

Dear Mr Fitt,

Thank you for your email and your request for information to inform the Joint Standing Committee on the Australia Fund Establishment. Mr Garcia has asked that I respond to your queries.

As you may be aware, the Emergency Management Arrangements in Tasmania are divided into three tiers; state, regional and municipal. The Association represents the 29 Tasmanian Councils from a policy perspective on Emergency Management matters at the State Level and is a member of many reference groups, steering committees etc. LGAT is also a member of a number of the Sub Committees of the State Emergency Management Advisory Group, a group which reports to the State Emergency Management Committee. These committees provide LGAT with input into the States Emergency Management priorities.

Local Government is also integrated into the Regional Emergency Management structures through Regional Emergency Management Committees and each council or group of council's has a Municipal Emergency Management Coordinator who sits on that committee.

It is worth noting that the State Government through the Department of Justice is currently reviewing the Emergency Management Arrangements in Tasmania as a response to a recommendation to come out of the Tasmanian Bushfire Inquiry.

If you require further information about the general Emergency Management arrangements in Tasmania please refer to the *Emergency Management Act 2006* and the Tasmanian Emergency Management Plan (<http://www.ses.tas.gov.au/h/em/publications/temp>) .

In relation to your specific questions, please see LGAT's response below.

- We understand that the Protocol for Inter-Council Emergency Management has been in place since late 2012. Could you outline the issues that necessitated the development of the protocol and how well the protocol is functioning across all levels of government? Is there a federal interface to this?

The opportunity for a Protocol for Inter- Council Emergency Management Resource was raised at a Municipal Emergency Management Coordinators Forum in February 2012. The purpose of the Protocol was to put structure and surety around existing informal arrangements. The protocol clarifies operational, insurance, OH&S and reimbursement issues that could arise through municipal sharing arrangements. The protocol also provides councils with a larger network of councils on which to draw resources. Like the Victorian protocol, adoption of the protocol is voluntary.

- Insurance is one of the key components of the protocol. Could you explain how the insurance operates across the various councils and what kind of cover it provides and who pays for the cover?

In Tasmania all councils are covered for indemnity by MAV insurance, Liability Indemnity Insurance (LMI). As all councils are insured by the same insurer, MAV Insurance worked with LGAT in developing the 'Liability for loss and injury' component of the Protocol. Under the arrangements LMI will extend the policy of the "Receiving Council", to cover the "Assisting Council" as "Principal" in respect to claims for personal injury or property damage arising out of the negligence of the "Receiving Council". Put simply, the "Receiving Council's" policy

(the Council receiving the equipment/service) is extended to cover the “Assisting Council” (the Council providing the equipment/service - the Principal), should they become embroiled in litigation where the “Receiving Council” has been negligent. The Principal’s Indemnity extension does not offer cover to the “Assisting Council” if they themselves contribute towards the negligent acts etc. Their own LMI Policy will respond to their own acts of negligence.

- What proportion of councils' emergency management funding is spent on mitigation as opposed to recovery?

Unfortunately we have not been able to quantify this. Council's budget specific project funds on mitigation work as well as building aspects of mitigation into Asset Management Plans. Council's are also eligible to apply for grant funding under the Natural Disaster Resilience Grant and many councils have been successful in receiving funds through this means. Funding received through this program for councils has amounted to approximately \$1.5 million. Further information is provided in the LGAT submission into the Productivity Commission Inquiry into Disaster Funding. <http://www.pc.gov.au/inquiries/completed/disaster-funding/submissions/submissions-test/submission-counter/sub065-disaster-funding.pdf>

- Have councils received reimbursement of expenses from the state government to cover the costs of assisting council's cost incurred during natural disasters?

Short answer is no as the protocol has not been formally enacted, however, the State has made a commitment to honour this payment if the Local Government Relief and Recovery policy is triggered as part of an emergency.

The Tasmanian Governments Relief and Recovery Arrangements are administered by the Tasmanian Department of Premier and Cabinet. Under these arrangements there is a Local Government relief and recovery policy which governs how councils access and receive funding for relief and recovery. Eligibility for funding is mirrored on the NDRRA.

- What happens if a council decides to withdraw from the LGAT? Does this affect the level of assistance they get from other participating councils or the state government?

As mentioned earlier, many councils have informal arrangements and the protocol provides some level of surety around the arrangements. The reimbursement arrangements are consistent with the Tasmanian Governments Local Government Relief and Recovery Policy which allows reimbursement for contracted labour to assist in recovery. This is only available if the policy is triggered and threshold figures are met and is not restricted to protocol signatories.

- In a post disaster and recovery context, what are the main challenges that councils face in assisting business and industry in returning to pre-disaster capacity?

Overall, the state has a key role to play in this context. The state is responsible for economic recovery under the Tasmanian Emergency Management Plan. There is a need for businesses to be engaged in emergency management planning from the context of business continuity. This pre emergency planning is important and assists in returning them to pre-disaster capacity.

Councils are somewhat hamstrung by statutory legislated timelines for planning post disaster. However, there are currently discussions underway at the State level, through the

Planning Taskforce, in relation to changes to the planning legislation to improve responses following a disaster.

- Do councils have any financial or funding levers available, particularly to assist small business to in crises, or to assist in post disaster recovery efforts?

Local Government does not have any particular levers available to them. However, following disasters many councils will work with residents and businesses to ensure that permits and planning requirements are managed as quickly as possible and that business continuity is assisted by ensuring access and egress is returned to normal as quickly as possible. The protocol could come into play here through the resource sharing of planners.

Under the emergency management arrangements, a Municipal Recovery Committee is established which provide a conduit between emergency affected people and State Government agencies for recovery support, usually in collaboration with Regional Emergency Management Committees and subcommittees. This provides councils with the ability to lobby government to ensure that the community recovery and economic recovery is as swift as possible.

Arrangements for economic recovery are coordinated by the State Growth as required. The DPIPWWE administers compensation arrangements that may be applicable in some bio-security emergencies subject to established criteria and guidelines. These activities are supported by the DPAC and the DoTF.

These activities are usually undertaken in consultation with affected councils, businesses, industry groups and other relevant stakeholders and can include:

- a. Provision of information to the business sector.
 - b. Development and implementation of an economic recovery strategy.
 - c. Delivery of relevant relief packages activated as part of the Tasmanian Relief and Recovery Arrangements.
- The equivalent Victorian Protocol For Inter-Council Emergency Management Resource Sharing does outline a range of expected activities that municipal councils could become involved in during the recovery phase. Is this something that Tasmania is looking to adopt? If so how and what activities would you expect it to cover?

The Tasmanian protocol does not provide example activities that assisting councils may become involved in during an emergency. The Tasmanian protocol does not restrict the type of activities that a council may be asked to assist with. The Tasmanian Local Government Local Government Relief and Recovery Policy may restrict the type of activity with can be reimbursed.