are subject to EMQ direction, or have such relationships shared with their local SES Controller, Local Council or Local Coordination Centre Controller. Section 5.1 may help to explain why agreed lines of communication through Local Disaster Control Centres to District DCCs to State DCC prescribed by the Act may not be followed in respect to tasking of SES units during a response to disasters. SES Controllers and EMQ regional/area officers are doing as instructed, even if outside of the agreed arrangements between Local, District and State for managing disaster responses. The issue does require further analysis and formal clarification.

8.3 Current Status of the SES

The State Emergency Service has evolved from the former Queensland Civil Defence Organisation operating since 1961. SES members are local volunteers who in many cases have been recruited through their Local Councils with an aim to assist local communities in times of need. It is an emergency service, to assist local communities in times of disasters and for other emergencies such as search and rescue.

There are approximately 342 SES groups across Queensland and all are established within 68 of a total of 75 Local Government areas.

Traditionally, the SES has been supported with funding provided by Local Government, as well as by State Government (currently through the Chief Executive of the Department of Community Safety). Councils provide accommodation and equipment support for the SES units in the Local Government area. State and Federal Governments also provide financial support and equipment to help support the units. The Division of EMQ within DCS administers Federal and State grants and subsidies to the SES.
Through Emergency Management Australia (EMA), the Commonwealth provides subsidies of up to $50,000 on a dollar-for-dollar basis to help Councils meet their obligation for providing facilities for SES units. Through EMQ, the Queensland State Government provides clothing and equipment to SES units and the salary and on-costs of the staff of EMQ who manage and support SES volunteers. EMQ also provides WorkCover insurance for SES volunteers.

Local Governments provide facilities to train and store equipment, provide vehicles and some additional assets and, in the case of a small number of larger Councils, salaries and vehicles for Local Controllers and their support staff.

Queensland Local Governments suggest that their financial contribution to the SES each year is significantly higher than is the State's direct level of local contribution. Local support is essential, and for many Councils, is a very significant annual financial contribution. However, the State, through the Department of Community Safety, also

funds facilities at Kedron and Emergency Management Queensland which has officers throughout the State who directly support the SES through planning, training and exercises. EMQ supports the SES and the Disaster Management System through its Head Office and Regional structure. EMQ operates through seven Regions, each headed up by a Regional Director. Some Regional Directors have Area Directors reporting to them, based on geographic areas. Those regions have the additional level of management due mainly to the vast area covered by the particular Regions. In each Region there are three to four Training Coordinators. There is also a Branch in Head Office in support of training and doctrine for the SES.

Estimates of State expenditure on the SES in the last two years and foreshadowed this year are:-

Financial Year	Total Estimated Support	Direct Operating Costs	Capital
2007-08	$17.3M	$11.8M	$0.1M
2008-09	$18.8M	$13.6M	$1.6M
2009-10 Budget	$20.2M	$14.4M	$0.7M

The SES therefore relies on a shared funding partnership between State and Local Governments.

Of the 233 positions in EMQ, 150 are operational and/or providing support for Disaster Management and/or the SES. The breakdown is roughly 66.5 FTE to Disaster Management and 83.5 to SES. The breakdown does not represent a fixed structure, but is based on the need to be flexible and move people around to meet specific needs as the demand of events dictates. EMQ believe this model provides that flexibility and enables an increased capability without the higher overhead of maintaining a larger standing structure for each function. EMQ have a preference for this approach to continue.

Given the number of Groups and the sometimes large distances between them, it is difficult to make a significant impact on the standard of training or performance of these Groups from outside a local area, hence heavy reliance is placed on the skills, motivation and capability of the Local Controller. The standard of Local Controller is reported to vary across the State.

Mayors from remote Local Governments report difficulty in maintaining viable SES units without the direct assistance of EMQ officers. They will require an increased input from them into the future if local SES units are to remain viable. Recruitment and retention for more remote SES units is problematic and these Councils have no, or limited, alternative capability to manage disasters. Usually the Councils' own officers are also SES members. Recruitment is also proving a challenge for larger Councils as well.

8.4 Effective Control and Deployment of the SES

There are understandable differences of viewpoint about the appropriate deployment and control of members of the SES in the case of a disaster or emergency responses for the following reasons:-

- SES members who volunteered at a local level have an understandable allegiance to their Local Government and to their local Controller.

- Local SES groups are tasked by their Local Controllers in response to wishes of Local Disaster Coordination Centres in times of disasters.

- Some Local Councils have concern about their limited SES resources and equipment being deployed to other areas of the State in times of disaster. Local volunteers may not be willing to participate in such deployment.

- Some Local Councils question the authority of the Department of Community Safety, through EMQ, to have assumed direct authority or control for SES operations notwithstanding Operations Doctrine and a reported Crown Law interpretation of the *Workplace Health and Safety Act* that confirms that SES members are employees of the Department.

- Some Local Governments stated that they would welcome a more direct, supporting,

influencing and control role by Emergency Management Queensland in the leadership of the SES and in the deployment of the SES in times of disasters, especially across SES unit and Council boundaries. Other Councils rejected such a role for the Department and EMQ.

- All Local Councils are unanimous in their view that should Emergency Management Queensland need or wish to deploy SES members during a disaster, that these instructions should be provided through the agreed State Disaster Management arrangements, that is, through District and Local Coordination and Control Centres to ensure that decisions are properly integrated and coordinated. The deployment by EMQ directly through their regional staff is not appropriate.

The November 2008 storm events in Brisbane highlighted that there is work to be done in clarifying leadership, command and control arrangements for the SES in times of disaster. There are currently four organisations involved:-

- Emergency Management Queensland on behalf of the Department of Community Safety;

- Local Government through its Controller of the Local Disaster Coordination Centre;

- The Local Controller of the SES; and

- The District Disaster Coordinator once a disaster has been declared.

Although discussions with EMQ confirm that they generally seek to deploy SES personnel through coordination arrangements with the agreement of Local Controllers, a reasonable expectation might be that tasking would be performed through recognised District control arrangements and/or Local control arrangements and then passed to a Local Controller. The existing doctrine specifying accountability to EMQ through Regional and Area EMQ personnel during disaster responses should therefore be amended to ensure effective response coordination. During non-emergency or non-disaster periods, the lines of communication could be much more direct, with arrangements for training, exercises etc

being directly negotiated between the Department of Community Safety (EMQ) and Local SES Controllers.

8.5 Emergency Service Units and Other Emergency Volunteer Units

Provision exists in the *Disaster Management Act 2003* to establish Emergency Services Units.

These units are designed to better support remote or rural locations where there are a limited number of volunteers who in many cases perform both an SES role and a Rural Fire Service role.

An Emergency Services Unit of this kind can be established by the Chief Executive in consultation with the particular Local Government concerned. The Chief Executive has similar roles, functions and obligations in respect to Emergency Services Units as is the case for SES units. There are acknowledged differences in respect to response to bushfire, where the Emergency Services member would be under the control of the person in charge of operations pursuant to the *Fire Act*.

There are seven ES Units created in the State. They have not to this point been as well supported or developed as was the original intention.

Local Councils raised a number of issues which they felt need to be addressed, including:-

- Whilst there is support for the concept, there remains confusion in respect to uniforms, insurance cover, and differing operational guidelines in respect to SES and RFS.

- Training arrangements and responsibilities are unclear.

- In remote local areas Police are often in charge of incidents and emergency events where the ESU may be called to assist. Police may direct operations but, in the final analysis, it is Councils that are often funding the cost of these activities in respect to meals, makeshift accommodation etc.

8.6 Issues Raised During Consultation in Respect to the SES

A number of different viewpoints were expressed:-

- Acknowledge that as a volunteer service, full unit strength of SES members cannot always be relied upon to turn out to a disaster event, even though turnout is usually very high.

- Acknowledge that the State Emergency Service is not confined only to 'disaster management' but is an agency that undertakes emergency or community operations to support the community during emergencies. As such, the SES may require separate legislation apart from the *Disaster Management Act*. Alternatively, the Disaster Management Act could be retitled Emergency Management in keeping with other Australian jurisdictions.

- The legislation should allocate full responsibility for the SES to a State Government Agency rather than be a shared arrangement with Local Government.

- That the State should provide all of the resources for the SES by way of a levy similar to the Urban Fire or Ambulance Levy.

- That the Insurance Industry should provide funding support in recognition of the impact SES action has in lessening damage to property during disaster events.

- If Local Government continues to fund the SES, then Local Government should be able to provide policy advice about the conduct and structure of the SES within its area and influence operations and directives.

- Consider merging the Rural Fire Brigades and State Emergency Service to become a single volunteer Emergency Service, removing the structural impediments to the formation of Emergency Services Units.

- Alternatively, task EMQ with the full management of the State Emergency Service in the same way that the Queensland Fire and Rescue Service undertakes management of the Rural Fire Brigades. This would remove the SES from Local Government involvement. The State would then fund the SES. Separate legislation would then be appropriate.

The review considered all of these suggestions but concluded that the best way forward

would be as outlined below.

8.7 Suggestions in Respect to the SES

The SES comprises volunteers and is a creation initially of Local Government, in more recent history a joint creation of Local and State Governments and recently, it is more clearly apparent in law that appointment of members is by State Government. SES volunteers provide a highly valued service to their local communities and beyond. The Service is in effect a partnership between Local and State levels.

However, Local Government is still providing a higher level of funding to the SES than does State Government. While this is the case, there will always be a reluctance by Local Government to relinquish what they may regard as their entitlement and responsibility through funding to ensure that the deployment and performance of their Local SES is directed primarily to local emergency response activity.

Whilst Local Councils may be extremely cooperative with adjacent Councils in the sharing of SES resources in major disaster events, this becomes more problematic if the State requires SES services to move from one Region of the State to another or, from Queensland to another State in the case of a major disaster in that State.

The review assessed that there are very diverse viewpoints about the issue of Emergency Management Queensland controlling the SES, with some Councils welcoming the State's greater involvement, and other Councils rejecting this.

Endeavouring to resolve these issues through legislation and policy directives would be less effective than a concerted effort by EMQ to work with particular Local Councils and their SES units to work through differences and agree to a workable, common Memorandum of Understanding in the first instance between Councils and EMQ. Issues such as the establishment of strategy, objectives and methods of operation, agreement about performance standards and codes of practice, and assessment of and ensuring effective performance, all require attention.
The MOU would also confirm the correct chain of tasking and control to be used in the

management of disasters when the State Controller/Coordinator wishes to task Emergency Service Units or redeploy units from one part of the State to another, or from interstate. Once these arrangements are agreed, legislation and policy could be amended to reflect this. The MOU might also clarify funding expectations, training expectations and the conduct of exercise expectations, and the extent to which Emergency Services Units are to be used to deal with local emergencies or where Local Government SES volunteers are prepared to serve in wider areas of Queensland.

The minimum requirements would appear to be:-

(a)   Local Councils through local SES controllers are responsible for certain resourcing and training functions.

(b)   State Government (DCS/EMQ) is responsible for policy, procedures, certain resourcing and training functions.

(c)   During disaster events:

- Local Control Centre Coordinators deploy SES units through their local SES Controllers;

- District or State levels may desire alternative or additional deployment for larger or non-natural disaster events and in this case the appropriate protocol would be a request from State level to District to Local to seek the concurrence of the Local Controller/Coordinator (with support from LDMG or Local SES Controller where necessary).

- In declared disasters, the DDC could direct members of the SES, but in practice this occurs through the local controller/coordinator.

MOUs should be developed to cover such arrangements.

Recommendation 19

The Department of Community Safety and Councils develop MOUs to reflect the genuine partnership that exists in present arrangements including an emphasis on the use of the agreed State disaster arrangements to task and deploy SES units following State/Local consultation.

9.   Resourcing of Emergency Management Queensland

EMQ and the Department of Community Safety have expressed an understandable desire to be adequately resourced for their allocated responsibilities.

As one option they provided a resourcing framework to the review to support a requirement to scale up EMQ resources to assume the role of control and coordination of all disaster events in Queensland.

They suggested three options for achieving this outcome, which were:-

- Maintaining the *status quo* and striving to strengthen response to disasters through greater flexibility and movement of existing resources.

- Seeking additional funding (not preferred in recognition of current realities).

- Acquiring or taking control of, through secondments, staff dedicated to Disaster Management from other Agencies.

The review has concluded that the current resourcing of EMQ directed to support the effectiveness of the four phases of the State's Disaster Management system is only sufficient to develop, enhance, maintain and regularly evaluate the system without having the added responsibility of being the State Controller of disaster events.

The review has identified a very significant amount of work that needs to be done to ensure the State's Disaster Management system is properly developed, supported, monitored and evaluated. It has been difficult to assess EMQ resource requirements to properly support the arrangements, as in recent times resources have been deployed to frontline response roles in respect to specific disasters. Roles in support of the Disaster Management system more broadly are diminished during such events, but response capability at State level and Local level is enhanced.

The review can conclude, that if EMQ were to be resourced to the level to maintain and support the State's Disaster Management framework and system, and as well to be

responsible for the control of most State disaster responses, it would need significantly more resources in keeping with the following principles:-

▪ The principle of local knowledge, relationships and familiarity with plans building to district knowledge, plans and relationships as the foundation of the disaster response. This principle does not support a routine practice of moving resources flexibly around the State to deal with disasters in different unfamiliar locations where officers do not understand local or district plans nor do they have strong local/district relationships.

▪ The principle of unity of command has not been achieved in recent disaster events as EMQ resources, with the best of intent, work through their normal chain of reporting and not through the agreed Disaster Management chain of reporting.

▪ In respect to scaleability and sustainability of disaster response, EMQ personnel at Regional and State level, if in key control and coordination roles, require 24/7 scaleable backup, that is, a complement of trained resources to support shift arrangements for the current complement of officers allocated roles of leading operations (7) and leading functions (22).

EMQ did not specify the quantum of resource increases considered necessary, but would propose to direct whatever resources are available towards greater mobility and forward deployment of EMQ personnel to Local and District areas to assist with control and coordination of a disaster response. This review has concluded that such deployment, if it occurs outside of agreed arrangements, can create real operational problems.

This review has concluded that it is the role of other State Agencies to flexibly deliver this resource capability from their Departments in times of disaster response, and that this capability needs to be identified and factored into Local, District and State Disaster Management Plans. These resources should remain located with their Departments to ensure their connection to necessary expertise and enabling/allocating necessary departmental resources to all Disaster Management phases.

The State would achieve greater value from EMQ resources if they focus on the assigned

roles to develop, maintain, monitor and continuously improve the system of Disaster Management and serve as members of State, District and Local Disaster Management Groups. This would provide a full-time role and challenge for existing personnel.

During the times of actual disaster events, EMQ would still be relied upon to provide the State's Coordination Centre and to support that centre, which would be staffed by the officer in charge of the disaster event and all supporting officers from a variety of agencies. The resources of the Department and EMQ would be available to support the State Controller/Coordinator of the disaster event, including airwing helicopter/fixed wing resources available for forward assessments, Fire and Ambulance Services, and EMQ personnel located at Kedron. EMQ officers would provide input through Disaster Groups for all phases of Disaster Management. Their governance (assessment and evaluation) roles would be exercised through these Groups as suggested in Section 10.

10. Governance and Performance Management Arrangements

Queensland's Disaster Management arrangements require a strong partnership and some quite complex working relationships at Local, District and State level and between all of these levels. Improvement is necessary across all four phases of Disaster Management, at each level and between the levels. Regular performance reviews are a necessary part of the improvement now necessary.

10.1 Current Legislative Requirements

The Act currently prescribes governance roles as follows:-

▪ Section 18(b) assigns to the State Disaster Management Group "to ensure effective disaster management is developed and implemented for the State". Final responsibility for the performance of the entire State system rests with the Chair of this Group.

▪ The Executive Officer of the State Group has responsibility pursuant to Section 21:

(a) to regularly review and assess the effectiveness of Disaster Management by the State, including the State Disaster Management Plan; and

(b) to regularly review and assess the effectiveness of Disaster Management by District Groups and Local Groups.

▪ District Disaster Management Groups, pursuant to Section 23:

(a) ensure that Disaster Management and disaster operations in the District are consistent with State Group's strategic policy framework;

(b) to develop effective Disaster Management for the District including a District Disaster Management Plan and regularly review and assess that disaster management;

(c) to provide reports and make recommendations to the State Group about matters relating to Disaster Management and disaster operations;

(d) to regularly review and assess the Disaster Management of Local Groups in the District and to ensure any decisions and policies made by the State Group are incorporated in its Disaster Management at both District and Local levels.

- Pursuant to Section 30(i):

(a) Local Groups ensure that Disaster Management and disaster operations in the area are consistent with the State Group's strategic policy framework;

(b) to develop effective Disaster Management and regularly review and assess the Disaster Management; and

(g) to provide reports and make recommendations to the relevant District Group about matters relating to disaster operations.

There is an interlinking requirement for regular review and reporting from Local Group level to District Group level and finally to State Group level in respect to the efficacy and adequacy of all of the arrangements, that is, all four phases, all levels, all hazards and types of disasters. All levels are responsible for continuously improving their capability. Feedback from State level should acknowledge regular reports and provide strategic and policy advice and/or suggestions in respect to enhancements to the overall system.

The review suggests that governance and performance management arrangements could be strengthened through the following range of initiatives.

10.2 Governance Enhancements

The arrangements require regular, comprehensive risk assessment, condition of readiness and performance reports by the Chairpersons of Local Disaster Management Groups through and by Chairpersons of District Management Groups to State Disaster Management Group level with information including, but not limited to:-

- Updated hazard risk profiles for the geographical areas concerned, to be aggregated into updates of the hazard risk profiles within District and State Disaster Management Plans.

- Strategic policies and priorities that Local and District levels have developed that they wish to bring to the State's attention.

- A summary of LDMG and in turn DDMG critique of the adequacy of Local Plans/District Plans – including comprehensiveness of plans in place covering all phases of a disaster and especially links between mitigation and prevention measures and the roles of other agencies, eg building codes, land use plans, infrastructure works, fire regulations etc.

- An assessment of the response capability judged through the conduct of exercises and/or dealing with particular disaster events.

- An assessment of recovery capability and arrangements.

- How Plans have been changed/updated at Local level to inform changes required in District Plans and/or State level Plans.

- An assessment, based on an index of readiness to be developed for the State, of the particular Local or District's readiness to deal with emergencies.

- Any specific issues and/or support requested from District or State level.

The above is an illustrative list only. The principles to be followed in developing this reporting framework would be:-

- To respect the fact that the Disaster Management arrangements are a partnership between the three levels. Agreement on reporting frameworks would ideally be jointly developed between the levels.

- That the reports should add value to the three levels so that, for example, at State level the information necessary to inform strategy or policy, update the State Plan and the efficacy and efficiency of arrangements at State, District or Local levels would be gathered.

- The State level would identify priorities across the State to support and enhance the Disaster Management arrangements from these regular reports and from its own whole-of-State report (at least annually) and disseminate relevant findings.

- Each Disaster Management Group would initially perform its own review and compile its report for submission to District and, in like aggregated fashion, to State level.

This report recommends that EMQ officers who are members of Local, District and State

Groups would directly support their Groups and Chairpersons in undertaking necessary assessments and in preparing the necessary evaluation reports.

At a State level, the SDMG has responsibility to ensure the overall effectiveness of the system. It would be prudent to assign a sub-committee of the SDMG annually to task a group of individuals insightful about the Disaster Management arrangements but not directly involved in the arrangements, to undertake an independent internal review function in respect to the reports prepared to ensure their adequacy and ensure recommendations agreed at the three levels were implemented. The review function could be performed annually on a sample of reports in a manner that was consultative and informative at Local, District and State levels, with a view to enhancing the overall arrangements.

Additional effort would be required at Local, District and State levels to provide this level of governance, but it is essential given the extent to which Queensland communities depend on the State's Disaster Management arrangements working expeditiously and effectively. The current legislation requires a systemic approach such as this.

An arrangement of this kind is much more likely to ensure continuous improvement to the arrangements, ensure the update of Plans at least annually, and satisfy external oversight and/or enquiry be that of an Auditor-General, Coroner or Public Inquiry following specific disaster events.

Regular meetings of Disaster Management Groups at all levels, and regular discussion between the three levels via workshops, seminars, formal meetings and exercises would all play a part in maintaining the positive relationships necessary for effective Disaster Management.

10.3 Discretion, Flexibility and Enforcement

The current Act (S.5) binds all persons. This is an appropriate provision. However, disasters seldom unravel in fully predictable ways. Imminent threats may present which endanger life and threaten property to the extent that legislated arrangements and policy need to be immediately but temporarily set aside if an event controller or any other person involved in the arrangements perceives the need for immediate alternative action.

The exercise of such discretion requires maturity of judgement which can only be gained through experience of disaster events and through familiarity with the State's Disaster Management arrangements. Should a Controller need to exercise discretion and direct action contrary to arrangements to prevent or minimise imminent life-threatening situations, the action and rationale should be committed to writing subsequently as an aid to reviewing the disaster event response. A provision for discretion in these circumstances might be included in the Act at Section 5.

The review concluded that prescriptive penalties for deliberate breaches or non-conformance with arrangements would be unlikely to have positive desired impacts. The preferred approach in keeping with the Act's intentions is that the Department of Community Safety, through its development and continuous improvement role, address any concerns and maintain improvement in the spirit of partnership between Local, District and State levels.

Recommendation 20

- **Revised governance arrangements be implemented involving Disaster Management Groups at the three levels supported by EMQ as outlined in this report to achieve continuous improvement in the Disaster Management arrangements in the State.**

- **A new provision in Section 5 emphasise the discretion available to all involved in the Disaster Management system to take action to prevent impending loss of life even if contrary to the agreed arrangements.**

11. Implementation

This review has highlighted that there is a requirement for considerable improvement in the State's Disaster Management arrangements. Implementing approved recommendations will require a number of initiatives including:-

(i) Strengthening the working relationship and ensuring effective joint planning and action between key enablers of the Disaster Management arrangements, viz Department of Community Safety and EMQ, the Queensland Police Service and the Department of the Premier and Cabinet.

(ii) For the key officers of the above agencies to work together to ensure necessary relationships at all levels in the system are enhanced and that every LDMG, DDMG and the SDMG, guided by leadership from the SDMG, prepare succinct prioritised improvement plans supported at Local, District and State levels (including necessary resources and a commitment to action). Certain highest priority initiatives such as the Statewide coordinated/integrated disaster communication system will require joint action across and between all levels in the system and resource commitment by State Departments and Local Governments.

(iii) Legislative amendment, appreciating that necessary change to the law will establish improved foundations to achieve well coordinated and effective Disaster Management arrangements but will depend on improved relationships, joint planning and collaborative action to realise intended benefits.

(iv) Regular exercises involving the three levels of the system throughout Queensland to refine the arrangements.

(v) Regular performance reports and continuous improvement.

This review notes that action endorsed by SDMG from an earlier June 2007 report led by a Steering Committee did not achieve full implementation of agreed recommendations.

Some change process suggestions to guide effective change planning and action on this occasion would include:-

▪ Strong, consistent overall leadership by the Chair, SDMG, and DPC.

▪ Joint united leadership by DCS and QPS – joint plans and united front presented to all stakeholders with each agency focussing on its area of strength in its own and other organisations. This must be achieved before moving forward.

▪ Relationships at all levels and between key stakeholders are strengthened by dialogue, airing and resolving differences and developing action plans in collaborative, well structured workshop settings.

▪ Proposed legislative amendments should be extensively consulted within DCS, QPS, other State agencies and Local Government to ensure subsequent commitment, understanding and clarity of shared expectations. A hurried, non-consultative approach is unlikely to achieve the beneficial impact intended.

▪ The two significant influences in the recommended future arrangements (dedicated Assistant Commissioner, QPS, and Executive Director, EMQ, should work together as the joint face of the initiative until major milestones are achieved. The review commends to the SDMG Steering Committee such an approach incorporating the above key initiatives and change processes.

Recommendation 21

The SDMG take into account key improvement initiatives and change processes suggested when deciding on an effective implementation strategy for agreed recommendations.

12. Legislative Changes

A schedule of suggested legislative changes based on the recommendations of this report are outlined below.

	Issue to be addressed	Amendment Required	Section of DM Act 2003
1.	Whether Objects of the Act and how they are to be achieved are sufficiently comprehensive.	Strengthen the foundation of local response in the Objects and describe the four phases in How They Are to be Achieved.	s.2, s.3
2.	The DM Act is to be used for all hazards and all natural and non-natural disasters.	Act to specify use for addressing all disasters and link this requirement in National and State Plans and agreements.	s.5
3.	Whether Emergency Management would be a more embracing term than Disaster Management.	Consider best to leave Act and other Acts such as *Public Safety Preservation Act* dealing with declaring emergencies as is at present.	No change
4.	Whether support by the State and District for Local response is adequately covered.	Strengthen the escalation of support arrangements in the How of the Objects.	s.3
5.	Whether the State can give direction – 'leaning forward', taking the initiative.	Include provision for giving directions verbally (in addition to current written direction provision) provided promptly supported by a written record of verbal direction.	s.45, s.46, s.47
6.	Requirement for State to be on the front foot and activate early, especially for mass evacuations.	Act already provides for a Disaster Declaration if greater than a 10% chance a disaster is likely to happen. Any area of State can be included.	No change
7.	All levels of the system need to know when one level activates its Disaster Management arrangements.	Incorporate activation notification requirements in the Act in duties of Chair, SDMG, DDC and Chair, LDMG.	New duties of Chairs
8.	Insufficient clarity about who controls the response to each disaster event in Queensland	Provide for Chair, SDMG, to appoint a Controller – define 'command', 'control', 'coordinate' and 'responsible for' in the legislation.	New s.20(b)

	Issue to be addressed	**Amendment Required**	**Section of DM Act 2003**
9.	Disaster District boundaries need modification.	Police Service, through DDCs, to lead consultation with Local Government and Departments at Local, District and State levels – new boundaries approved with flexible provisions for larger disasters through Regional Assistant Commissioner and A/C in charge of State response.	Not in Act. In State Plan.
10.	Insufficient input during certain phases of Disaster Management, eg certain State Departments to assist more with mitigation, planning and recovery activities.	Incorporate clear roles, tasks and responsibilities in the State's Disaster Management Plan.	Not in Act. In State Plan.
11.	Clarify appropriate trigger points to escalate support requests from Local to District to State, and trigger points for directing from State to District to Local.	Consultative process needed to develop and agree trigger points – best reflected in State Plan, District Plans and Local Plans – could be enabled in the legislation as well. (Trigger points suggested in report.)	New section if considered necessary
12.	How to ensure more effective and consistent planning and preparation.	State, District and Local Plans to be complementary and follow planning guidelines contained in State Policy and Plan.	Not in legislation Role of EMQ Outline in Act and Strategic Policy Framework
13.	Executive Officer position for State Disaster Management Group has unachievable breadth of functions currently.	Assign responsibility for development, enhancement, maintenance and governance oversight of the Disaster Management framework in Queensland to Department of Community Safety and Emergency Management Queensland.	New section after s.21.
14.	Lack of clarity about the roles of Executive Officer at State, District and Local levels.	Achieve consistency in the legislation in the functions of Executive Officer at State, District and Local levels.	s.21, s.28, s.35
15.	Clarify responsibilities of EMQ for the whole Disaster Management system on behalf of SDMG.	List responsibility of EMQ for the effectiveness of all phases of the system and for overall assessment and regular reporting on its effectiveness (governance).	New section.
16.	Executive Director, EMQ, to attend as SDMG member with Director-General of Department.	Include in responsibilities of Executive Director, EMQ.	New section.

	Issue to be addressed	Amendment Required	Section of DM Act 2003
17.	Clarify roles and appointments of Executive Officers.	▪ Chairperson SDMG to appoint Executive Officer of State Group, DDC and Commissioner of Police to appoint Police Officers as XOs to DDC with backup. ▪ Local DM Group to appoint XO.	s.19, s.27, s.35
18.	Effective use of EMQ personnel.	EMQ personnel to be members of each LDMG and DDC and SDMG.	s.19, s.24, s.33
19.	Clarify role of Disaster Response Controllers/Coordinators.	Disaster event controllers to be specified by Chair, SDMG, at State level; to be DDCs at District level; and the CEO or nominee at Local level – include scalable backup requirements, must have authority for expenditure and resource allocation as well as sufficient training and familiarity with Disaster Management system.	New section in Act
20.	Role of Elected Representatives during disaster responses. Could consider, as well, including in new section role as members/Chair of DM Groups at Local/State levels.	Emphasise importance of:- ▪ Supporting arrangements ▪ Public face ▪ Informing community ▪ Setting tone ▪ Maintaining confidence based on SITREPS from Coordination Centres.	New section in Act
21.	Ensuring the Queensland Police Service provides the leadership expected during disaster response phases.	Dedicate an Assistant Commissioner in QPS to oversee QPS response and ensure DDCs and XOs have sufficient dedicated time devoted to perform response role and support other phases through SDMG, DDMG and LDMG.	Role for QPS
22.	The need for regular comprehensive assessment and feedback reports about Queensland's Disaster Management arrangements.	EMQ to coordinate regular (at least annual) assessments by supporting LDMGs, DDMGs and SDMG in their formal assessment, reporting and review activity.	In functions of EMQ, in Act and three levels of DMGs
23.	Strengthening mitigation and recovery phases of the Disaster Management framework.	Amend Act to specify leadership – Lead Agency – task force and/or controllers approach.	New section of Act

	Issue to be addressed	Amendment Required	Section of DM Act 2003
24.	Whether three levels can obtain sufficient involvement of Government/non-Government personnel to support planning and response arrangements as members of State, District and Local Groups.	Consider making it mandatory in contracts/service agreements or in Act that a provider of essential utility, telecommunications and infrastructure services in a Local Government area or Disaster District or State must assign representatives to support DM Groups in all phases of Disaster Management.	Include in membership at each level s.19, s.24, s.33
25.	Is there sufficient discretion in legislation for Controllers/Coordinators to work outside of arrangements to prevent imminent loss of life etc.	Provide such discretion.	Amend s.5
26.	Uncertainty and confusion about the:- ▪ command and control arrangements for the SES; ▪ funding, support arrangements and call-out and deployment arrangements during disaster events for the SES and other volunteer emergency services.	Strengthen the SES section in Act to stress: ▪ volunteer service ▪ partnership between State and Local Government – based on MOUs ▪ requirement for SES deployment across Local boundaries ▪ Deployment by State to be in consultation with Local Controllers and Local Coordination Centres ▪ maintain other sections in Act.	Part 6 of Act

Recommendation 22

The suggested summary of legislative changes guide the legislative response to the report incorporating consultation with key stakeholders at State, District and Local levels.