



25 March 2021

Ms Sophie Dunstone
Committee Secretary
Review of Operation of the National Emergency Declaration Act 2020

By email: legcon.sen@aph.gov.au.

Dear Ms Dunstone

Review of Operation of the National Emergency Declaration Act 2020

The Victorian Local Governance Association ('VLGA') is pleased to make the following submission to this Review.

The VLGA is an independent peak governance body supporting local councils and councillors across Victoria. We provide opportunities for councillor networking, professional development and information exchange and we actively engage with key policymakers and broader stakeholders to inform, influence and lead the conversations that determine the priorities for the local government sector in Victoria and support good governance at the local level.

In regard to the Review we offer the following:

Environmental Context

Climate change leading to more frequent extreme weather events gives rise to the most significant emergency management risks confronting our nation. We submit that as a clear priority, any review needs to have regard to climate-related mitigation and adaptation activities required at all levels of government.

This is a challenge that requires a nuanced approach to federalism in emergency management, including consideration of the issues raised below.

Legal Context and Impact

Emergency Management functions in Victoria are guided by the *Emergency Management Act 2013* ('the Act'). That Act sets the context for emergency management related responsibilities, including powers and authorities, response and recovery.

To this end local governments are required to establish Municipal Emergency Management Plans, predicated on planning, execution and reviews that are nested and regularly tested within regional and state-wide frameworks with clarity over incident control arrangements at all levels and in relation to all types of known emergencies.

Communication is paramount and we see substantial risk associated with Commonwealth interventions where there has been little or no prior engagement in leading the preparedness for, response and resilience to and recovery from natural disasters.



Rather, we submit that any involvement of the Commonwealth should reflect and augment the emergency management structure and personnel established under the Act. Going further, at all levels an increase in interoperability across jurisdictions and agencies ought be central to ongoing improvements.

Governance Frameworks

The Act is predicated on principles of subsidiarity, namely that decision making, wherever possible should be devolved to the closest possible level to those communities affected. It is evident that this approach best enables the adoption of effective risk frameworks to inform decision-making.

Ongoing attention to local capacity building across agencies is a pre-cursor to, and will be supported by, subsidiarity of decision-making. We therefore submit that any proposed amendments should ensure a continuation (as far as practicable) of locally led decision making, reflecting that place-based approach to planning, engagement and preparedness in emergency management.

Yours sincerely

Kathryn Arndt
Chief Executive Officer