



21 January 2013

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Your Ref:

Committee Secretary  
Senate Standing Committee on Environment and Communications  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

To Whom It May Concern:

**WALGA submission to the Inquiry into recent trends in and preparedness for extreme weather events**

Thank you for the opportunity to provide comments to the Senate Standing Committee on Environment and Communications. This submission has been prepared by the Western Australian Local Government Association (WALGA) on behalf of Local Government in Western Australia. WALGA is the united voice of Local Government in Western Australia. The Association is an independent, membership-based group representing and supporting the work and interests of all 140 Local Governments in Western Australia.

Due to the timeframe of the consultation period, the comments contained in this letter have not been considered or endorsed by WALGA's State Council. Please be advised that this is an interim submission, and that the Association reserves the right to modify or withdraw the comments as directed by State Council.

Local Governments in Western Australia play a significant role in Emergency Management, and are proactive in the spheres of climate change adaptation and mitigation. The 140 Western Australian Local Governments cover a combined area of 2,529,875 km<sup>2</sup>.<sup>1</sup> The relative small population (2,430,300 people in 2012)<sup>2</sup>, vast distances, and diverse climactic patterns, present a number of challenges for Local Governments. Despite the challenges, Local Governments in Western Australia are committed to the effective delivery of these important services, and consistently look for new ways to improve and opportunities to form partnerships to ensure the best outcomes for their communities.

This submission has been developed by the Emergency Management area of the Planning and Community Development Unit, and the Climate Change area from the Environment and Waste area of the Association. Much of the information contained in this submission has been collected through the Natural Disaster and Resilience Program (NDRP) funded project *Building Emergency Management Capacity in Local Government* (ongoing).

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<sup>1</sup> Landgate Website 2013, 'Interesting Facts about Western Australia',  
<http://www.landgate.wa.gov.au/corporate.nsf/web/Interesting+Facts+About+Western+Australia>  
Accessed 18 January 2013

<sup>2</sup> ABS Website 2013, '3101.0 – Australian Demographic Statistics, Jun 2012',  
<http://www.abs.gov.au/ausstats/abs@.nsf/mf/3101.0> Accessed 18 January 2013

## **Emergency Management**

### **Background**

Local Governments in Western Australia play a significant role in Emergency Management. Both State and National policy identify Local Government as a key player in community disaster resilience, mitigation and response. In Western Australia, Local Governments key responsibilities in regard to Emergency Management are outlined in the *Emergency Management Act 2005* and the *Bush Fires Act 1954*.

#### *Emergency Management Act 2005*

Emergency Management in Western Australia is structured around the *Emergency Management Act 2005*. The Act establishes the basis for a broader framework of regulations (*Emergency Management Regulations 2006*); a committee structure; the prescription of agencies to fulfil the roles as hazard management agencies; combat agencies and support organisations; and a suit of State level plans (Westplans) and policies that guide the operations of Emergency Management.

The Act requires that a Local Government will maintain effective Local Emergency Management Arrangements for its district including a Local Recovery Plan, to manage recovery following an emergency. In addition, Local Governments are required to establish one or more Local Emergency Management Committees (LEMC) for its district.

#### *Bush Fires Act 1954*

With the enactment of the *Bush Fires Act 1954*, the State handed the responsibility for disaster reduction through prescribed or fuel reduction burning to Local Government to administer. In 1998 an amendment to the Act formalised the Power of Authority given to the Fire and Emergency Services Authority (FESA) and also transferred ownership of the Act to FESA (FESA have now become the Department of Fire and Emergency Services (DFES)). DFES is required (amongst other obligations) to carry out fire prevention measures and to carry out research in connection with fire prevention and matters pertaining to fire prevention and control.

The Act does not apply to conservation lands which is managed by the Department of Environment and Conservation (DEC) under the *Environment Protection Act 1986*, and the *Conservation and Land Management Act 1984*.

The Act impacts heavily on around 122 Local Governments most of which are located in and around the Perth Hills and in the South West Land Division. The Act requires Local Government to administer bushfire prevention, preparedness, response, and recovery within their Local Government area on land invested in the Local Government; raise and administer bushfire brigades; appoint a Chief Bushfire Control Officer and other bushfire control officers; provide land for the establishment of buildings; and provide insurance for brigade members and appliances under their control.

Other requirements under the Act include the issue of fire break notices to land owners; regular inspections of private property; mitigation; prosecution; the oversight of total fire bans; harvest and vehicle movement bans; prohibited and restricted burning periods; and oversight of planning schemes related to bushfire protection for the community. The Act also does not bind the Crown, placing increasing pressure on Local Governments to perform mitigation and preparedness activities to reduce risk to the community.

### **Terms of Reference**

***(b) (iii) the availability and affordability of private insurance, impacts on availability and affordability under different global warming scenarios, and regional social and economic impacts;***

On 20 April 2010, a 5.0 magnitude earthquake hit the City of Kalgoorlie-Boulder, a vibrant mining and mine support City located 600km east of Perth. The earthquakes epicentre was located very close to the Boulder Heritage Precinct and caused significant damage to historic and two storey

buildings on and near the main street of Boulder - Burt Street. Unfortunately damage to the City's non-insurable infrastructure did not amount to \$250,000 as required under the Western Australian Natural Disaster Relief and Recovery Arrangements (WANDRRA) for State/Federal funding.

The post incident review of the earthquake identified that under insurance as result of the high cost of private insurance for heritage buildings resulted in a large number of property owners not being able to afford repairs. To prevent serious economic and social impacts to Boulder the City lobbied the State Government for the funding and a \$5 million Goldfields Earthquake Restoration Fund was set-up, which was also later complimented by an additional \$1.35 million for the City of Kalgoorlie-Boulder's Burt Street Heritage Precinct Restoration Project.

The Kalgoorlie-Boulder earthquake highlights that a mechanism for government assistance for non WANDRRA events should be considered to help bridge the gap between the cost of conservation works that retain heritage buildings and insurance pay outs.

**(c) an assessment of the preparedness of key sectors for extreme weather events, including major infrastructure (electricity, water, transport, telecommunications), health, construction and property, and agriculture and forestry;**

The Association and the Local Government sector are working with the State and Federal Government through the National Emergency Management Committee (NEMC), to implement the National Strategy for Disaster Resilience. In June 2012 the NEMC endorsed the *Enhancing Disaster Resilience in the Built Environment Roadmap*.

The Roadmap sets out an action plan to increase the built environment's level of disaster resilience through influencing land use planning and building codes. This includes the better integration of priority hazard considerations within the development management framework and developing options for disclosure of hazards on the transfer of property.

In November 2012, the Association conducted a survey of Western Australia Local Governments to ascertain Local Government capacity and investment to provide advice to the State and Federal Government. The survey concluded that, where correspondents consider their Local Government to be at risk of a particular hazard, they usually have measures in place to deal with the threat and amongst the few that regard themselves at risk but do not currently have policies adopted, are planning to do so in the next 3 years. The survey also revealed that with the exception of flooding, the majority of correspondents seek to manage the threat of the various hazards through non-planning legislation/policy.

**(d) an assessment of the preparedness and the adequacy of resources in the emergency services sector to prevent and respond to extreme weather events;**

**(e) the current roles and effectiveness of the division of responsibilities between different levels of government (federal, state and local) to manage extreme weather events;**

The Association has been awarded an NDRP grant to identify how Local Governments have complied with their Emergency Management legislative obligations and associated policies since the implementation of the *Emergency Management Act 2005*, and to assess the implications of differences in mandated roles and management structures of Local Government with respect to their capacity to respond to an emergency. In late 2012, this project took Association staff across the State, running workshops, holding forums and providing Local Governments with an opportunity to submit comments directly to the Association on issues and concerns they may have.

What the engagement program highlighted was that Western Australia is a diverse state; with recent bushfires in the Perth metropolitan area, the South West and South East; earthquakes in

the East; cyclones on the northern coast; and floods in the North East; a one-size-all approach to emergency and hazard management in Western Australia is just not appropriate. The sheer size of the State and diversity of the population and settlement sizes also presents a challenge; the Shire of Wyndham-East Kimberley, for example, covers 121,189km<sup>2</sup>, and includes approximately 42 town-based and remote aboriginal communities. The Shire of Menzies covers 128,353km<sup>2</sup>, with a population of 353 people. Limited resource raising opportunities, vast distances, and small staff sizes, present major challenges to Local Governments committed to addressing their Emergency Management responsibilities.

The 140 Local Governments in Western Australia face a range of issues; from finding and keeping appropriately trained staff; receiving tailored training solutions; attracting and retaining volunteers; building community resilience in the face of emergency events; and, receiving enough support from executive management level and councillors. Funding, in particular, was seen as the key issue: the *Emergency Management Act 2005* was implemented in 2006 with no funding to assist Local Governments address their responsibilities under the Act. The effects are still felt seven years later.

The relationship between Local Government and State Government agencies was another key issue raised during the engagement process. Local Governments often do not have the expertise and resources required to address many of their responsibilities under the relevant legislation, and feel that they are not receiving enough support from the State Government. The State Government's apparent focus on 'response' also means that Local Governments find it difficult to access appropriate resources to support their mitigation and preparedness works.

The above issues are reflected in the identified priority actions from the engagement program:

1. Secure dedicated and recurrent Emergency Management funding for Local Governments from the State and Federal Governments, and through core Local Government administration.
2. Provide high quality, tailored and accessible Emergency Management education, training and professional development for all Local Government Emergency Management personnel (including volunteers), CEOs, Executives and Elected Members.
3. Officially acknowledge and administer Emergency Management as core business of Local Government.
4. Fund and appoint dedicated Emergency Management positions within Local Governments.
5. Integrate Emergency Management planning into the Integrated Planning Framework requirements for all Local Governments.
6. Secure more resources for community engagement, capacity building, preparedness and resilience building.
7. Change and enhance relevant legislation, policy and structures to support Emergency Management in Local Government.
8. Improve Emergency Management coordination across the State.
9. Strengthen the risk assessment and management approach to Emergency Management.
10. Improve and exercise Emergency Management arrangements.

## **Climate Change**

### **Background**

Climate change is an issue that Local Governments in Western Australia consistently express concern about. In 2007 WALGA conducted a survey of Local Governments to ascertain their knowledge of, and concern about climate change impacts. Of over 80 responses 100% of Local Governments expressed concern about climate change impacts and implications. From regionally specific concerns about sea level rise and its land use planning and liability implications, to

developing reliable risk and emergency management plans, our communities expect Local Governments to manage climate change impacts.<sup>3</sup>

Recently, the Western Australian State Government released its State Climate Change Strategy *Adapting to our changing climate 2012*.<sup>4</sup> However, Western Australia currently has no state legislation directly relating to climate change mitigation or adaptation.

Within Western Australia's State Climate Change Strategy, the State Government recognises the importance of Local Government involvement in emergency management planning. Within this document they identify an approach to develop additional training and skill development programs to assist Local Governments to incorporate climate change considerations into local disaster management plans.

#### **Terms of Reference**

**(f) progress in developing effective national coordination of climate change response and risk management, including legislative and regulatory reform, standards and codes, taxation arrangements and economic instruments;**

While Local Government is the closest sphere of government to the community, and could provide significant climate change information and assistance to the community relating to risk and Emergency Management, it is not the best resourced sphere of government to do so.

Local Government however is committed to working with the State and Federal Governments to ensure adequate resourcing for Local Government climate change adaptation and mitigation actions through a range of techniques to ensure effective Local Government strategies and decision making.

**(g) any gaps in Australia's Climate Change Adaptation Framework and the steps required for effective national coordination of climate change response and risk management;**

Local Governments are increasingly at the forefront of climate change adaptation impacts, whether it is the impact on Local Government asset such as roads or planning for sea level rise impacts on coastal communities. Recently, it has become vital for Local Governments to prioritise preparedness for extreme weather events as the number of instances continues to rise.

As stated within the National Climate Change Adaptation Framework which was agreed to by The Council of Australian Governments (COAG) in April 2007,

“Climate change impacts need to be factored into natural disaster management risk reduction, emergency services planning, and recovery management, especially for areas more vulnerable to extreme events. Community awareness and developing a culture of preparedness in conjunction with emergency services will contribute to effective adaptation responses.”

Local Governments proximity to the community highlights the need for the sector to be heavily involved in adaptation planning and decision making on effective climate change responses and risk management.

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<sup>3</sup> WALGA Climate Change Management Toolkit, Policy Statement on Climate Change, <http://www.walgaclimatechange.com.au/walga-policies.htm> Accessed 18 January 2013

<sup>4</sup> Department of Environment and Conservation Website, Adapting to our changing climate <http://www.dec.wa.gov.au/news/7136-adapting-to-our-changing-climate.html> Accessed 18 January 2013

Thank you again for the opportunity to provide comment to the Inquiry. The Association looks forward to being involved in further consultation.

Please quote our file reference in all correspondence.

Yours sincerely

**Mayor Troy Pickard**  
**President**