



Australian Government

National Emergency Management Agency

Submission to the Select Committee on Australia's Disaster Resilience

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Introduction

The National Emergency Management Agency (NEMA) welcomes the opportunity to provide a written submission to support the Senate Select Committee on Australia's Disaster Resilience. This submission addresses current preparedness, response and recovery workforce models, including the role of Australian civil and volunteer groups, not-for-profit organisations and state-based services and the impact of more frequent and more intense natural disasters on their ongoing capacity and capability. It highlights the importance of considering alternative models at the national level through repurposing or adapting existing Australian civil and volunteer groups, not-for-profit organisations and state-based services. And it touches on practical, legislative and administrative arrangements required to support the shift in national preparedness, response and recovery mechanisms towards a greater level of resilience to natural disasters.

This submission outlines how NEMA, in the short and medium-term, is enhancing current preparedness, response and recovery arrangements for natural disasters. It describes how these measures contribute to national civil capability and capacity, and reduce the Government's reliance on the Australian Defence Force (ADF) in domestic crisis response by providing national mechanisms for disaster response, recovery and resilience¹. NEMA's approach to these arrangements is designed, in part, to support the Government's response to the Royal Commission into National Natural Disaster Arrangements (Royal Commission), which called for the Australian Government to provide national leadership to improve national natural disaster arrangements.²

National Emergency Management Agency

NEMA was established on 1 September 2022 to provide a more coordinated approach to preparing for, and responding to, disasters, across all hazards. In a changing climate where Australia is facing more frequent and intense floods, storms, bushfires and drought, NEMA ensures better disaster response, while driving long-term preparedness and lasting recovery. NEMA provides national leadership and works with local communities, volunteer and not for profit organisations, and in collaboration with state and local governments, so all Australians are better prepared for, and supported during and after disasters and emergencies. NEMA is working to ensure that Australia is more resilient to disasters by leading national disaster and emergency management efforts, in line with the National Disaster Risk Reduction Framework, and through informed strategic oversight and guidance.

Australia's changing climate

As in many parts of the world, Australia is experiencing an increase in the frequency, severity, and impact of climate change-influenced disasters. The seventh biennial State of the Climate 2022 report shows Australia is experiencing ongoing, long-term climate change, and has warmed on average by 1.47 (\pm 0.24) degrees since 1910.³ The report states that climate change interacts with underlying natural variability, and associated with this, increased intensity and frequency of extreme weather, including compound events where multiple extreme events occur together.

Australia's preparedness, response and recovery

Commonwealth support of state and territory arrangements

A future where natural hazards will be more frequent and more severe is all but certain. Consecutive and compounding natural disasters will place increasing stress on existing emergency management arrangements, at all levels of government. Under Australia's constitutional arrangements, state and territory governments

¹ Australia's National Disaster Risk Reduction Framework defines resilience as the ability of a system, community or society exposed to hazards to resist, absorb, accommodate, adapt to, transform and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions through risk management. [National Disaster Risk Reduction Framework](#), 2018, p. 23.

² [Royal Commission into National Natural Disaster Arrangements Report](#), 28 October 2020, p. 24.

³ [State of the Climate 2022](#), CSIRO and Bureau of Meteorology.



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have primary responsibility for emergency management within their jurisdiction.⁴ States and territories are the first responders to any incident that occurs within their jurisdiction and have primary responsibility for the protection of life, property and the environment. The jurisdictions are also responsible for fire and emergency services capacity and capability development, which should have processes in place to take into account both current and future natural disaster risks.⁵

The Australian Government Crisis Management Framework (AGCMF) outlines the Government's approach to preparing for, responding to and recovering from crises, while recognising that states and territories are the primary and first responders to any incident that occurs within their jurisdiction. The AGCMF, which is reviewed annually, supports Australia's disaster resilience through holistic risk management of both natural and human-induced events.⁶

The AGCMF is implemented through a series of national level crisis plans that detail the preparation, response and recovery phases of the National Disaster Management and Recovery Continuum.⁷ The key domestic plan that supports states and territories to absorb and accommodate the impacts of an event, thereby increasing their disaster resilience, is the Australian Government Disaster Response Plan (COMDISPLAN). Under COMDISPLAN, states and territories can request assistance from the Commonwealth, through NEMA, however they must have exhausted or fully utilised local and state resources, as well as feasible commercial options before submitting the request. Upon receipt of a request for assistance (RFA):

- NEMA liaises with the affected jurisdiction about the assistance being requested. NEMA actively promotes consideration of commercial or cooperative solutions, including through the National Resource Sharing Centre (NRSC), to ensure consideration is given to the use of these capabilities (provided from other jurisdictions), prior to the deployment of Commonwealth capabilities.
- NEMA identifies the most appropriate Australian Government agency to provide assistance and liaises with the agency about its ability to support the RFA. This capability can be drawn from across the Government and is not limited to the ADF.⁸ Defence often, however, has the most readily available requested capabilities.
- NEMA seeks Ministerial approval for the request and, if approved, formally notifies the tasked agency.
- The tasked agency may accept the tasking request with conditions.
- The tasked agency should advise NEMA once the tasking has been completed.⁹

The Commonwealth's emergency arrangements are further supported by the *National Emergency Declaration Act 2020* (Cth)¹⁰ (the NED Act), which was passed by Parliament in response to a recommendation by the Royal Commission. A National Emergency Declaration (NED) can be declared by the Governor General when the Prime Minister is satisfied that an emergency is likely to cause or is causing harm that is nationally significant.¹¹ The process for making a NED, including legal thresholds and consultation requirements is outlined in the NED Aide-Mémoire.¹² When a NED is in force, a range of powers are available to Ministers to assist with response and recovery from the emergency to which the declaration relates. This includes the power to suspend, vary or

⁴ [The Australian Constitution](#).

⁵ Royal Commission, p. 157-158.

⁶ [Australian Government Crisis Management Framework](#) (AGCMF), Version 3.2, November 2022.

⁷ AGCMF, pl. 11. The National Disaster Management and Recovery Continuum comprises seven phases of crisis management and recover; prevention; preparedness; response; relief; recovery; reconstruction; and risk reduction.

⁸ The mechanism through which ADF provides support to the states and territories, including in response to RFAs coordinated by NEMA, are the Defence Assistance to the Civil Community arrangements.

⁹ NEMA has established protocol for determining and processing requests for extensions to RFAs and can also activate COMDISPLAN in anticipation of an RFA.

¹⁰ [National Emergency Declaration Act 2020 \(Cth\)](#).

¹¹ This can include where the emergency is affecting or is likely to affect Commonwealth interests or the governments of each State and Territory in which the emergency has caused, is causing or is likely to cause nationally significant harm have requested, in writing, the making of the declaration.

¹² The National Emergency Declaration Aide-Mémoire outlines the procedures for administering the legislation. A copy is held by the Prime Minister's Office, the Attorney General's Office and the offices of ministers responsible for Home Affairs, Emergency Management and Defence and appropriate senior officials.

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substitute 'red tape' requirements where doing so would be of benefit to the public or a section of the public, the power to require Commonwealth entities to report on stockpiles during a national emergency, and the streamlining of statutory tests to exercise national emergency laws.

The first and only declaration under the NED Act 2020 was made in March 2022, in response to the New South Wales Northern Rivers flooding event. In June 2021 the NED Act was reviewed by the Senate's Legal and Constitutional Affairs Legislation Committee, which recommended the Government consider amending the NED Act to allow any extension of a declaration beyond the three month period to be subject to disallowance.¹³

A further legislated review will be commenced by the fifth anniversary of the commencement of the NED Act 2020.

Uplifting national preparedness and response capabilities

The Government's primary and most visible physical mechanism to respond to a jurisdictional RFA is deployment of the ADF. More frequent and more intense natural disasters have meant that states and territories increasingly require support from the Government. When responding to a RFA, the ADF can consider a broad range of capabilities, such as logistics support, engineering and medical support, temporary accommodation, imagery and communications.¹⁴ ADF efforts have increasingly involved general duties tasks being undertaken by highly trained military specialists. While the ADF responds effectively in support of such crisis response and recovery efforts, this level of deployment detracts from the ADF's primary role of defending Australia and its national interests in order to advance Australia's security and prosperity.¹⁵ Further, the ADF's recurrent participation in domestic disaster relief has a cascading impact on public perception and expectation of the role of the ADF.

NEMA is actively working to uplift national preparedness and response capabilities and introduce new sustainable models that improve disaster resilience while also addressing recommendations arising from the Royal Commission, which highlighted the need for better national emergency management coordination.¹⁶ The Australian Preparedness Framework was co-designed with states and territories in 2018 and is referenced to determine what is required for a national uplift.¹⁷ This includes the need to enhance supporting infrastructure, ensure better preparation and response capabilities and the requirement to meet Australian community expectations of a coordinated and rapid approach to emergency response.

- Revised protocol for requesting ADF assistance – NEMA, in collaboration with the Department of Defence, has established a new national protocol for requesting assistance from the ADF, which was endorsed at the National Emergency Management Ministers' Meeting in December 2022.¹⁸ The protocol outlines the principles that should be applied in requesting non-financial assistance from the ADF, including: preservation of life as the highest priority; the Government has the capacity and capability that the requesting organisation does not have; and, all jurisdictional government, community and commercial resources are fully committed or are likely to be fully committed before Defence support is requested. This change ensures that states and territories thoroughly assess the appropriateness and availability of resources before submitting a RFA to the Commonwealth.
- High Risk Weather Season Preparedness – Each year, NEMA leads and delivers High Risk Weather Season briefings to a range of stakeholders, including state, territory and local governments, State and Federal Ministers, government departments, major industry sectors, community organisations, non-government organisations and charities. These preparedness briefings, which include input from agencies such as the Department of Defence, Department of Health, Department of Agriculture,

¹³ The Australian Senate, Legal and Constitutional Affairs Legislation Committee, [National Emergency Declaration Act 2020](#), 2021.

¹⁴ [Australian Government Disaster Response Plan \(COMDISPLAN\)](#), 2020, p. 13.

¹⁵ Department of Defence, [Defence Mission](#), accessed 24 January 2022.

¹⁶ Royal Commission, p. 94.

¹⁷ Australian Disaster Preparedness Framework, October 2018.

¹⁸ [National Emergency Management Ministers' Meeting Communiqué](#), 9 December 2022.



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Fisheries and Forestry, Services Australia and the Bureau of Meteorology, cover situational awareness of potential natural disasters, provide a review of previous events and outline potential response and recovery support actions.

- New National Coordination Mechanism Protocol – To take advantage of all of the capabilities offered by civilian groups, the National Coordination Mechanism, in consultation with relevant stakeholders, is developing a protocol for how NEMA can coordinate NGO, industry and volunteer assistance during a crisis to provide support to state and territory governments and communities in events of national significance. This initiative, which was endorsed at the National Emergency Management Ministers' Meeting in December 2022¹⁹, has the potential to enhance oversight and coordination of NGO, industry and volunteer capabilities in times of nationally significant or multi-jurisdictional crises. Further, it will ensure that resources are deployed most effectively to those in need and enable all levels of government to capitalise on latent capability outside of government organisations. NEMA will work with states and territories to ensure the protocol will complement, not replace, existing jurisdictional arrangements.
- Charities and Not-For-Profit Roundtable – NEMA has hosted a number of Charities and Not-For-Profit Roundtables to address the Royal Commission Recommendation 21.3.²⁰ These Roundtables facilitate more coordinated and sustainable engagement between NEMA and participating charities and not-for-profit organisations involved in natural disaster recovery. The next National Charities and Not-for-Profit Roundtable is scheduled to be held in March 2023.
- National Emergency Management Stockpile – NEMA is also supporting national crisis preparedness through the development of a National Emergency Management Stockpile, which will support and supplement states and territories when their own physical resources are exhausted and reduce the reliance on the ADF for these types of resources. For example, in December 2022, NEMA initiated the purchase of a strategic reserve of 125,500 military specification sandbags, to enable rapid deployment to states and territories if required, improving the ability for communities to resist and absorb the impacts of flooding.
- National Resource Sharing Centre – To enhance capability and personnel resource sharing between jurisdictions, the Commonwealth, has funded the Australasian Fire and Emergency Services Council to formalise the role and operations of the NRSC. This will support national liaison, situational awareness and state and territory strategic planning to enhance jurisdictional disaster response capabilities.
- Funding of Disaster Relief Australia (DRA) – The Commonwealth is funding \$38.3 million to DRA over four years from 2022-23 to support the on-boarding of 5200 new volunteers to their volunteer base. DRA's veteran-led operating model provides a trained, on the ground work force, with capabilities to provide incident management, damage and impact assessments, disaster mapping and debris management. The funding agreement will cover arrangements between NEMA and DRA to manage RFAs, providing the Commonwealth with an alternative to deploying the ADF during relief and recovery operations. In addition to supporting Australia's disaster resilience, this grant aligns with the Government's broader commitment to support the wellbeing and social connectedness of Australia's military veterans and their families by supporting positive physical and mental health outcomes for volunteers.
- Crisis Appreciation and Strategic Planning (CASP) – To ensure the Commonwealth can respond to increasingly complex crises, NEMA has developed the Crisis Appreciation and Strategic Planning (CASP) methodology.²¹ CASP is a repeatable strategic planning tool for leaders and emergency management decision makers, which is used to make sense of complex issues related to crises. CASP informs strategic contingency planning and is the strategic bridge between preparedness plans and

¹⁹ [National Emergency Management Ministers' Meeting Communiqué](#), 9 December 2022.

²⁰ Royal Commission Recommendation 21.3 - Continuous improvement of coordination of recovery support through regular and ongoing national forums for charities, non-government organisations and volunteer groups with a role in natural disaster recovery.

²¹ [Crisis Appreciation and Strategic Planning Guidebook](#).



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operational action once a crisis occurs or is imminent. It also provides tools that allow for timely integration of information from multiple sources and the exploration of how government, not-for-profit and private sector efforts can integrate to provide a unified response.²² To broaden CASP's application among Commonwealth emergency management practitioners, NEMA has provided CASP training to participants from other relevant Government agencies. Work is underway to further develop the existing CASP training materials and establish a sustainable delivery framework to allow broader delivery of CASP training by approved third party trainers.

- Strategic international partnerships – In addition to long-standing international firefighting resource sharing arrangements, NEMA has pursued other international strategic partnerships to support national crisis response. For example, the Government arranged assistance from Singapore and New Zealand, who deployed personnel to support the response to the 2022 New South Wales flooding. In the medium term, NEMA is working to establish reciprocal resource-sharing with other international counterparts.
- National Crisis Exercising Capability – As an outcome of the Royal Commission, NEMA is working collaboratively across the Government and with the states and territories to design and deliver multi-jurisdictional and multi-agency exercises that focus on severe to catastrophic hazards and nationally significant harm and associated support services. Through this national exercising capability, national emergency management arrangements are stress-tested and gaps for improvement in national coordination identified, which supports improved national capability and resilience.

NEMA, in partnership with the Department of Home Affairs and in consultation with other key stakeholders, is building upon these initiatives to mature the Government's capabilities, including enhanced national civil contingency capabilities and alternative workforce models, in order to improve disaster preparedness, response and recovery. Greater situational awareness of national capabilities, strategic partnerships, greater use of civilian capabilities and better information sharing mechanisms are at the core of this work.

Conclusion

NEMA is providing national leadership and making adjustments to traditional work practices to proactively ensure a sustainable and resilient national crisis response model to support states and territories in their response to natural disasters. The measures identified in this submission provide greater Commonwealth crisis response capacity and encourage the jurisdictions to best utilise available resources before requesting Commonwealth assistance. While the ADF will remain an important Government resource to support state and territory crisis response, particularly when specialist defence capabilities are required, the realisation of a fully mature and integrated suite of domestic Commonwealth mechanisms will position the Government to provide strengthened national civil capability and capacity.

²² AGCMF, p. 9.