Emergency Management in Victoria

Part 1: Emergency Management Manual Victoria

Contents

1.1   Introduction

Victoria has a long history of emergencies, some of them highly destructive, and has developed a capability for dealing with such events. Many organisations in the community, including the emergency services, play a part. The activities of these organisations, both voluntary and permanently staffed, need to be coordinated to avoid conflict, wastage and gaps.

The emergency management arrangements cater for dealing with emergencies of all sizes, from small to very large. In particular, they deal with emergencies where more than one organisation is involved.

Emergency management involves the plans, structures and arrangements which are established to bring together the endeavours of government, voluntary and private organisations and communities in a comprehensive and coordinated way to deal with the whole spectrum of emergency needs, including prevention, response and recovery.

This part of the manual explains the background to Victoria's current emergency management arrangements to enable the reader to gain an overview before reading the more specific and detailed sections.

1.2   Emergency Management in Victoria — A Brief History

The original Victoria State Disaster Plan (known as DISPLAN) was prepared in the 1960s, with a new edition issued in March 1982 and a revised edition in September 1987.

Apart from DISPLAN (which did not have the backing of legislation), the main standing emergency management arrangements prior to 1986 involved the fire services and the then Forests Commission of Victoria. In addition to this, a number of government departments and statutory authorities had specific disaster-related responsibilities which they discharged more or less independently.

Following the Ash Wednesday fires of February 1983, there were a number of reviews of Victoria's disaster management arrangements. In November 1983, Cabinet agreed to a provisional set of disaster management arrangements which were embodied in the *State Disasters Act 1983* (since repealed).

1985 Review of Disaster Management

In June 1985, the Minister for Police and Emergency Services established a working party to report on Victoria's disaster management arrangements. The working party reported to the Minister in October 1985. Its main conclusions included:

(1)   Many aspects of the existing arrangements, particularly in the area of response, had been demonstrated to be effective, and that, rather than replacement, they were in need of rationalisation, in order to maximise their strengths and minimise their weaknesses.

(2)   The allocation of responsibility at government level should be given to a single minister, who should be the Minister for Police and Emergency Services.

(3)   A policy of comprehensive and integrated emergency management should be adopted, as well as the establishment of arrangements to embody the policy.

Three major functional areas were recognised as necessary components of a comprehensive approach: **prevention**, **response** and **recovery**. These functional areas are organised within a structure that includes:

Planning: the analysis of requirements and the development of strategies for resource utilisation.

Preparedness: the establishment of structures, development of systems and testing and evaluation by organisations to perform their roles[1].

Coordination: the bringing together of organisations and resources to ensure effective emergency management.

The working party's findings led to the development and commencement of the *Emergency Management Act 1986* (1986 Act).

Key Developments Since 1986

1987   The Recovery Plan formalised, for the first time, the arrangements for planning and management of recovery.

1994   The 1986 Act was amended, recognising the Recovery Plan and replacing the word 'disaster' with the word 'emergency' in most usages. More recently, the term 'emergency response' has replaced the term DISPLAN in official usage. The State Disasters Council was replaced by the Victoria Emergency Management Council (VEMC).

1998   The Central Government Response Committee (CGRC) was established in response to the Longford Gas Crisis and until 2013 it had been an ongoing feature of Victoria's emergency management arrangements.

1999   The definition of 'emergency' was clarified, by the inclusion in the list of examples of emergencies, of 'disruption to an essential service'.

2000   Amendments to the 1986 Act created the position and functions of the Emergency Services Commissioner to advise and report to the Minister (Coordinator in Chief) on any issues relating to emergency management, establish standards for emergency management and monitor and assess performance against such standards.

2001   The terrorist attacks in New York and Washington on 11 September 2001 led to an emphasis on security matters. The Security and Emergencies Unit was established within the Department of Premier and Cabinet, and Victoria became involved in national developments such as the National Counter-Terrorism Plan and the Review of Protection of Critical Infrastructure.

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[1] Unlike the view taken in some other jurisdictions, preparedness was not considered a functional area of emergency management in its own right

2003   Following the bushfires of 2002-03, the Victorian Bushfire Inquiry recommended greater joint response coordination and the integration of municipal fire and emergency plans. This recommendation was implemented through the Integrated Fire Management Planning (IFMP) framework.

2004   The Council of Australian Governments (COAG) Natural Disasters in Australia Report, released in 2004, and the funding programs initiated by the Australian Government as a result have used the word 'mitigation' in preference to 'prevention'. This usage is adopted in the name of the State Emergency Mitigation Committee formed in the same year.

2009   The February 2009 'Black Saturday' bushfires, and the subsequent Victorian Bushfires Royal Commission, provided the impetus for reform of Victoria's emergency management arrangements. This reform included:

- development and commencement of the *Fire Services Commissioner Act 2010* to establish the Fire Services Commissioner with responsibility for developing and implementing the Fire Services Reform Action Plan and controlling the response to 'major fires', and

- amendments to the 1986 Act to clarify the role of the Minister for Police and Emergency Services as being non-operational and discontinuing the title 'Coordinator in Chief' and the term 'DISPLAN'.

2011   The 2010-11 Victorian floods and the Review of the 2010-11 Flood Warnings and Response (Flood Review) was the driver for further emergency management reform. The recommendations of the Flood Review supported a major reform program, which commenced with the release of the government's green paper *Towards a More Disaster Resilient and Safer Victoria.*

2012   The Victorian Emergency Management Reform White Paper was released in December 2012. The White Paper built on the recent reforms to further improve Victoria's emergency management arrangements, including a new governance structure.

2013   The State Crisis and Resilience Council (SCRC) was established administratively and began operating in April 2013 as Victoria's peak emergency management advisory body. Among other things, the SCRC took over the functions of VEMC and CGRC.

2014   The commencement of the *Emergency Management Act 2013* (2013 Act) in July 2014 implemented many of the reforms from the White Paper, repealing the *Fire Services Commissioner Act 2010* and several parts of the 1986 Act. The reforms in the 2013 Act include:

- formally establishing the SCRC and abolishing the VEMC

2014*Cont.* • establishing Emergency Management Victoria (EMV) as the responsible agency for the coordination and development of whole of government policy for emergency management in Victoria

• establishing the Emergency Management Commissioner (EMC), as the successor to the Fire Services Commissioner, but also to have an overarching management role for major emergencies

• establishing the Inspector General for Emergency Management (IGEM) to provide assurance to the Government and the community regarding Victoria's emergency management arrangements, discontinuing the position of Emergency Services Commissioner.

Central Policy Office

The Fire Disaster Control Unit which was established in the Department of the Premier and Cabinet in 1983 after the Ash Wednesday fires, and subsequently transferred to the Ministry for Police and Emergency Services, was replaced by an Office of the Coordinator in Chief of Disaster Control. That office later became the Fire and Emergency Services Division of the Department of Justice.

Following the creation of the position of Emergency Services Commissioner, the Office of the Emergency Services Commissioner assumed the role of central policy office for emergency management, to support the statutory duties of the Commissioner, the Minister as Coordinator in Chief of Emergency Management and the VEMC.

Following the Black Saturday bushfires, the Department of Justice formed the Police and Emergency Management Division. This Division included the Office of the Emergency Services Commissioner and other business units responsible for managing/coordinating emergency management related policy, legislation, programs and projects.

The implementation of emergency management reforms in July 2014 established EMV as the central policy office for emergency management. EMV consists of the EMC and a Chief Executive, supported by staff from the Department of Justice and Regulation[2] (DJR). The office of the IGEM was established as a separate business unit within DJR.

1.3 Concepts and Objectives

Emergency

The term *emergency management* is used in preference to the more traditional term *disaster management* for a number of reasons. One of these is the fact that there is no widely accepted definition of the term *disaster*. For the purposes of emergency management in Victoria, the word *emergency* also includes the concept of *disaster*.

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[2] On 1 January 2015, the Victorian Government established new government departments, including the Department of Justice and Regulation

Emergencies are characterised by some or all of the following:

- They are disruptive to individuals and communities
- They are not part of day-to-day experience and are outside normal life expectations
- They are somewhat unpredictable in occurrence and effects
- They require a response for which normal local resources may be inadequate
- They have a wide range of effects and impacts on the human, built and natural environments
- There are complex needs in dealing with them
- They can be of sudden onset
- They are destructive of human, animal and/or plant life, health, property and/or the environment
- They can overwhelm normal prudent protective measures.

As major emergencies are infrequent events, in their initial stages they may be difficult to differentiate from lesser-order events. Given the normal experience and expectations of those involved, there may be difficulty in realising that an emerging situation calls for a response of a greater order.

In Victoria, the EMC takes a lead role in managing the response to major emergencies and recovery from all emergencies. The recovery role has been delegated to the Secretary, Department of Health and Human Services (DHHS). There are no legal formalities or declarations required to initiate or escalate response or recovery activities. The arrangements (particularly in response and recovery) are intended to permit the situation to be assessed, and to provide for the graduated marshalling and utilisation of the resources required to deal with it, under systems set up under the relevant overall plan and the participating agencies' own plans.

The 2013 Act provides the following definitions (s. 3):

"emergency" means an emergency due to the actual or imminent occurrence of an event which in any way endangers or threatens to endanger the safety or health of any person in Victoria or which destroys or damages, or threatens to destroy or damage, any property in Victoria or endangers or threatens to endanger the environment or an element of the environment in Victoria, including, without limiting the generality of the foregoing–

(a)   an earthquake, flood, wind-storm or other natural event; and

(b)   a fire; and

(c)   an explosion; and

(d)   a road accident or any other accident; and

(e)   a plague or an epidemic or contamination; and

(f)   a warlike act or act of terrorism, whether directed at Victoria or a part of Victoria or at any other State or Territory of the Commonwealth; and

(g)   a hi-jack, siege or riot; and

(h)   a disruption to an essential service.

"major emergency" means−

(a)   a large or complex emergency (however caused) which−

    (i)   has the potential to cause or is causing loss of life and extensive damage to property, infrastructure or the environment; or

    (ii)   has the potential to have or is having significant adverse consequences for the Victorian community or part of the Victorian community; or

    (iii)   requires the involvement of two or more agencies to respond to the emergency; or

(b)   a Class 1 emergency; or

(c)   a Class 2 emergency.

"Class 1 emergency" means−

(a)   a major fire; or

(b)   any other major emergency for which the Metropolitan Fire and Emergency Services Board, the Country Fire Authority or the Victoria State Emergency Service Authority is the control agency under the state emergency response plan.

"Class 2 emergency" means a major emergency which is not−

(a)   a Class 1 emergency; or

(b)   a warlike act or act of terrorism, whether directed at Victoria or a part of Victoria or any other state or territory of the Commonwealth; or

(c)   a hi-jack, siege or riot.

"major fire" means a large or complex fire (however caused) which−

(a)   has the potential to cause or is causing loss of life and extensive damage to property, infrastructure or the environment; or

(b)   has the potential to have or is having significant adverse consequences for the Victorian community or part of the Victorian community; or

(c)   require the involvement of two or more agencies to suppress the fire; or

(d)   will, if not suppressed, burn for more than one day.

Note: The definitions for *major emergency, Class 1 emergency, Class 2 emergency and major fire* support state tier control arrangements for major emergencies.

Management

There is not and could not be a single organisation solely and totally responsible for dealing with all aspects of emergencies. Emergencies touch people's life experience in many different ways. Emergency management in Victoria embraces the whole of government and whole of the community.

The management task is to bring together in an integrated organisational network the resources of the many agencies and individuals who can take appropriate and timely action to prevent or mitigate, respond to and support recovery from emergencies.

Prevention, Response and Recovery

The objectives of the 1986 Act (s. 4A) are to ensure that the following components of emergency management are organised to facilitate planning, preparedness, operational coordination and community participation:

Prevention: the elimination or reduction of the incidence or severity of emergencies and the **mitigation** of their effects.

Response: the combating of emergencies and the provision of rescue and immediate relief services.

Recovery: the assisting of people and communities affected by emergencies to achieve a proper and effective level of functioning.

Objectives of the Arrangements

Victoria's emergency management arrangements are designed to:

Deal with all hazards

While most attention is given to the obvious emergencies such as fire, flood and transport accidents, a wide range of hazards are dealt with using the emergency management arrangements and resources. This includes emergencies for which there has been little or no experience in Victoria, such as emergency animal disease, terrorist incidents, earthquakes or environmental emergencies.

Be integrated, (involve all people and relevant agencies)

The management of emergencies is a shared responsibility involving many people and organisations in the community. It is not something done by one sector of the community to or for the rest of society, although some organisations have specialist roles.

In addition to the emergency services, all government departments have some role to play. The emergency response role may be a minor part of their responsibilities. However, many departments have an essential prevention responsibility. Examples include land use planning, occupational health and safety, clean water, public health and building regulations. These are part of the prevention component.

Municipal councils have essential roles in emergency management, including the preparation and maintenance of municipal emergency management plans, provision of relief and recovery services and supporting emergency response operations.

Voluntary organisations such as Red Cross, St John Ambulance, WICEN and search and rescue organisations play well-defined roles in emergency management.

Private sector organisations are often involved when their services and resources are needed for prevention, response or recovery activities, or where emergencies affect their buildings, equipment, personnel, suppliers or customers. In particular, essential service providers (for example,

producers and distributors of electricity or gas) are expected to ensure that they can maintain continuity of supply.

Members of the community are also responsible for taking preventative, protective and restorative actions in their own and the community's best interests.
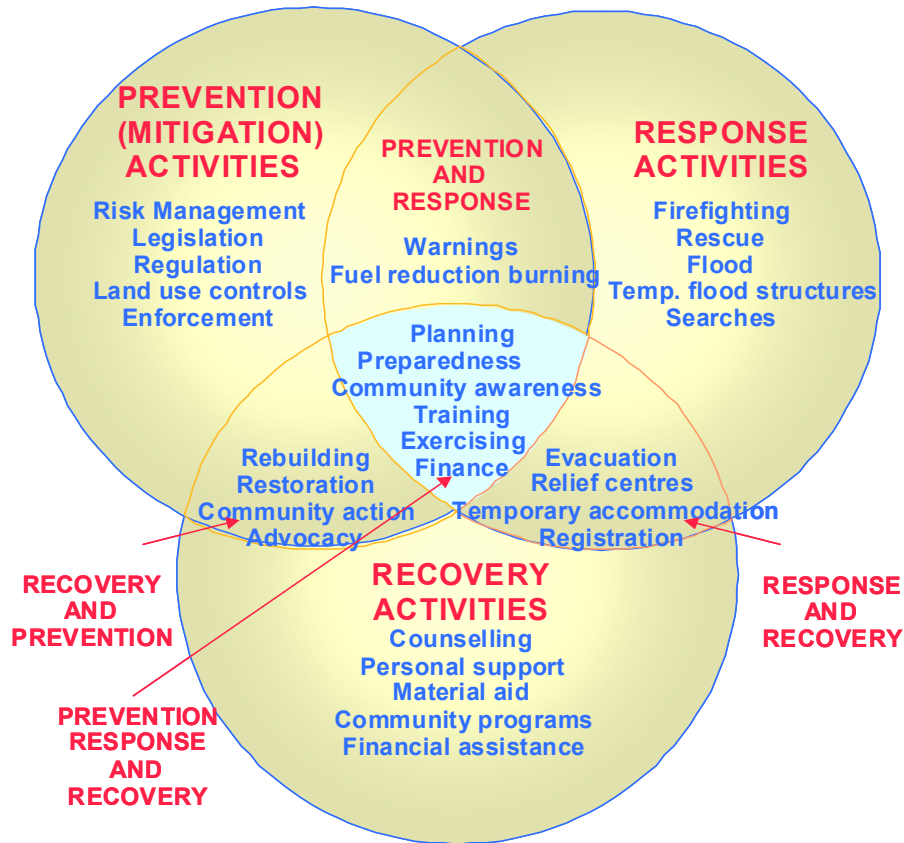

Figure 1-1: Examples of Emergency Management Activities Clustered into Groups

Be comprehensive, (cover prevention, response and recovery)

Prevention (or mitigation see Part 2), response and recovery are all important aspects of emergency management and each should be explicitly addressed in the arrangements.

The model of emergency management shown in Figure 1-2 makes clear that there is not a strict sequence, nor a hierarchy of relationships. All activities are important, and in a comprehensive model, have a place in the overall scheme.

Emergency management activities do not take place in any particular sequence or cycle. Prevention, response and recovery do not follow each other in order.

They can all operate at the same time, as demonstrated by **Figure 1-2** which demonstrates the same activity clusters in a time-sequence model.
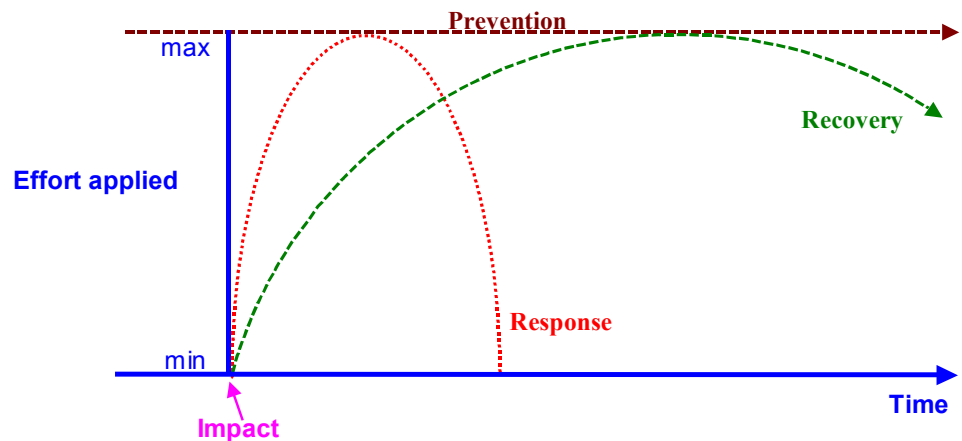
Figure 1-2: Emergency Management Activities in a Time Sequence Model

The time-sequence model in Figure 1.2 shows that prevention activities are carried out at full effort all the time, regardless of the occurrence of actual emergencies. As Figure 1.1 also shows, prevention strategies can be incorporated into recovery activities, (e.g. rebuilding bushfire destroyed houses in a fire-safe manner).

Response activities commence as soon as possible after the time of impact, peak to full effort quickly, and often cease promptly when the hazard has been dealt with, and/or affected people have been rescued or evacuated.

Recovery activities commence at or soon after the time of impact, and peak to full effort more gradually and often later than response activities. Recovery activities may continue for a considerable period of time, gradually tapering off and merging into normal community activities weeks, months or years after impact.

Prevention, response and recovery are *not phases* or *stages* of emergency management. The model sees them as *clusters of activities.* They take place as needed, and *do not necessarily follow one another in a sequential order.*

Resilience

COAG endorsed the National Strategy for Disaster Resilience (the Strategy) in February 2011. While the concept of resilience is not new, the endorsement of the Strategy marked a significant shift in Australian emergency management policy. The Strategy does not define the term 'resilience', rather it focuses on the common characteristics of 'disaster resilient' communities, individuals and organisations[3]. The principle that emergency management is not solely the domain of emergency management agencies is emphasised – it is a shared responsibility between governments, business, communities and individuals.

The Strategy also describes why change is needed, what a disaster resilient community looks like and what action can be taken to improve disaster resilience. Where possible, emergency management planning/projects should promote and support disaster resilience and align with the Strategy.

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[3] National Strategy for Disaster Resilience, p. 4

1.4 Victoria's Emergency Management Framework

There is a multi agency framework for emergency management, which enables the exercise of roles and responsibilities, and the capacity to adapt to new or changed circumstances, within a systematic framework. Some elements of the structure are legislated, others have been established by agreement.

Emergency Management Act 1986

The 1986 Act has been substantially amended by the 2013 Act. The 1986 Act will be repealed upon future amendments to the 2013 Act. Currently, the 1986 Act and 2013 Act are to be read and construed as one Act.

Objectives of the 1986 Act

The Act describes its objective as being: 'to ensure that [prevention, response and recovery] are organised within a structure which facilitates planning, preparedness, operational coordination and community participation'. (s. 4A)

Role of the Minister

The Minister to whom the Act is allocated is the Minister for Emergency Services. The role of the Minister is to ensure that satisfactory emergency management arrangements are in place to facilitate the prevention of, response to and recovery from emergencies.

The Minister is not responsible for operational matters in relation to emergency management. (s. 5)

Emergency Management Act 2013

The 2013 Act defines most of Victoria's emergency management structure, assigns significant roles and responsibilities, and provides for special needs concerned with the management of emergencies. The operational roles of most of the organisations that participate in emergency management are detailed elsewhere in specific legislation or charter.

State Crisis and Resilience Council

The State Crisis and Resilience Council (SCRC) advises the Minister for Emergency Services in relation to whole of government policy and strategy for emergency management in Victoria and the implementation of that policy and strategy. (s. 6) (Refer to p. 1-13 below)

Strategic Action Plan

The SCRC must develop a three-year rolling strategic action plan (approved by the Minister), which includes a work program for:

* Metropolitan Fire and Emergency Services Board (MFB)

* Country Fire Authority (CFA)

* Victoria State Emergency Service (VICSES)

* Secretary to the Department of Environment, Land, Water and Planning (DELWP)

* Emergency Services Telecommunications Authority (ESTA).

An agency work program must include things to be done, projects to be undertaken or measures to be met by the agency:

- to enhance the agency's operational capacity and capability including, where relevant, encouraging, strengthening and maintaining the capacity and capability of volunteers and the community

- to improve the agency's capacity to operate together with other agencies in planning and preparing for the response to, and responding to, major emergencies. (s. 12)

Emergency Management Victoria

Emergency Management Victoria (EMV) is a central body for emergency management in Victoria. EMV consists of a Chief Executive and the Emergency Management Commissioner (EMC), supported by staff from the Department of Justice and Regulation.

EMV has the following functions under section 17(2):

(a) act as the agency responsible for the coordination of the development of the whole of government policy for emergency management in Victoria

(b) provide policy advice to the Minister in relation to emergency management

(c) implement the emergency management reform initiatives given to EMV by the Minister

(d) liaise with the Commonwealth Government on emergency management

(e) provide support to the EMC to enable the EMC to perform the functions conferred under the 2013 Act.

In performing its functions, EMV must:

(a) have regard for decisions made by SCRC

(b) collaborate and consult with the emergency management sector

(c) have regard for the fundamental importance of the role that volunteers play in the performance of emergency management functions in Victoria.

Emergency Management Commissioner

The EMC provides leadership for emergency management in Victoria, including driving improvements, particularly for operational capability and interoperability. During a major emergency, the EMC has an over-arching management role to ensure that the response is systematic and coordinated.

The EMC has the following functions under section 32(1):

(a) coordinate the activities of agencies having roles or responsibilities relating to the response to Class 1 emergencies and Class 2 emergencies

(b) ensure that control arrangements are in place during a Class 1 emergency and Class 2 emergency

(c) appoint a State Response Controller in relation to a Class 1 emergency

(d) manage the State's primary control centre on behalf of, and in collaboration with, all agencies that may use it for emergencies

(e) ensure that the Minister is provided with timely and up to date information in relation to:

   (i) the actual or imminent occurrence of events that may lead to major emergencies, and

   (ii) the response to major emergencies

(f) responsible for consequence management for major emergencies

(g) responsible for coordinating recovery[4]

(h) lead and promote the implementation of the Strategic Action Plan to the extent that it relates to the improvement of the operational capability of responder agencies[5]

(i) where relevant, oversee the continuation of the operational reforms provided for in the fire services reform action plan

(j) develop and maintain operational standards for the performance of emergency management functions by responder agencies

(k) develop and maintain incident management operating procedures for responder agencies

(l) coordinate data collection and impact assessment processes

(m) provide advice to the Minister on any matter relating to the functions of the EMC

(n) perform any other function conferred on the EMC by the 2013 Act or any other Act.

In performing the functions specified, the EMC must have regard for the fundamental importance of the role that volunteers play in the performance of emergency management functions in Victoria.

Inspector-General for Emergency Management

The Inspector-General of Emergency Management (IGEM) provides assurance to the Government and the community in relation to Victoria's emergency management arrangements and fosters continuous improvement of emergency management.

The IGEM has the following functions under section 64(1):

(a) develop and maintain a monitoring and assurance framework for emergency management, including outcome measures, against which the capacity, capability and performance of the emergency management sector is assessed

(b) undertake system-wide reviews, including reviewing the emergency management functions of responder agencies and departments in relation to the monitoring and assurance framework

(c) at the request of the Minister, provide advice to, or prepare a report for, the Minister on any matter relating to the functions of the IGEM

(d) evaluate state-wide training and exercising arrangements to maintain and strengthen emergency management capability

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[4] Responsibility for recovery coordination at the regional level is delegated to the Secretary, DHHS

[5] Responder agencies include: MFB, CFA, VICSES and DELWP

(e) monitor and report to the Minister on the implementation of the Strategic Action Plan by-

    (i)   responder agencies

    (ii)   departments

    (iii) ESTA

    (iv) EMV

(f) monitor and investigate the performance (in non-financial matters) of ESTA regarding the provision of its services to emergency services and related organisations

(g) make recommendations to the Minister regarding matters arising from monitoring or investigating ESTA

(h) perform any other function conferred on the IGEM by the 2013 Act or any other Act.

In performing the functions specified, in making recommendations the IGEM must have regard to the resources that agencies have to implement such recommendations.

Victoria's Top-level Structures

The Security and Emergency Management Committee of Cabinet (SEMC) is the Victorian Government's Ministerial decision making body during a large-scale emergency, and is advised by the State Crisis and Resilience Council (SCRC).

Security and Emergency Management Committee of Cabinet

SEMC is chaired by the Premier and comprises Ministers with security and emergency management responsibilities. It provides direction and oversees the implementation of policies, strategies and programs affecting security, critical infrastructure resilience and emergency management. It also oversees prevention preparedness, response and recovery for major emergencies requiring whole of government coordination.

The Chief Commissioner of Police and the Emergency Management Commissioner attend SEMC in an advisory capacity.

State Crisis and Resilience Council

SCRC is the peak crisis and emergency management body to the Victorian Government. It is responsible for the development and implementation of whole of government emergency management policy and strategy. It does not make operational or tactical decisions. SCRC is chaired by the Secretary of the Department of Premier and Cabinet, and consists of the following members:

- Secretary of each Government Department
- Chief Commissioner of Police
- Chief Executive of EMV
- EMC
- IGEM (as an observer)
- Chief Executive of the Municipal Association of Victoria (as a representative of local government).

The functions of SCRC include:

- In the event of a complex or large-scale emergency, ensure that the broad social, economic, built and natural environmental consequences are addressed at a whole of government level, including identifying and accessing government resources as required and oversight of public information strategies

- Leading the reform agenda for emergency management, including measures to increase community resilience

- Advising the Minister for Emergency Services, other relevant Ministers and SEMC on whole of government emergency management strategy and emerging or complex emergency management issues, including the resilience of critical infrastructure.

SCRC Sub-Committees

To enable it to perform its functions, SCRC has established the following three standing sub-committees:

- Risk and Resilience
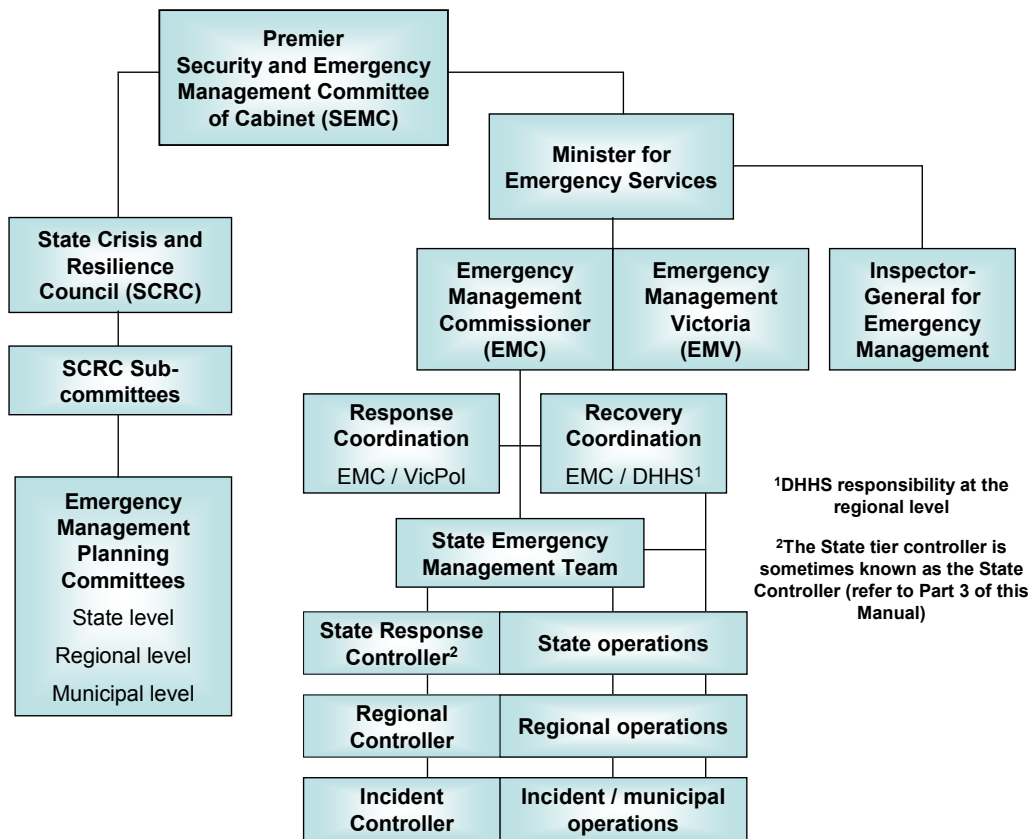
- Capability and Response

- Recovery.

Figure 1-3: Victoria's Emergency Management Planning and Operational Structure

Response and Recovery Plans

The 2013 Act requires (s. 53) that the EMC arrange for the preparation, and updating as required, of a state emergency response plan for the coordinated response to emergencies by all agencies having roles or responsibilities in relation to the response to emergencies.

After the state emergency response plan is prepared or updated, the EMC must submit the plan the SCRC for approval.

The State Emergency Response Plan (see Part 3 of this Manual) is the document which fulfils this requirement.

The 2013 Act requires (s. 59) that the Minister for Emergency Services arrange for the preparation and review from time to time of a state emergency recovery plan (see Part 4 of this Manual) for the coordinated planning and management of emergency recovery.

This function has been delegated to the EMC.

Municipal emergency management planning is carried out by municipal emergency management planning committees, as required by the 1986 Act. See Guidelines for Municipal Emergency Management Planning (Part 6 of this Manual).

Minister's Delegations

The Minister for Emergency Services has delegated the following responsibilities under the 2013 Act:

- The responsibility for preparing and reviewing the state emergency recovery plan has been delegated to the EMC under s. 59(3).

The Minister for Emergency Services has made the following delegation under the 1986 Act:

- The Chief Commissioner of Police has been delegated powers under s. 24(2)(c), (d) and (e) exercisable in a state of disaster.

1.5   Components of Emergency Management

This section summarises the core functional areas for emergency management, prevention, response and recovery. Further details on prevention and mitigation are set out in Part 2 of this Manual. Response and recovery elements are detailed in the State Emergency Response Plan (Part 3) and State Emergency Relief and Recovery Plan (Part 4).

Prevention/Mitigation

Prevention is described in the 1986 Act as 'the elimination or reduction of the incidence or severity of emergencies and the mitigation of their effects'. Clearly, not all emergencies can be prevented, so the concept has a much broader meaning, encompassing those strategies which can be adopted to minimise or mitigate the impact of emergencies. Mitigation is the term now widely used, in line with Australian Government usage as embodied in the COAG Natural Disasters in Australia Report (2002) and funding programs.

Emergency Risk Management

Emergency Risk Management is described in some detail in Part 6 of this manual. The emergency risk management approach assumes that even though major emergencies occur infrequently and unpredictably, the risk of loss or damage caused by an emergency is always present to some extent.

Safety can be promoted by strengthening and preparing exposed assets and communities to reduce the likelihood of certain consequences of an emergency. This is known as risk reduction or risk treatment.

In Victoria, risk management is the principal methodology utilised for mitigation. The *Australian/New Zealand Standard AS/NZS ISO 31000:2009 Risk Management-Principles and guidelines* has been contextualised for emergency management purposes in the *National Emergency Risk Assessment Guidelines* (NERAG). Victoria State Emergency Service facilitates a Community Emergency Risk Assessment (CERA) process at municipal level.

Emergency-related risks cannot usually be eliminated altogether. There is a need to plan and prepare for response and recovery for the remaining or residual risk (after risk treatment).

Response

Response involves the combating of emergencies and the provision of rescue services to those affected.

Response Plans

The State Emergency Response Plan (Part 3 of this Manual) establishes the response arrangements, and Part 7 of this Manual sets out the roles and responsibilities of the key agencies involved in emergency response.

A large number of public and private organisations, or sections of organisations, have response roles. In addition, many other organisations (including municipal councils) can be called upon to assist control agencies in the response to specific incidents.

In addition to the State Emergency Response Plan, response plans also exist at the regional level. Regional response plans set out the roles and responsibilities of response organisations within the region, document coordination arrangements, and list contact details for all agencies and the resources they can provide. It also provides for the coordination of support from within and outside the region in support of municipal response operations.

Response Management

Emergency response is based on a set of arrangements which are in effect at all times. Accordingly, there is no need for *activation* of response. *Agencies* or *strategies* may be activated when a need is evident. Emergency response arrangements operate in respect of any emergency, no matter how small, in which more than one organisation is involved in emergency response.

Under response arrangements, incident control is vested in control agencies which are primarily responsible for responding to specific emergencies. Support agencies provide services, personnel or material to support or assist control agencies or affected persons.

Response agencies can perform the role of either control or support agencies depending upon the particular emergency. Refer to Part 7 of this Manual for lists of control and support agencies.

Recovery

Recovery is defined in the 2013 Act as 'the assisting of persons and communities affected by emergencies to achieve a proper and effective level of functioning'. Recovery operations involve cooperation between all levels of government, non-government organisations, community agencies, the private sector, the affected community and emergent organisations in consideration of the:

- **people, social, community and health environment** - the emotional, social, spiritual, financial and physical wellbeing of individuals and communities

- **economic environment** - the revitalisation of the economy of the community

- **built environment** - the restoration of essential and community infrastructure

- **natural environment** - the rehabilitation of the environment, and

- **agricultural environment** – the restoration of affected agricultural activities.

Recovery from emergencies is a developmental process of assisting individuals, families, neighbourhoods and communities to manage the re-establishment of those elements of society necessary for their wellbeing.

Emergency Relief

Emergency Relief is defined as 'the provision of essential needs to individuals, families and communities during and in the immediate aftermath of an emergency'. Relief planning and operations are now included as part of recovery planning.

The Department of Health and Human Services is responsible for coordinating emergency relief at the regional level and municipal councils are responsible for coordinating emergency relief at the local level.

Relief and Recovery Plans

The State Emergency Relief and Recovery Plan (Part 4 of this Manual) provides information for the coordination of agencies involved in relief and recovery, describes the management principles for relief and recovery planning, outlines the services which may be required in relief and recovery situations, and provides information on the considerations involved in operational recovery. It also establishes a framework within which recovery agencies, regions and municipal councils can prepare their own relief and recovery plans.

Regional relief and recovery plans set out agency responsibilities and coordination arrangements applicable to each region, with specific resource listings and contact details. In addition, they describe arrangements for establishment and support of community recovery committees. The specific roles of relief and recovery agencies are set out in Part 7 of this Manual.

Relief and Recovery Management

The EMC is responsible for the coordination of the activities of organisations, including agencies, having roles or responsibilities under the State Emergency Relief and Recovery Plan. The EMC has delegated this coordination function to the Secretary of DHHS at the regional level. DHHS supports councils in local management of recovery.

Relief and recovery is managed at the level closest to that of the affected community, which may or may not be located within one municipal district. Relief and recovery activities are commenced as soon as possible after the impact of an event, and operate concurrently with response activities.

Relief and recovery activities are normally managed by the municipal council at the local level, possibly with involvement of one or more community recovery committees. The work of the government and non-government agencies is integrated, taking account of the needs of the community during the recovery process. These committees are usually chaired by council personnel.

1.6   Terrorism: Issue-Based Violence

The *Terrorism (Community Protection) Act 2003* describes a 'terrorist act' as an act done or threat made 'with the intention of advancing a political, religious or ideological cause' by 'coercing or influencing by intimidation' an Australian or foreign government or 'intimidating' the public or a section of the public. The definition is aligned to that in Part 5.3 of the *Criminal Code* (Commonwealth).

The National Counter-Terrorism Plan (2012) outlines responsibilities, authorities and the mechanisms to prevent, or if they occur manage, acts of terrorism and their consequences within Australia. In Victoria, linkages between national security agencies and the State are managed through the Department of Premier and Cabinet.

State responsibilities and initiatives in respect of counter-terrorism include:

* the maintenance of crisis and consequence management capabilities to respond to terrorist incidents. These capabilities, consistent with the all hazards approach, are capabilities relevant to responding to any emergency

* the identification of critical infrastructure and the development of plans to manage the risks to it, and

* the maintenance of policies, legislation and plans relevant to counter-terrorism.

There is need to ensure that crisis management and consequence management are effectively coordinated with each other. In a threat environment which includes issue-motivated violence, emergency services and other non-military teams such as health workers will usually be at a scene before specialist military and security personnel, and both groups must work together effectively. For this reason, the role of the SEMC/SCRC covers all types of major incidents or crises.

1.7 Special Provisions of the Emergency Management Act 1986

The 1986 Act provides specific emergency powers which can be applied when the circumstances require. Special declarations are not required for standard emergency operations to occur. The Act also has some special provisions to increase the effectiveness of emergency response activities.

Emergency Area

In some emergency situations police may need to restrain people from participating in typical day-to-day activities or to exclude them from an area or restrict entry to it if their presence is dangerous or not desirable. A chemical spill or gas leak, for example, may involve a hazard not evident to the untrained person. For further information, see Part 3-37 to 3-39 of this Manual, or sections 36A, 36B and 36C of the 1986 Act.

State of Disaster

Section 23 of the 1986 Act provides a power for the Premier to declare a state of disaster, in the whole or any part or parts of Victoria, for an emergency that presents a 'significant and widespread danger to life or property'. Before declaring a state of disaster, the Premier must consider the advice of the Minister for Emergency Services and the EMC.

It is a fundamental principle underlying Victoria's emergency management arrangements, that normal emergency actions take place when the need is evident, and do not require special administrative decision or declaration. The declaration of a state of disaster creates a legal condition applying to a specified area only in extreme circumstances.

The provisions for a state of disaster have never been used and are only likely to be invoked in extreme circumstances in which there is a breakdown of the normal systems of government and emergency management, and it is necessary to override normal civil rights to deal with an emergency.

Upon the Premier's declaration of a state of disaster, the Minister for Emergency Services has powers to:

- direct government agencies
- suspend Acts or regulations
- commandeer any property
- control movement into and within, and departure from the disaster area

- compel evacuations from the disaster area (except where a person claims pecuniary interest in the land, buildings, goods or valuables therein).

The latter three powers are delegated to the Chief Commissioner of Police.

The 1986 Act provides for compensation to be paid to any person whose property is taken or used in a state of disaster.

Offence of Obstruction, and Legal Immunity for Volunteers

The 1986 Act creates the offence of obstructing an emergency worker (s. 36), and also gives volunteer emergency workers (the same group entitled to the compensation provisions) legal immunity in cases of loss or injury sustained by others, except in cases of their wilful default or negligence (s. 37). For further information on legal protection for volunteers, see Part 8, Appendix 7 of this Manual.

Volunteer Compensation Arrangements

Part 6 of the 1986 Act makes provision for compensation for volunteer emergency workers who suffer personal injury, death and/or loss or damage to property while engaged in an emergency activity. Emergency activity includes, training for, standing by to perform, or travelling to or from, duties performed by agencies under the response plan or the relief and recovery plan.

Volunteers covered are those who are members of voluntary organisations that do not have statutory compensation schemes, and cover also applies to those people who, on a casual basis, assist an agency under the response plan or the recovery plan to deal with an emergency. See also Appendix 7 (Part 8).

Detailed guidelines on compensation for volunteer emergency workers is available from:

Director Corporate Support Services
Emergency Management Victoria
GPO Box 123
Melbourne Vic 3001