

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Group 3

Program 1.7

Question No. 76

Senator Brandis asked the following question at the hearing on 12 February 2013:

In relation to Australian Government Disaster Recovery Payment (AGDRP):

1. What is the process for activating the AGDRP?
2. What is the name of the document, the policy, or the manual, that proscribes the procedure and formulae involved in the activation of the AGDRP?

Please provide a copy of this document.

3. What is the definition, of “*major disaster*” in terms of the activation of the AGDRP?
4. In determining when the AGDRP is activated, what are the thresholds in terms of:
 - a) Value of damage to either private or public infrastructure?
 - b) Number of individuals affected?
 - c) Percentage of community affected?
5. What is the relationship between the activation of NDRRA and the activation of the AGDRP?
6. Does any specific category of NDRRA need to be activated to enable the activation of the AGDRP?
7. Can the AGDRP be activated before, or in the absence of, NDRRA activation for a local government area?
8. Does the Commonwealth or the Minister, require Local Governments or State Governments to formally apply for activation of the AGDRP?

If so, what is the application process?

Please provide a copy of the document which lays down the application process.

What information must a Local Government or State Government provide to enable the activation of the AGDRP?

9. Is there a maximum time frame after a “*major disaster*” after which the AGDRP cannot be activated?
10. What has been, to date, the longest time frame after the occurrence of a “*major*” disaster, when AGDRP has been activated for a local government area?
11. Can the AGDRP be activated for a local government area during, or in expectation of a “*major disaster*”, at a point before which the Commonwealth has appraised the full extent of damage to a local government area?

Has this occurred in 2013?

12. Do the activation processes for AGDRP require, in all instances, a Ministerial discretion to be applied?
13. If so, in making such a determination is the Minister required to seek the advice of:
 - a) EMA
 - b) The relevant State Government
 - c) The relevant local government authority
 - d) The relevant Federal Member of the House of Representatives
 - e) Any other office holder, agency or organization?
14. Please describe the processes and role EMA plays in relation to the AGDRP.
15. In response to the flood event on January 2013 related to Tropical Cyclone and Ex-Tropical Cyclone Oswald, on what dates did EMA staff or officers visit or inspect the local government areas of:
 - a) Bundaberg
 - b) Cherbourg
 - c) Fraser Coast
 - d) Gladstone
 - e) Gympie
 - f) Lockyer Valley
 - g) North Burnett
 - h) Rockhampton
 - i) Somerset
 - j) South Burnett
 - k) Banana
 - l) Central Highlands

The answer to the honourable senator's question is as follows:

1. The Department monitors the impact on individuals and the community in disaster-affected areas and provides advice to the Minister on the need for additional assistance. The AGDRP is activated when the Minister signs the two determinations required under section 36 and section 1061L of the *Social Security Act 1991*.
2. The *Social Security Act 1991* provides the legislative requirements for the activation of the AGDRP.

For the 2012-13 disaster season, the Department has been piloting a number of disaster assessment tools. These tools aid in the assessment of disaster impact information and the subsequent advice that the Department provides to the Minister on the activation of the AGDRP.


A copy of the standard operating procedure and impact data collection template for the pilot is attached.

3. As stated in section 23 of the *Social Security Act 1991*, the definition of "major disaster" is a disaster in respect of which a declaration is in force under section 36 of the Act. The *Social Security Act 1991* requires the Minister to have regard to the number of individuals affected and the extent to which the nature or extent of the disaster is unusual.
4. The Department does not use thresholds in providing advice to the Minister on whether AGDRP should be provided.

The pilot disaster assessment tools use indicative thresholds of 5% indicating a low and 15% indicating a moderate percentage of the individuals and community affected as part of the

assessment process. These indicative thresholds assist in providing advice to the Minister on whether additional assistance is required, but do not mean that AGDRP will be provided. The value of damage to either private or public infrastructure is not considered in relation to AGDRP. The Department does consider impacts such as fatalities, personal injury, the damage and destruction of properties, and individuals evacuated, isolated or unable to return home.

5. There is no relationship between the NDRRA and the AGDRP. The NDRRA is a cost-sharing arrangement with the States. The AGDRP is a Commonwealth only payment activated by Ministerial determination.
6. No.
7. Yes.
8. No. The Department will consider any impact information provided by State and local governments following a disaster.
9. No.
10. The longest time frame has been 179 days to extend the activation of AGDRP to the township of Ungarie following flooding in NSW in February –March 2012.
11. The AGDRP cannot be activated in expectation of a “*major disaster*”. The AGDRP can be provided before the full extent of damage can be appraised. This has occurred in 2013. It may take many weeks or months to fully assess the extent of damage following a disaster.
12. Yes.
13. No. The Minister has the sole responsibility for determining an event a major disaster under section 36 of the *Social Security Act 1991* and is not required to seek the advice of any other party.
14. The Department monitors the impact on individuals and the community in disaster-affected areas and provides advice to the Minister on the need for additional assistance. The Department collects information on the impact on individuals and the community. Impact information is generally obtained from our State and Territory emergency management contacts, other Commonwealth agencies such as GeoScience Australia, the Australian Bureau of Statistics and the Bureau of Meteorology and through open sources. Once AGDRP is activated, the Department liaises with the Department of Human Services on matters related to the delivery of the payment.
15. Director General EMA visited Bundaberg on 26 and 31 January 2013. He and another SES officer also visited the Queensland Emergency Services Complex in Kedron on 29 January 2013. EMA also despatched liaison officers to work in State Crisis Centres in Tasmania, Queensland, New South Wales, Western Australia and Victoria at different times during the summer. EMA does not normally undertake inspections of areas with regard to provision of advice on potential AGDRP activations and did not visit the other area named in the Senator’s question.

 <p>Australian Government Attorney-General's Department Emergency Management Australia</p>	<p style="text-align: center;">National Disaster Recovery Programs Branch Standard Operating Procedure</p> <p style="text-align: center;">Use of the Disaster Assessment Tools for AGDRP Activation Pilot for the 2012-13 summer season</p>	<p>NDRPB SOP #15 Date Approved:</p>
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BACKGROUND


The Australian Government Disaster Recovery Payment (AGDRP) is the primary mechanism through which the Australian Government provides recovery payments directly to individuals. The AGDRP has a legislative basis in the *Social Security Act 1991*. During the 2012-13 summer season, the Department will be piloting new Disaster Assessment Tools (DAT) to inform activations of the AGDRP.

The DAT bring together contextual information on the characteristics of the local community; information on the nature of the disaster event; and data on the impact of the event on individuals. The following five tools make up the DAT:

1. Hazard decision trees to determine whether an event is likely to have low, moderate or high levels of impact based on thresholds and limited information in the early stages of an event,
2. Impact datasheet and AGDRP indicators of severity which will provide an objective reference point for when a disaster is considered major,
3. National Data Profile (NDP) containing information regarding the built and social environments exposed to an event,
4. National Vulnerability Profile (NVP) containing data on the level of disadvantage of an affected community,
5. Past Disaster Database (PDD) to assist in making comparisons between past and unfolding events.

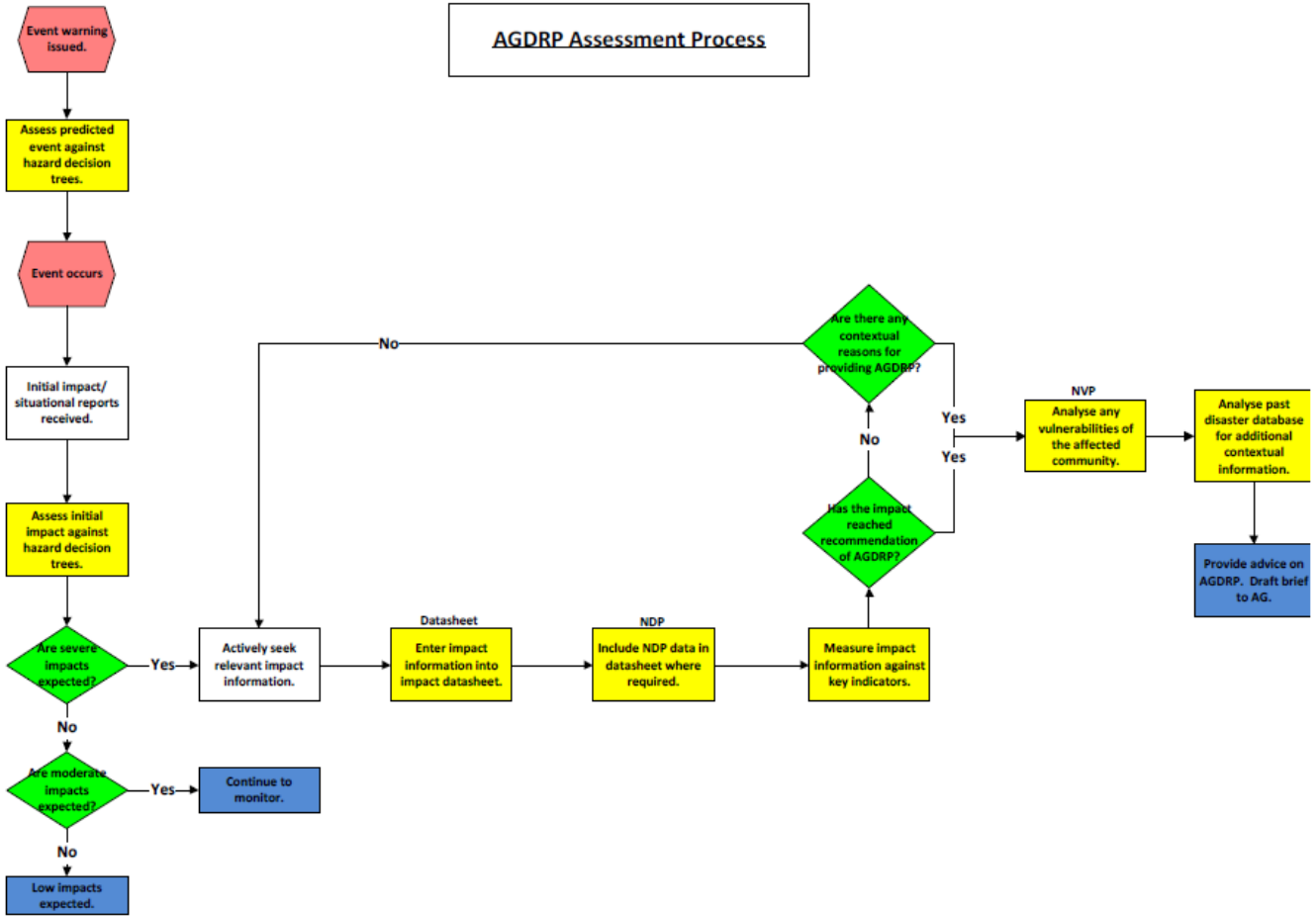
STANDARD OPERATING PROCEDURE

1. All DAT tools can be found in Trim folder 12/16535 titled: *EMA – AGDRP – Disaster Assessment Tools – Final tools for pilot*.
2. If an event warning is issued, use the appropriate hazard decision tree to predict whether the anticipated event is likely to have low, moderate, or high levels of impact. If expected level of impact is medium or high, continue to step 2. If the level of impact predicted is low, no further action is required but to continue to monitor.
3. Once event occurs, collate situational/impact reports received from the Crisis Coordination Centre (CCC) (via 1300 243 222 or ccc@ag.gov.au).
4. Using the appropriate hazard decision tree, predict whether the unfolding event is likely to have low, moderate, or high levels of impact. If expected level of impact is medium or high, continue to step 4. If the level of impact is low, no further action is required but to continue to monitor.
5. Seek further impact information from the CCC or open media.
6. Complete the impact datasheet using available impact data and where required data contained in the National Data Profile.
7. Measure impact against the AGDRP key indicators.
8. Using the indicators, assess whether a set of conditions suggesting AGDRP may be appropriate has been met.
9. Using the National Vulnerability Profile, analyse the data for any vulnerabilities of the affected community.
10. Analyse Past Disaster Database for any previous events in that area or region.

 Australian Government Attorney-General's Department Emergency Management Australia	National Disaster Recovery Programs Branch Standard Operating Procedure Use of the Disaster Assessment Tools for AGDRP Activation Pilot for the 2012-13 summer season	NDRPB SOP #15 Date Approved:
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11. Draft brief to the Attorney-General containing a recommendation on activation of the AGDRP – see [refer to the AGDRP activation SOP].

AGDRP Assessment Process



Completed by: [insert name]

Version number: [x]

Date/time: [24:00, dd/mm/yy]

[Name of event]

AGRN:	
Type of Disaster:	
Hazard decision tree predicted impact level:	<input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
State:	
List of affected LGAs:	
Event start date:	
Description of event:	

Number of fatalities:	
Circumstances of fatalities (if known) or other additional information:	
Number of injured:	
Circumstances of injured (if known) or other additional information:	

NDRRA ASSISTANCE

NDRRA Category A Assistance	Title of assistance	No. of people assisted	Total amount of assistance payments
Part (a): Emergency food, clothing or temporary accommodation (PHD)	(If known - insert title of assistance given by state)		

RESIDENTIAL BUILDINGS – DESTROYED

Name of LGA	Number of residential buildings destroyed	Number of residential buildings in LGA	% of residential buildings destroyed in LGA
[Add additional rows if required]			

Total number of residential buildings destroyed:	
Total number of residential buildings in LGA's listed above:	
% of residential buildings destroyed across affected LGAs:	

RESIDENTIAL BUILDINGS – DAMAGED

Name of LGA	Number of residential buildings damaged	Number of residential buildings in LGA	% of residential buildings damaged in LGA
[Add additional rows if required]			

Total No. of residential buildings damaged :	
Total no. of residential buildings in affected LGA's:	
% of residential buildings damaged across affected LGAs:	

REQUESTS FOR ASSISTANCE

Hotline name/type	Number of calls	Types of assistance requested
[Add additional rows if required]		

Total number of calls for assistance:	
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EVACUATIONS

Name of LGA	Number of people evacuated	Population of LGA	% of population evacuated
[Add additional rows if required]			

Name of township/community	Number of people evacuated	Population of township/community	% of population evacuated
[Add additional rows if required]			

Name of LGA	Location/Name of Evacuation Centre	No. of evacuees
[Add additional rows if required]		

Total number of evacuation centres:	
Total number of people in evacuation centres:	

ISOLATION

Name of LGA	Number of people isolated	Estimated length of time (hours or days)	Population of LGA	% of population isolated
[Add additional rows if required]				

Name of township / community	Number of people isolated	Estimated length of time (hours or days)	Population of township/community	% of population isolated
[Add additional rows if required]				

Total number of individuals isolated:	
Total number of individuals unable to return:	

UTILITIES

Provision of utilities	Number of customers without: first 24 hours	Number of customers without: 24-48 hours	Number of customers without: 48-72 hours	Number of customers without: 72 hours onwards
Water and sewerage				
Electricity				
Gas				
Landline telephone network				
Mobile phone network				
Internet services				

ADDITIONAL IMPACT INFORMATION**COMMUNITY FACILITIES**

Number of community facilities destroyed:	Additional information
[Add additional rows if required]	

Number of community facilities damaged:	Additional information
[Add additional rows if required]	

ACTIVATION OF COMMONWEALTH PLANS

Name of Commonwealth Plan	Date Activated:	Date deactivated:
[Add additional rows if required]		

RECOVERY ACTIVITIES

Recovery centres established: <input type="checkbox"/> Yes (provide details) <input type="checkbox"/> No	Name of centre/location: Name of centre/location: Name of centre/location:
Recovery committee established: <input type="checkbox"/> Yes (Provide details) <input type="checkbox"/> No	Name of committee: Contact details (if known): Date commenced:
Appeal fund created: <input type="checkbox"/> Yes (Provide details) <input type="checkbox"/> No	Name of fund: Amount of Commonwealth contribution:
Additional details:	

AGDRP INDICATORS

	Measureable effects of the event	Low impacts range	Moderate impact range	Moderate - severe impact range	Severe impact range	Catastrophic impact range
	Primary indicators					
1	Fatalities	<input type="checkbox"/> Nil	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
2	Injuries	<input type="checkbox"/> 0-5	<input type="checkbox"/> 5-10	<input type="checkbox"/> 5->10	<input type="checkbox"/> >10	<input type="checkbox"/> >100
3	% of residential buildings destroyed	<input type="checkbox"/> 0-5%	<input type="checkbox"/> 6-15%	<input type="checkbox"/> 6->15%	<input type="checkbox"/> >15 %	<input type="checkbox"/> >50%
4	% of residential buildings damaged	<input type="checkbox"/> 0-5%	<input type="checkbox"/> 6-15%	<input type="checkbox"/> 6->15%	<input type="checkbox"/> >15 %	<input type="checkbox"/> >50%
5	% of population evacuated	<input type="checkbox"/> 0-5%	<input type="checkbox"/> 6-15%	<input type="checkbox"/> 6->15%	<input type="checkbox"/> >15 %	<input type="checkbox"/> >50%
	Secondary indicators					
6	>500 customers without water and sewerage	<input type="checkbox"/> Less than 24 hours	<input type="checkbox"/> 24-72 hours	Not applicable	<input type="checkbox"/> >72 hours	Not applicable
7	>500 customers without electricity	<input type="checkbox"/> Less than 24 hours	<input type="checkbox"/> 24-72 hours	Not applicable	<input type="checkbox"/> >72 hours	Not applicable
8	>500 customers without gas	<input type="checkbox"/> Less than 24 hours	<input type="checkbox"/> 24-72 hours	Not applicable	<input type="checkbox"/> >72 hours	Not applicable
9	>5% of population isolated	<input type="checkbox"/> Less than 24 hours	<input type="checkbox"/> 24-72 hours	Not applicable	<input type="checkbox"/> >72 hours	Not applicable
10	>5% of population unable to return home or displaced	<input type="checkbox"/> Less than 24 hours	<input type="checkbox"/> 24-72 hours	Not applicable	<input type="checkbox"/> >72 hours	Not applicable
11	Total no. of requests for assistance	<input type="checkbox"/> 0-1000	<input type="checkbox"/> 1000-2000	Not applicable	<input type="checkbox"/> >2000	Not applicable
12	No. of people assisted with Cat A(a) payments	<input type="checkbox"/> 0-100	<input type="checkbox"/> 100-299	Not applicable	<input type="checkbox"/> >300	Not applicable

Completed by: [insert name]

Version number: [x]

Date/time: [24:00, dd/mm/yy]

	Recommendation:	<input type="checkbox"/> Low impact range. AGDRP recommendation unlikely.	<input type="checkbox"/> At least 8 indicators have been met. May recommend AGDRP. <input type="checkbox"/> Insufficient indicators have been met. Continue to monitor.	<input type="checkbox"/> At least 3 primary indicators have been met. May recommend AGDRP. <input type="checkbox"/> Insufficient indicators have been met. Continue to monitor.	<input type="checkbox"/> At least 1 primary indicator has been met and at least 6 total indicators have been met. May recommend AGDRP. <input type="checkbox"/> Insufficient indicators have been met. Continue to monitor.	<input type="checkbox"/> At least 2 primary indicators have been met. May recommend AGDRP. <input type="checkbox"/> Insufficient indicators have been met. Continue to monitor.
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