EMERGENCYMANAGEMENTPLANNING
Piloting a Health Check for Local Government

Project Report

SEPTEMBER 2014

SYDNEY COASTAL
COUNCILS GROUP

Australian
National
University

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Acknowledgements

Disclaimer

Funding

Cover design by Catfish Creative

Emergency Management Planning – Piloting a Health Check for Local Government

Key points

Emergency Management

Emergencies potentially affect most council areas and projections predict added burdens from the increasing severity and/or frequency of damaging events. Resilience depends on incorporating these potential changes into emergency management planning.

All tiers of Government have responsibilities in Emergency Management

The first response should be at the most practical local level and engage higher tiers of government as required.

The social space for emergencies includes individuals, organisations, and governments.

Different skills are required for managing the many facets of emergency planning across Prevention, Preparation, Response, and Recovery (**PPRR**) and will need different kinds of inputs. The *Health Check* promotes the inclusion of many roles in emergency management to promote capability and resilience.

Each emergency is unique. Planning must recognise individual circumstances and include options to provide flexible responses, for individuals and agencies, to adapt to shifting circumstances.

Effective emergency management requires an holistic "community safety" approach incorporating a whole of council response.

Resourcing for emergency management is poorly targeted, resulting in unplanned outcomes and a continuing focus on response and recovery. There are needs for appropriate commitments and resourcing of time and finances by all tiers of Government to promote Prevention and Preparation.

The LEMC, and Local Government, prepares for emergencies but during an emergency responsibility passes first to the LEOCon and the Combat Agencies.

Council responsibilities during an emergency are limited and Councils and the LEMCs need to define these specific local roles of Councils in emergency response to ensure efficient and effective use of resources, and to ensure appropriate co-operative arrangements with the Combat Agencies.

Local Government works to provide ongoing support to local communities during and after an emergency

The primary vehicles for council to manage risks to the organisation and service delivery are Enterprise Risk Management, and Business Continuity Planning, with appropriate resourcing and other commitment in the Integrated Planning and Reporting Framework.

The Health Check

The *Health Check* aims to improve the emergency management planning capability of Local Government for harm minimisation in response to natural hazards.

To ensure national relevance the *Health Check* uses the Framework of the *National Strategy for Disaster Resilience* as the Priorities for first level in the assessment hierarchy

In adopting a synthetic approach, rather than a hazard-based approach, the *Health Check* follows international practice and seeks to develop a broader understanding of emergency management across Local Government and the community

The content and format of the *Health Check* was developed with the support of an Advisory Committee and through consultation with representative councils from across NSW

The project promotes improved engagement in emergency management by identifying areas where the most gains in awareness, knowledge, and application are possible.

The *Health Check* promotes good practice emergency management but is not prescriptive as each council needs to identify options and priorities relevant to its own needs, resources, and social context. The *Health Check* package provides supporting Resources and information for councils to pursue their own interests and priorities.

The *Health Check* is not for a particular individual or role; rather it is an opportunity for all relevant functional areas of Councils, and LEMCs, to work together to improve the efficiency and effectiveness of emergency management for their local communities. A necessary output will include the identification, and/or changed allocations, of resources by both Councils and State Government agencies to support and implement the required actions.

This Report

This Report provides a discussion to the background and the development of the Health Check. It contains a bibliography and appendices relevant to the development of the approach and strategy of the project.

The Report provides a context and reference for:

- The Health Check tool, designed to assist Councils in planning for emergencies
- A User Guide to the Health Check
- Resources, providing an expanded thematic bibliography of papers, reports, and other materials to support local government staff in preparing for emergencies
- Summary materials for the project to assist in informing local government staff and stakeholders about the project and the Health Check.

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Glossary/Acronyms

AAR	After Action Review
BCP	Business Continuity Plan
CCA	Climate Change Adaptation
COAG	Council of Australian Governments
CSP	Community Strategic Plan
Combat Agency	The agency identified in the State Emergency Management Plan as the agency primarily responsible for controlling the response to a particular emergency
Community	Often used as a generic term for residents of a particular area. A social group which has a number of things in common, such as shared experience, locality, culture, heritage, language, ethnicity, pastimes, occupation, workplace, etc. In planning for engagement and consultation it is important to recognise there are many communities of interest or association within a local "community" and consultation needs to recognise this and agencies may need to develop a more nuanced approach that is sensitive to context and culture.
DEMO	District Emergency Management Officer; now known as the REMO
Emergency	An actual or imminent occurrence (such as fire, flood, storm, earthquake, explosion, terrorist act, accident, epidemic or warlike action) which: a) endangers, or threatens to endanger, the safety or health of persons or animals in the State; or b) destroys or damages, or threatens to destroy or damage, any property in the State, being an emergency which requires a significant and co-ordinated response. For the purposes of the definition of emergency, property in the State includes any part of the environment of the State. Accordingly, a reference in the Act to: a) threats or danger to property includes a reference to threats or danger to the environment, and b) the protection of property includes a reference to the protection of the environment. (Source: SERM Act). Also referred to as a Disaster.
Emergency Management	A range of measures to manage risks to communities and the environment; the organisation and management of resources for dealing with all aspects of emergencies. Emergency management involves the plans, structures and arrangements established to bring together the normal endeavours of government, voluntary and private agencies in a comprehensive and coordinated way to deal with the whole spectrum of emergency needs including prevention, response and recovery.
EMPLAN	Emergency Management Plan (previously referred to as DISPlan)

Emergency services organisation	The NSW Police, NSW Fire Brigades, Rural Fire Service, Ambulance Service, State Emergency Service, Volunteer Rescue Association or any other agency which manages or controls an accredited rescue unit (Source: SERM Act).
ERM	Enterprise Risk Management. ERM is the holistic management of all risks that affect council, not just insurable risks or occupational health and safety.
Hazard	A source of potential harm or a situation with a potential to cause loss; a potential or existing condition that may cause harm to people or damage to property or the environment.
Incident	Means a localised event, either accidental or deliberate, which may result in injury or death, or damage to property, which requires a normal response from a combat agency or agencies.
IPRF	Integrated Planning and Reporting Framework. Chapter 13 of the *Local Government Act* 1993 (NSW), outlines the accountability of councils, including strategic planning and financial management. Section 402 outlines the requirements for a Community Strategic Plan and the Integrated Planning and Reporting Framework.
IRVA	Integrated Regional Vulnerability Assessment. Identifying and understanding regional vulnerabilities at a local level can help communities prepare for a changing climate. The Office of Environment and Heritage has developed a process that uses local knowledge to identify potential threats and possible options for responding to a changing climate across multiple sectors.
LEMC	Local Emergency Management Committee. The committee constituted under the *State Emergency and Rescue Management Act 1989* (as amended), for each local government area. It is responsible for the preparation of plans in relation to the prevention of, preparation for, response to and recovery from emergencies in the local government area (Local EMPLAN) for which it is constituted.
LEMO	Local Emergency Management Officer. This position was defined in the SERM Act (1989)(s.32), until deleted in amendments in 2013, as a council representative providing executive support for the Local Emergency Management Committee and the Local Emergency Operations Controller in its area. The term is still in general use and is included in some Subplans and Supporting Plans
LEMP	Local Emergency Management Plan, prepared by the Local Emergency Management Committee (SERM Act, s 29)
LEOCon	Local Emergency Management Controller. A Police Officer appointed by the District Emergency Operations Controller as the Local Emergency Operations Controller for the Local Government Area (SERM Act, s 26)
Mitigation	Measures taken in advance of a disaster aimed at decreasing or eliminating its impact on society and environment.
MPES	Ministry for Police and Emergency Services
NEMC	National Emergency Management Committee
NGO	Non-Government Organisation means a voluntary organisation or any other private individual or body, other than a government agency.

NFP	Not-for-profit The purpose of providing goods or services, but not for making a profit: a non-profit organisation; non-profit sector.
OEH	Office of Environment and Heritage
PPRR	Prevention, Preparation, Response, Recovery are key principles for emergency management adopted by NSW legislation
Preparation	Measures to ensure that, should an emergency occur, communities, resources and services are capable of coping with the effects; the state of being prepared.
Prevention	Regulatory and physical measures to ensure that emergencies are prevented, and/or their effects mitigated Measures to eliminate or reduce the incidence or severity of emergencies.
Recovery	The coordinated process of supporting emergency-affected communities in reconstruction of the physical infrastructure and restoration of emotional, social, economic and physical wellbeing
Response	The immediate response to an incident or emergency to minimise harm and protect life and property.
REMC	Regional Emergency Management Committee
REMO	Regional Emergency Management Officer. A person appointed to provide executive support to the REMC and the REOCon.
REMP	Regional Emergency Management Plan
REOCon	Regional Emergency Operations Controller The Commissioner of Police is to appoint a Regional Emergency Operations Controller for each region who is to be a police officer holding the position of Region Commander
Resilience	The capacity of a system, community or society potentially exposed to hazards to respond, by resisting or changing in order to reach and maintain an acceptable level of functioning and structure
Response	Actions taken in anticipation of, during, and immediately after an emergency to ensure that its effects are minimised, and that people affected are given relief and support
Risk	A concept used to describe the likelihood of harmful consequences arising from the interaction of hazards, communities and the environment The concept of risk has two elements: • the likelihood of something happening, and • the consequences if it happens.
SCCG	Sydney Coastal Councils Group
SES	State Emergency Service
Situational awareness	"Situational awareness" is a term that simply means understanding the current situation. "To achieve situational awareness, we have to get the right information to the right person who's prepared to receive it, and who can analyse it and do something with it." Loss of situational awareness arises from a failure of communications and/or a hazard overwhelming the available resources and capabilities to respond effectively.
SERM Act	State Emergency and Rescue Management Act (1989)

1 Introduction

The Sydney Coastal Councils Group (SCCG) in partnership with the Fenner School of Environment and Society (Australian National University) has developed the *Health Check* to promote emergency management capability in Local Government.

While Local Government acts as a partner in emergency management, legislation does not define clearly all the tasks that Local Government undertakes.

We have taken the approach of looking at the existing services and functions of Local Government and asking how emergencies affect these roles, and how these roles can contribute to emergency management planning. We explored the opportunity to strengthen and/or diversify those existing roles so they have ownership and skills within councils, and to broaden the understanding of, and commitment to, emergency management and planning across the organisation.

Councils, and Local Emergency Management Committees, of varying size, character, and hazards faced can adapt the *Health Check* to their needs. A common process for preparing for emergencies across Local Governments will assist local emergency management planning, and will provide the opportunity for collective learning and improved efficiency.

Emergency management requires that communities, businesses, asset managers, and decision makers understand the hazards, the risks they pose, and opportunities to minimise harm. Local Government fulfils a range of roles important to emergency management, across a number of functional areas.

1.1 Audience for the Health Check

The primary audience for the *Health Check* is Local Government, and the Local Emergency Management Committees (LEMCs) established under the *State Emergency and Rescue Management Act 1989* (NSW) (the SERM Act). The *Health Check* includes both Council staff and elected Councillors in planning for Emergency Management across all aspects of Prevention, Preparation, Response, and Recovery (PPRR), and identifies opportunities to engage all relevant communities in preparing for, and responding to, emergencies.

1.2 Sharing responsibility for emergency management

A key concept of modern emergency management is "sharing responsibility", with communities as integral partners to all aspects of emergency management.

Responsibility for emergency management in Local Government is traditionally the role of the LEMO. The intention of the *Health Check* is to build awareness, understanding and engagement across the many roles of councils to promote an integrated approach to emergency management with shared responsibility within the organisation and with the community.

In sharing responsibility, "responsibility" needs to be clearly articulated and accepted by all stakeholders. Accepting responsibility will include owning the process of emergency management, which is why it is important that emergency managers seek and respect community input.

Devolution of responsibility can be important because:

1. in the complex environment of an emergency, decision making can be constrained by loss of situational awareness, and

2. limitations in resources and competing priorities places responsibilities on individuals to be independent until assistance can be delivered (typically considered to be up to three days).

The *Health Check* seeks to identify areas where the most gains in knowledge and application are possible. The process of completing the *Health Check*, if undertaken as proposed, will assist in:

- developing an overall understanding of the way Local Government engages in emergency management

- improving co-ordination across all functions of Local Government to improve emergency management across Prevention, Preparation, Response and Recovery

- promoting a culture of continuous learning and the benefits of monitoring and evaluation

- co-ordinating emergency management activities with, and through, the Local Emergency Management Committee

- using resources more efficiently through improved planning and resource sharing

- supporting more hazard aware and resilient communities

This shift to shared responsibility, supports the move from a "Civil Defence" model to a "Community Safety" model (Ministry of Civil Defence and Emergency Management, 2012 a, b), and integration into Council programs through the Integrated Planning and Reporting Framework (IPRF) (s 4.3).

The Health Check is not, therefore, for a particular individual or role; rather it is an opportunity for Councils and LEMCs to work together to improve the efficiency and effectiveness of Emergency Management for their local communities. A necessary output will include the identification, and/or reallocation, of resources by both Councils and State Government agencies to support and implement the required actions.

1.3   Understanding hazards and managing risk

A key issue here is that the way communities see risks is not necessarily the same as the way experts see risk. This has at least three aspects:

1. Individual perceptions of risk and consequence are not necessarily the same as that of experts. Risk communication expert Peter Sandman talks about "Risk = Hazard + Outrage" (Outrage Management) and how government needs to recognise the social factors in formulating risk communication. Gigerenzer(2002) has shown that how risks are communicated affects understanding, and that even experts make mistakes in both calculating and communicating risks.

2. Wynne (1992) has shown that local information can be critical to understanding risk, and experts, also operating in a social context, can devalue local knowledge and judgements.

3. Different approaches to managing the impacts of hazards can also bring different <u>kinds</u> of risk. In particular, "shared responsibility" requires an understanding of risk management particular to the roles and experience/expertise of those contributing to emergency management. All levels of government need to consider the consequences of devolving roles and responsibility.

It is not that one is right or wrong, more that an informed discussion can provide improved opportunities and outcomes for Emergency Management.

Emergencies are relatively rare and, with turnover of population in residential areas at risk, hazards confront many people that have neither previous experience nor a good understanding of how risks can be minimised.

Past ("legacy") decisions can influence, often covertly, our assessments and evaluations of risk and adaptive capacity (Preston, 2013). Communities are unwilling to abandon existing infrastructure and development creating a "lock-in" effect that sees more development in areas of known hazard.

Emergencies occur, therefore, in a social space, not just a physical space. This integrated view is a "hazard scape" (Khan, 2012). <u>Figure 1</u> conceptualises the way the adaptive capacity of communities affects their vulnerability (Allen Consulting, 2005).
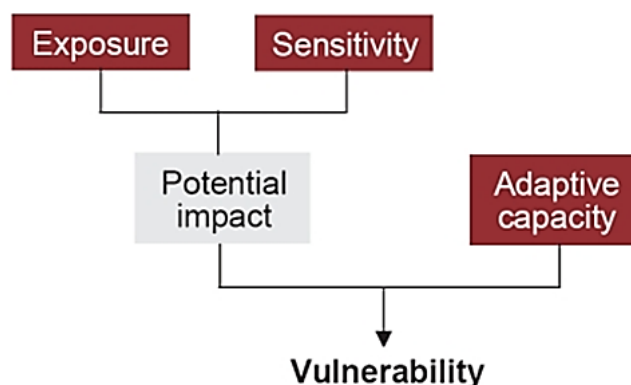
Figure 1 Vulnerability to natural hazards
(Allen Consulting, 2005)

Exposure and **sensitivity** dictate the potential impact (<u>gross vulnerability</u>) from an external driver on a system or process. The **adaptive capacity** of a particular system or process defines the <u>actual capacity</u> and, therefore, its vulnerability. Emergency management planning can address both the <u>sensitivity</u> and the <u>adaptive capacity</u> of the system or process through PPRR.

1.4   Good practice planning for emergency management

Hazards, acting on human systems, can produce emergencies. Effective management of those emergencies requires a systems view of vulnerability, and holistic responses, to those hazards. Identifying and developing this adaptive capacity promotes resilient individuals, organisations, and communities.

The *Health Check* does not place additional requirements on any individual or organisation beyond their existing responsibilities, roles and functions. It is a check to alert individuals and organisations as to their potential roles in emergency management, and to allow them to identify, and assess whether they are ready to perform, those roles. Whilst the Health Check does not propose additional roles or requirements, an evaluation may reveal that further, or changed allocation of, resourcing is necessary.

The responsibility for limiting the growth of risk belongs with all tiers of government through affecting the characteristics (sensitivity) for the system or process. Typical measures for government include planning and building controls, and other administrative processes.

Prevention and Preparation are more cost-effective than relying on Response and Recovery (Figure 1). Additional investment in natural disaster mitigation by all levels of government is conservatively estimated to provide a 15 per cent rate of return. Additionally, recent analysis of 67 remedial projects revealed that for every dollar invested in flood mitigation more than two dollars was saved. Effective planning and warning systems also help to reduce the level of damage and the costs incurred as a result of emergencies (Geosciences Australia).

The Australian Business Roundtable for Disaster Resilience and Safer Communities' White Paper, *Building our Nations Resilience to Natural Disasters* (Deloitte, 2012), noted that investing in measures to increase resilience would generate significant cost savings in disaster response. For example, resilience expenditure of around $250 million a year to 2050 would generate budget savings of more than $12 billion and Australian Government disaster response expenditure reduced by more than 50%. The key message in this context is that Prevention and Preparation is more efficient and cost-effective than Response and Recovery. Resilient communities have a lesser impact from hazards and respond more quickly and effectively to achieve a more resilient state for future events (Figure 2).
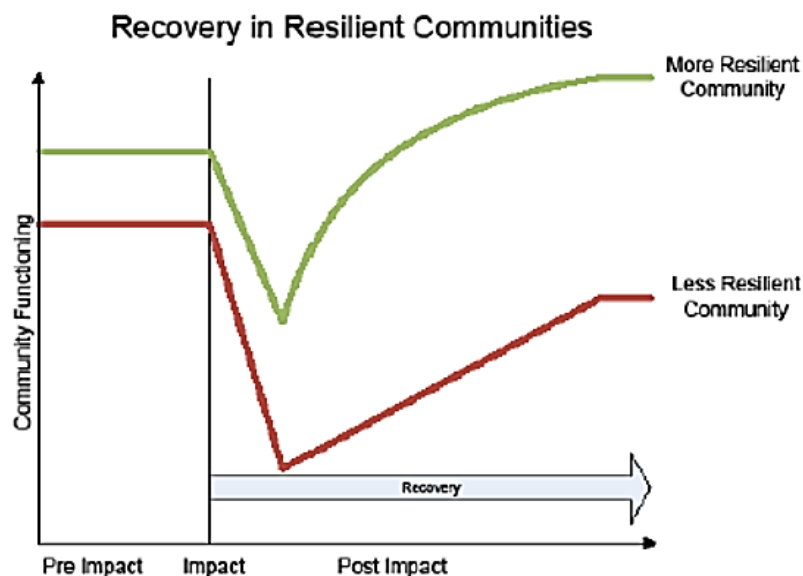
Figure 2 Benefits of resilience to impacts of emergencies
From NSW Recovery Plan 2012

The Attorney General's submission to the [Productivity Commission review](#) of Natural Disaster Funding provides indicative data ([Figure 3](#)) emphasising the high levels of expenditure on recovery compared to prevention and preparation, and response. Building adaptive capacity and resilience is integral to focusing on Prevention and Preparation. This graph does not include the long-term costs to the community and local government.
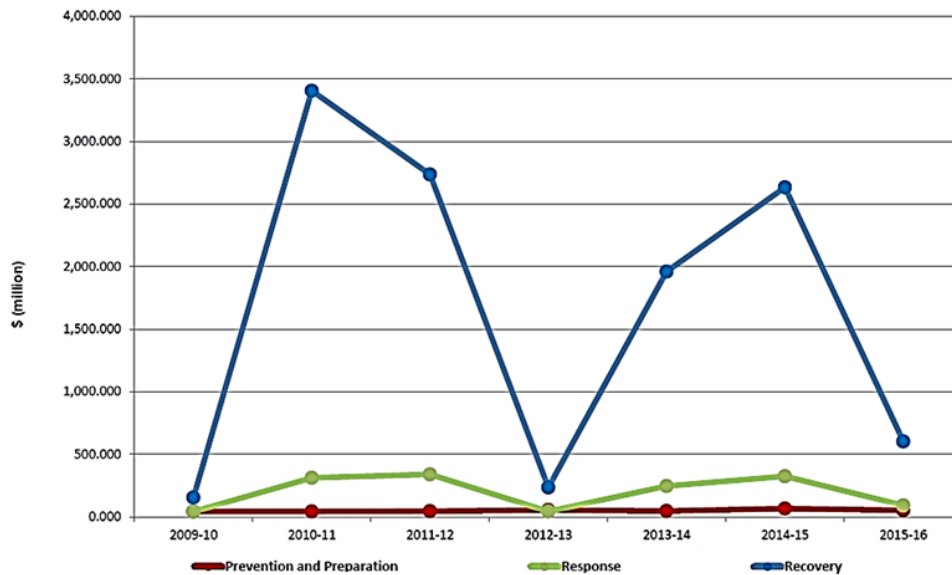
Figure 3 Expenditure on emergencies in Australia

1.5   Building Adaptive Capacity and Resilience

The community also has responsibility through managing sensitivity on their own lands. The Climate Wise Communities Program is an excellent example of local government engaging communities to develop resilience (Ku-ring-Gai Council, 2013). See also Millener and Webber (2009) for overland flow preparedness.

Communities, if given the right context and encouragement, can make valuable contributions to Emergency Management. The *Health Check* identifies opportunities to engage and consult communities as essential elements of emergency management planning.

A systemised approach to emergency management, with clear definitions of roles and responsibilities, and effective Prevention and Preparation can limit these complications. Major events have shown that supply chain security can be more important than sustainability, and can include impacts by remote emergencies (FEMA, 2012). Local Governments, and their partners, can use the *Health Check* to identify and rank priorities and effective actions to meet their obligations. Given the diversity of Local Governments and the variety of hazards and risks they face, the *Health Check* is not prescriptive and provides a framework to assist Councils and their partners in understanding and responding to their particular circumstances. The *Health Check* can reflect each council's circumstances and needs.

2 The context for emergency management

> Key points:
> - All tiers of Government have responsibilities in Emergency Management
> - The first response should be at the most practical local level and engage higher tiers of government as required.
> - An emergency occurs in a social context
> - Communities, acting as individuals, or as organisations, or businesses have key roles in Emergency Management
> - Prevention and Preparation are the most efficient and effective components of emergency management.

2.1 The International framework

The major international statement for disaster risk reduction is the Hyogo Framework for Action 2005-2015: Building the Resilience of Nations and Communities to Disasters.

The World Conference on Disaster Reduction, from 18 to 22 January 2005, in Kobe, Hyogo, Japan, adopted the Framework for Action 2005-2015 (HFA). The Conference provided a unique opportunity to promote a strategic and systematic approach to reducing vulnerabilities and risks to hazards. It underscored the need for, and identified ways of, building the resilience of nations and communities to disasters.

The HFA identifies five priorities for action:

1. Ensure that disaster risk reduction is a national and a local priority with a strong institutional basis for implementation.
2. Identify, assess and monitor disaster risks and enhance early warning.
3. Use knowledge, innovation and education to build a culture of safety and resilience at all levels.
4. Reduce the underlying risk factors.
5. Strengthen disaster preparedness for effective response at all levels

The Australian Government has participated in the HFA process and Australian policies mirror the five priorities of the Framework.

2.2 The National framework

On 6 November 2008, the Ministerial Council for Police and Emergency Management – Emergency Management agreed that the future direction for Australian emergency management would achieve community and organisational resilience. To build on this work the Council of Australian Governments (COAG) agreed to adopt a whole-of-nation resilience-based approach to disaster management, which recognised that a national, coordinated and cooperative effort is needed to enhance Australia's capacity to withstand and recover from emergencies and disasters.

A Working Group, consisting of Federal, State and Territory representatives developed the National Strategy for Disaster Resilience, 2011 (NSDR).

2.2.1 The National Strategy for Disaster Resilience

The NSDR identifies seven priorities for Emergency Management in Australia:

1. **Leading change and coordinating effort**
   Resilience needs leadership to drive improvements in disaster resilience. All partners take responsibility for leadership within their sphere of influence in a coordinated manner, to maximise the benefits from limited resources.

2. **Understanding risks**
   Australia's vast and diverse regions, landscapes and climatic variations require diverse responses to risk from the damaging impacts of hazards. Underpinning a disaster resilient community is knowledge and understanding of local hazards and risks. We all share responsibility to understand these risks, and how they might affect us. By understanding the nature and extent of risks, we can seek to contain their impacts, and inform the way we prepare for and recover from them.

3. **Communicating with and educating people about risks**
   Interventions can reduce risks but not eliminate them. Open discussion of risks allows communities to anticipate and manage them in acceptable ways. Communities need a clearer understanding of risk and risk management if Australia is to become more resilient to disasters.

4. **Partnering with those who effect change**
   Working together and drawing on the expertise and capacity of various partners produces far greater results than do individual efforts alone. Partnerships across and within governments, businesses, the not-for-profit sector and the community, will create a well-informed, integrated and coordinated approach to increasing disaster resilience. The result will be a more resilient nation.

5. **Empowering individuals and communities to exercise choice and take responsibility**
   Fundamental to the concept of disaster resilience is that individuals and communities should be more self-reliant and prepared to take responsibility for the risks they live with. For a resilient nation, members of all communities need to understand their roles in minimising the impacts of disasters, and have the relevant knowledge, skills and abilities to take appropriate action.

6. **Reducing risks in the built environment**
   Having knowledge and understanding of hazards and risks is of little use unless the information translates into relevant controls and mechanisms for dealing with them. Planning and development control approaches that anticipate likely risk factors and the vulnerability of infrastructure can reduce future possible impact of disasters.

7. **Supporting capabilities for disaster resilience**
   Learning, innovating, and developing skills and resources at the individual, community and operational level promotes response to, and recovery from, disasters. A resilient nation harnesses knowledge and coordinates research efforts of institutions, industry and government.

These seven priorities provide the basic structure of the *Health Check*. As we noted above the NSW legislation defines the responsibilities of Local Government poorly, making it unsuitable as a structure for assessment. We therefore adopted the NSDR to provide the structure for the *Health Check*. Additionally the NSDR is more generic, allowing use of the *Health Check* across all Australian jurisdictions.

2.2.2 Role of government

Governments, at all levels, have a significant role in strengthening the nation's resilience to emergencies through:

- effective, risk-based land management and planning arrangements and other mitigation activities
- communication arrangements
- education systems
- support for individuals and communities to prepare for extreme events
- support for emergency services and volunteers
- recovery arrangements, including evaluation and learning, to adapt for future events.

Australian governments work collectively to incorporate the principle of disaster resilience into aspects of natural disaster arrangements.

2.2.3 The roles of business in supporting the community in emergencies

The Council of Australian Governments (COAG) acknowledges that businesses can and do play a fundamental role in supporting a community's resilience to emergencies. They provide resources, expertise and many essential services on which the community depends. Businesses, including critical infrastructure providers, contribute by understanding the risks that they face and ensuring that they are able to continue providing services during and/or soon after a disaster.

2.2.4 Shared responsibility and the roles of individuals and communities

Social capital is the basis for resilience. Individuals working collectively, taking their share of responsibility for preventing, preparing for, responding to and recovering from emergencies contributes to better outcomes for the community. People can significantly increase their resilience by active planning and preparation for protecting life and property, based on an awareness of the threats, and responses, relevant to their locality.

2.2.5 Non-government organisations and volunteers play important roles

Non-government and community organisations are at the forefront of strengthening disaster resilience in Australia. Australian governments will work with these agencies and organisations to spread the disaster resilience message and to find practical ways to strengthen disaster resilience in the communities they serve.

2.3   The NSW framework

The *State Emergency and Rescue Management Act* (1989) (s5) defines "emergency" as:

> an emergency due to an actual or imminent occurrence (such as fire, flood, storm, earthquake, explosion, terrorist act, accident, epidemic or warlike action) which:
>
> a) endangers, or threatens to endanger, the safety or health of persons or animals in the State, or
>
> b) destroys or damages, or threatens to destroy or damage, property in the State, being an emergency which requires a significant and co-ordinated response.

At a policy level, the State Plan 2021 includes goals that are relevant to emergency management and Local Government (Table 1). Goal 28 explicitly refers to Emergency Management, but the ancillary goals under "Strengthen our Local Environment and Communities" are also relevant either as an important consideration in Emergency Management planning (Goal 22) or as ways to contribute to community resilience, an important contributor to shared responsibility and a more holistic approach to Emergency Management.

Table 1 Goals of NSW State Plan 2021

Strengthen our Local Environment and Communities		
22 Protect our natural environment **23** Increase opportunities for people to look after their own neighbourhoods and environments **24** Make it easier for people to be involved in their communities	**25** Increase opportunities for seniors in NSW to fully participate in community life **26** Fostering opportunity and partnership with Aboriginal people	**27** Enhance cultural, creative, sporting and recreational opportunities **28** Ensure NSW is ready to deal with major emergencies and natural disasters.

The nature of emergencies in NSW

The nature of emergencies is that they are very variable in frequency and magnitude. Figure 4 shows the number of Local Government Areas (LGAs) affected by declared natural disasters between 2004 and 2013 (Data from NSW Disaster Declarations; MPES).

The flooding in 2013 affected 22 LGAs in January and 28 LGAs in February, with 16 LGAs affected in both periods (with most of these areas flooded in 2011 and 2012). These wide-spread and repetitive impacts can have huge immediate and long-term impacts on communities. Dealing with these long-term impacts is largely the responsibility of Local Government.

Over 95% of the total declarations from 2004 to 2013 were outside the greater Sydney Region (and nearly all those within the Region were peri-urban LGAs). The financial burdens of recovery from emergencies for rural and regional LGAs can be enormous.

These kinds of impacts raise issues about the levels of risk that are acceptable. The community usually considers loss of life and critical infrastructure as intolerable.
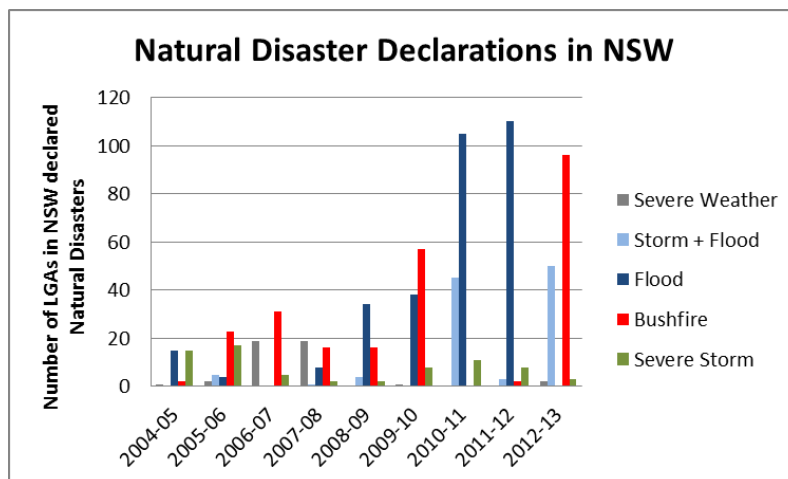
Figure 4 Local Government areas with declared Natural Disasters 2004–2013

There is a distinction between losses that affect individuals and where these losses cross a threshold that threatens the viability of a social system. This will include the long term costs to maintain protective infrastructure and the social costs of repeat emergencies. The Queensland floods in 2011/12, for example, have openly raised questions about the viability of some communities in their current locations.

> *The critical step now is to ensure the momentum of the disaster response translates into long-term planning and investment - but perhaps towards a resilient, well-adapted Queensland rather than a 'disaster-proofed' one.* (Sarah Boulter, The Conversation, February 2013).

2.4 Local Government and emergency management

The NSDR is relevant to Local Government in its roles as:

- an organisation/entity in its own right serving the needs of its communities demonstrating best practice in risk management and business continuity
- an administrator of legislation with defined obligations
- an influencer, and advocate, providing leadership in risk management on behalf of its communities.

The State Emergency Management Plan (EMPLAN) outlines the role of Local Government in NSW:

441   Given the principle that emergency management and risk management should be conducted at the lowest effective level, Local Government has a key role across the PPRR spectrum. …

442   Local Government roles include:

- convening Local Emergency Management Committees [LEMC] and Recovery Committees
- working with State agencies to identify and prioritise risk mitigation options
- undertaking an all-hazards approach to emergency risk management
- working with insurers to minimise disaster risk exposure.

In general, Local Government has more to do before and after an Emergency is declared as it is not a combat agency. The core of these roles is the standard ERM and BCP processes (see Section 4.1 ff). The financial and other governance responsibilities on Local Government require rigorous processes to minimise exposure to risk, and to provide services to the community at all times.

The Integrated Planning and Reporting Framework (IPRF) provides for both community engagement in strategic planning, including emergency management, and longer term asset and financial planning. Emergencies, and their consequences, provide both immediate costs to Local Government, through the Emergency Services Levy and the provision of facilities for emergencies and the combat agencies, and unpredictable costs from the emergency itself.

Recommendations:

- That all levels of government consider all aspects of devolution of responsibility for hazard assessment and risk management in developing new plans and policies
- That emergency management planning at the local level place a greater emphasis on Prevention and Preparation as the most effective ways of dealing with hazards
- That Council, as Chair of the LEMC, ensure that an holistic, community-based approach is adopted in planning and preparing for emergencies at the local level
- That the LEMC engage local business communities in emergency management, both to support their own business continuity and as an important component of community resilience through supply chains and continuity of services
- That Council and the LEMC seek to engage local service organisations to support emergency management operations where appropriate.
- That both Councils and the LEMCs use the Health Check to ensure an holistic approach, consistent with the NSDR, is adopted at the local level.

3 What the Legislation says

> **Key Points:**
>
> - The primary responsibility for emergency management at the local level is the LEMC
> - The LEMC is chaired by Local Government and includes representative of the Police and combat agencies, and other relevant stakeholders
> - The LEMC, and Local Government, prepares for emergencies but during an emergency responsibility passes first to the LEOCon
> - Local Government works to provide ongoing support to local communities during and after an emergency
> - The primary vehicles for council to manage risks to the organisation and service delivery are Enterprise Risk Management, and Business Continuity Planning, with appropriate resourcing and other commitment in the Integrated Planning and Reporting Framework.

3.1 Overview

It is easy to arrive at the view that Local Government has few responsibilities for emergency management, however, a more useful view is that the roles of Local Government are potentially complex, derived from many pieces of legislation and other guidance documents.

1. In order to assess preparedness, councils need to understand what their responsibilities are across the entire emergency management spectrum of hazard prevention, preparation, response and recovery (PPRR).

2. The provisions under the Local Government Act 1993 are limited to referencing other legislation:
   Chapter 5 Section 22 Other functions

   A council has the functions conferred or imposed on it by or under any other Act or law. Some of the relevant legislation includes *Community Land Development Act 1989, Companion Animals Act 1998, Environmental Planning and Assessment Act 1979, Fire Brigades Act 1989, Food Act 2003, Protection of the Environment Operations Act 1997, Public Health Act 2010, Roads Act 1993, Rural Fires Act 1997, State Emergency Service Act 1989.*

The provisions of another Act may guide a council, exercising its functions under this Act. Some of those Acts and some of the modifications they give effect to include:

Coastal Protection Act 1979	limitation on coastal development by councils requirement to prepare an emergency management plan
State Emergency and Rescue Management Act 1989	council required to prepare for emergencies

Legal obligations arise under many areas not necessarily described as emergency management. Local councils have to implement land use planning policies under the *Environmental Planning and Assessment Act 1979* (NSW). Land use planning decisions that restrict development in hazard prone areas, or require developments designed to take account of the hazard, are important in reducing the risks of those hazards.

3.2   Emergency Management Legislation

Notwithstanding Councils' role in risk mitigation, the specific obligations upon Local Government under specific emergency management legislation are limited. (See Figure 5). Councils have a role as the Chair of the Local Emergency Management Committee (LEMC) (SERM Act, s 28) and Council is required to provide administrative support for the LEMC (s 32).

The LEMC is responsible for the preparation and review of emergency management plans and subplans for the local government area (s 29).

The LEMC **may** [emphasis added] (s 29):

    a) give effect to, carry out emergency management policy, and practice, consistent with information on that policy and practice disseminated by the State Emergency Management Committee, and

    b) review and prepare plans in respect of the relevant local government area that are, or are proposed to be, subplans or supporting plans established under the State Emergency Management Plan, and

    c) make recommendations about and assist in the co-ordination of training in relation to emergency management in the relevant local government area,

    d) develop, conduct and evaluate local emergency management training exercises, and

    e) facilitate local level emergency management capability through inter-agency co-ordination, co-operation and information sharing arrangements, and

    f) assist the Local Emergency Operations Controller for the relevant local government area in the Controller's role … and

    g) such other functions as are:

        i.   related to this Act, and

        ii.   assigned to the Committee (or to Local Emergency Management Committees generally) from time to time by the relevant Regional Emergency Management Committee or by the State Emergency Management Committee.

The LEMC is responsible to the Regional Emergency Management Committee. (s 29)

1. In performing its functions, the LEMC may assign roles to Local Government. What follows is that the roles and responsibilities will vary across councils. A Health Check needs to interrogate the LEMP to identify what roles and responsibilities apply to Local Government and whether the Local Government authority is ready and able to fulfil those responsibilities.

2. The State Emergency Plans and Subplans, developed under the SERM Act, have legislative weight and these can assign further functions to Local Government. The functions ascribed in Subplans may go beyond any legislative basis and create ambiguity for Local Government. The Health Check use the State subplans as a basis for a review for Local Government to assess preparedness. The Resources documents provide more detail on these functions.

3. Councils have obligations to contribute to the funding of the emergency services agencies. Councils make a contribution of 11.7% of the estimated costs for their local area (Fire Brigades Act 1989, s.52; State Emergency Service Act, 1989, s.24F(2).

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Figure 5 Legislative arrangements for Natural Hazard Planning in NSW
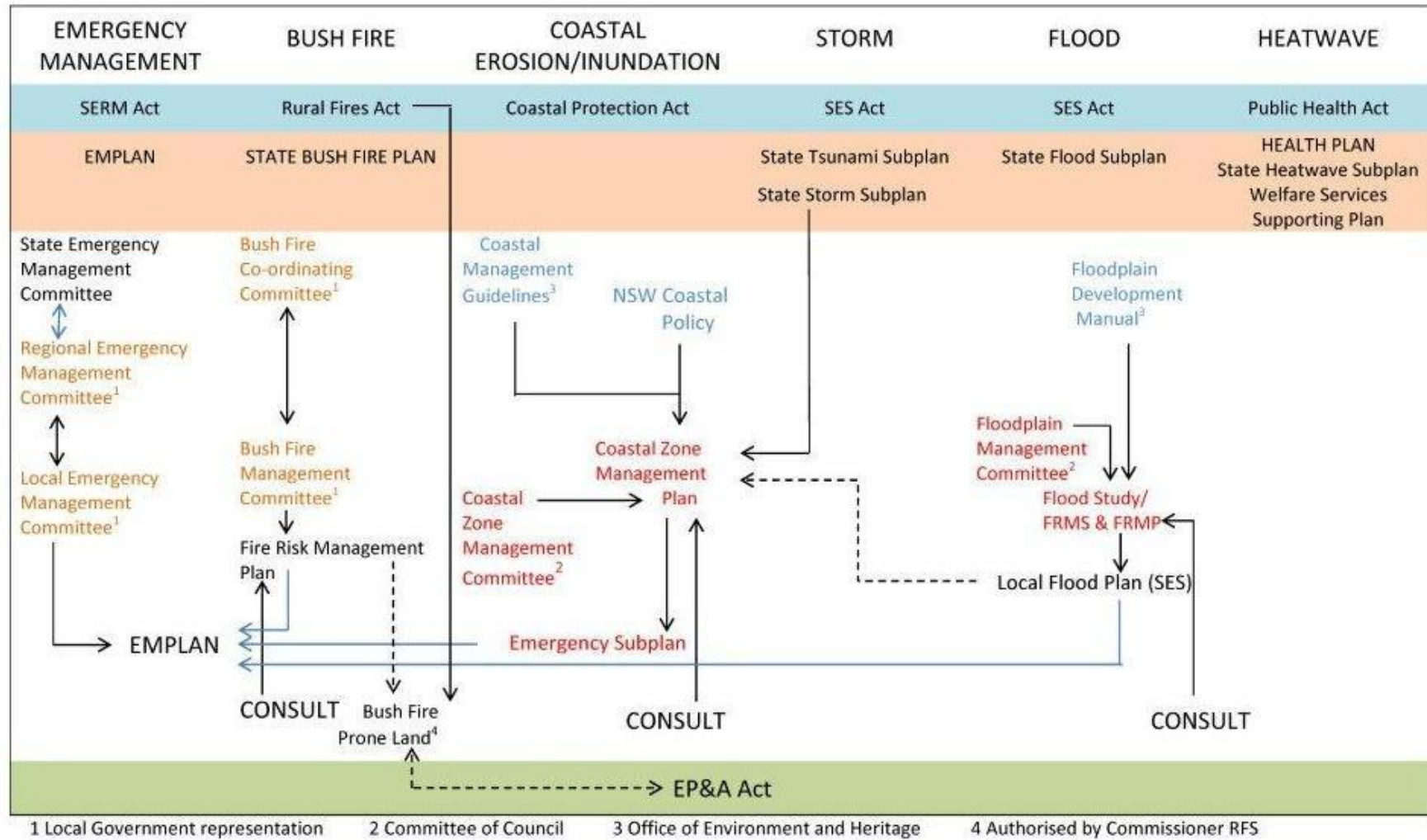
4 Local Government's role in Emergency Management

Local Government can support local communities through an holistic approach to emergency management planning across PPRR, and leading by example. The best demonstration of this holistic approach is through a model which includes communities in identifying, assessing, and prioritising risks from all sources that affect community wellbeing. These risks will include natural hazards.

The traditional approach based on a "civil defence" model had its origins in the Home Guard during World War II. This ongoing commitment to response and recovery is necessary and can be more effective through a complementary emphasis on Prevention and Preparation (Handmer and Dovers, 2013).

Including communities in consultation can begin the process of sharing responsibility for all phases of emergency management and improve understanding of both the roles and practical limitations of the combat agencies and Local Government.

4.1   Risk Management in Local Government.

Local Government engages in risk management in a number of contexts. As a service provider and manager, Local Government undertakes its own risk management to minimise liabilities and provide for ongoing provision of services.

> *At any time risk management is a good investment. However, in an era when public sector resources are tight, confidence in government has been on the wane, and policy stances and delivery models continue to evolve, effective risk management is essential.* (Australian National Audit Office, 2014)

Traditional risk management has evolved as Business Continuity Management, an essential component of good public sector governance. It supports and sustains the entity's business strategy, goals and objectives in the face of disruptive events.

There are a number of interrelated activities that together work to prevent and manage a significant business disruption event. These include:

- Enterprise Risk Management (ERM);
- Business Continuity Planning (BCP)- encompassing Information Technology (IT) disaster recovery;
- Incident management; and
- Emergency management.

The Local Government Infrastructure Audit (DLG, 2013), found a number of issues that overlap with emergency management planning, both in the details of managing for hazards, and the general problem of silos, *ad hoc* responses, and a lack of systems support.

The Audit, in terms directly relevant to the *Health Check*, concludes:

Asset management involves the integration of many of the functions of councils. It is concerned with the management of infrastructure assets from a financial, risk management and social aspect. As a result of this, asset management needs to have a strategic approach and requires the involvement of all levels of council, including the civic leadership of the councillors and the community.

Table 2 Local Government Infrastructure Audit (DLG, 2013)

Existing practice:	Areas for future improvement
Most councils have risk management policies and procedures with a focus on organisational and public liability risk	Existing policies are ad hoc and do not include asset based vulnerability plans including natural disaster risk and exposure analyses that are linked to the IP&R framework
Some councils have undertaken natural disaster risk management studies	Most councils have not integrated the results from those studies into asset vulnerability plans in order to identify infrastructure at risk and how to manage it
Councils have existing long-term staff who know, when asked, what the critical assets are for their council area	Most councils do not have formal critical asset documentation. Councils should identify and document critical assets and ensure these are planned for and well managed

The comments (above) on infrastructure management could apply equally to emergency management planning.

4.1.1   Enterprise Risk Management

Effective corporate governance includes risk management, defined as "the culture, processes and structures that are directed towards realising potential opportunities whilst managing adverse effects" (Australian National Audit Office, 2009).

The concept of risk has two elements:

- the likelihood of an unwanted event, and
- the severity of the consequences if it happens.

Risk can arise from internal or external sources, and might include exposure to such things as economic or financial loss or gain, physical damage, failure of a project to reach its objectives, ratepayer dissatisfaction, unfavourable publicity, a threat to physical safety or breach of security, mismanagement, failure of equipment, corruption and fraud. Engaging with risks, if managed effectively, allows councils to seize opportunities for improving services and business practices.

Enterprise Risk Management considers a range of potential short and longer term impacts, including environmental hazards, on the Council's operating environment and its ability to deliver services.

4.1.2 Business Continuity Planning

Providing continuity in the face of a disruptive event is an important issue to for Councils, and senior management in local governments, not-for-profit organisations and businesses.

There are sufficient examples to demonstrate that events that can seem unlikely do happen. Many services delivered by public sector entities are essential to the economic and social wellbeing of our society.

Business Continuity Planning (BCP) is an essential component of good public sector governance. It is part of an entity's overall approach to effective risk management, and closely aligned to the entity's incident management, emergency response management and IT disaster recovery. Successful BCP requires a commitment from the entity's executive to raising awareness and implementing sound approaches to build resilience. (ANAO, 2009)

By leading by example, Councils can promote ERM and BCP by other organisations and businesses.
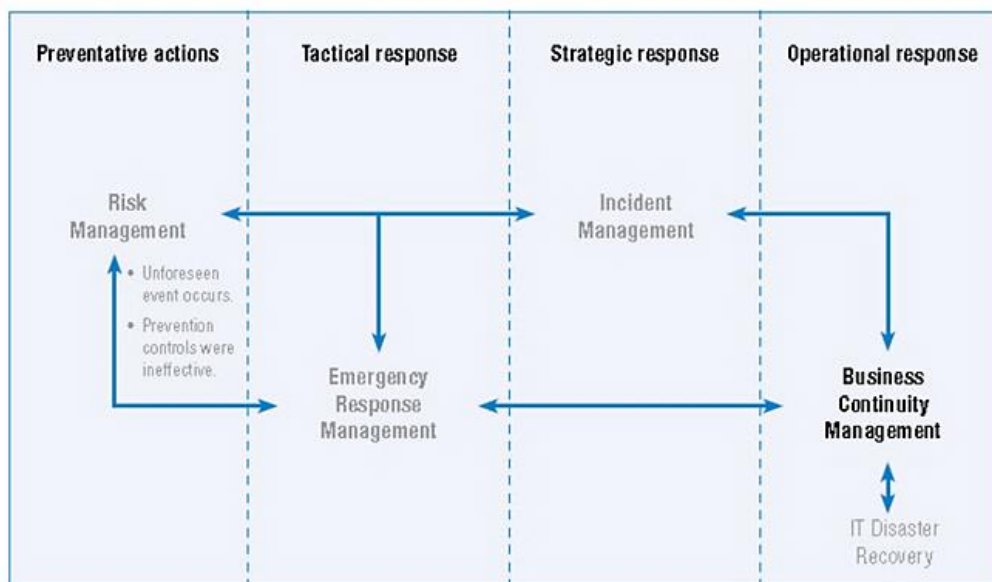
Figure 6 Risk Management and Business Continuity Planning

4.1.3 Incidents and emergency management

Incidents and emergencies are a continuum in a physical sense and defined by the level of response. In some situations, such as in the City of Sydney, combat agencies often treat events as emergencies because of the potential for significant disruption to the functioning of the greater Sydney region.

Local Government deals with incidents as standard operations, or may expedite works if there is an immediate hazard. Other incidents will require one of the combat agencies to take charge to provide an adequate response. None of these will be an "emergency" as it does not involve sufficient threat or require a "significant and co-ordinated response".

The increasing levels of impact require increasing levels of response until it triggers a multi-agency response and an emergency.

4.1.4   Emergency Response Management at the local level

As noted above, the legislation provides fragmented directions for Local Government in emergency management planning, and the SERM Act (1989) posits most responsibility for planning at the local level to the LEMC. The LEMC is not a response agency.

In practice, there are wide variations in the ways individual councils engage with LEMCs. The differences may reflect both the interests and awareness of senior management and Councillors, and the experience and perceptions of hazards likely to affect the LGA. In many cases, the LEMO is responsible for the emergency management functions of council, reflecting the traditional view of emergency management.

The SERM Act (1989) now requires that the General Manager chair the LEMC, although in most cases s/he delegates this role. In principal the General Manger can delegate the task but not the responsibility so in effect needs to know (and is deemed to know through the Council representative) all the contributions of, and responsibilities assigned to, Council and the consequences for the Council and the community.

The LEMC, created under the SERM Act (1989), is not a committee of Council and has no necessary relationship with the Council. In only a few cases in our consultations are the LEMC Minutes reported to Council. Similarly, many Councils separate ERM and BCP, as council functions, from emergency management planning.

Local Government, in undertaking ERM and BCP, provides a foundation for organisational resilience, and contributes across all aspects of PPRR to emergency management.

The *Health Check*, therefore, seeks to provide linkages and inputs between council processes and the requirements of the LEMC. *Additional tasks for Local Government are not proposed*; rather the *Health Check* captures what Councils are already doing that contributes to emergency management planning, and to have these roles and processes recognised as contributing to PPRR. Effective emergency management planning will require additional resources from all tiers of Government, although effective Prevention and Preparation is more cost effective than Response and Recovery.

There is a perception, identified in our interviews, which many outside local government see that LEMC stands for "Council" and that the Agencies fail to provide support for action at the local level. Council staffs often see the LEMC as ineffective in fulfilling its emergency management planning roles (s 5.3.1). The Ministry for Police and Emergency Services is reviewing the format of local and regional emergency management plans to provide guidance for the Emergency Management committees to improve the outcomes for emergency management. The proposed approach simplifies the format and content of the LEMP itself, and refers to Functional Area Operational Plans prepared by the Agencies.

Figure 7 provides a schematic overview of the integration of information and risk management activities of Council and the LEMC through both the LEMP and the Integrated Planning and Reporting Framework to improve outcomes for communities.

4.2 Supporting resilience to hazards

Resilience can be an individual and/or collective characteristic. Local Government needs to support community resilience to minimise the harm from hazards and to optimise recovery with the resources available. "Resilience is a neighbourhood's capacity to weather crises such as disasters and engage in effective and efficient recovery through coordinated efforts and cooperative activities." (Aldrich (2012) p7).

4.2.1 Working with communities

Councils, in their engagement with communities, provide important information and services that contribute to emergency management. The combat agencies are primarily responsible for delivering information about emergency preparation and response, supported by Local Government. As we noted earlier, emergencies occur in a social space and the adaptive capacity or resilience of the community contributes to limiting the impacts of hazards. Aldrich (2012) notes that

social resources, at least as much as material ones, prove to be the foundation for resilience and recovery.

Researchers have proposed five dimensions to resilience:

- personal and familial socio-psychological well being
- organisational and institutional restoration
- economic and commercial resumptions of services and productivity
- restoring infrastructural systems and integrity
- operational regularity of public safety and government

Local Government is not responsible for all these functions, and many are best co-ordinated through the LEMC, however, Local Government can contribute by engaging local communities and businesses, and providing support for the LEMC. The Health Check engages both council and the LEMC is reviewing these activities.

The strength of "community" is in recognising and respecting multiple views, skills, and abilities and bringing these together to achieve a coherent outcome.

4.2.2 Defining and managing roles for volunteers

The Queensland floods (2010/11) and Christchurch earthquake (2011) highlighted the potential roles of volunteers in responding to emergencies and the need for councils and LEMCs to have considered responses for spontaneous volunteers. It is likely that similar spontaneous contributions will occur during and after other emergencies and councils should be as prepared for this contingency as for any other part of response and recovery. During an emergency local government plays a support role and has no prescribed role in directing resources (including volunteers) as it is not a lead agency. If considered appropriated a role in volunteer management can be assigned to Local Government through the LEMC.

Members of the community, if informed appropriately, can provide valuable support by caring for neighbours and family until help can arrive. In the United States a slogan, "UP2U472", is a reminder that emergency services may not be available immediately after a

hazard occurs and in this context a key role for spontaneous volunteering is "Look after your mate for 48". Councils, in anticipating this support can provide guidelines for independent actions (such as waste management and resource management) to assist this process and the subsequent recovery operations.

It is important that each council, in consultation with the LEMC, in their own circumstances, consider the conditions and procedures for using volunteers.

4.3   The Integrated Planning and Reporting Framework

Chapter 13 of the *Local Government Act* 1993 (NSW), outlines the accountability of councils, including strategic planning and financial management. Section 402 outlines the requirements for a Community Strategic Plan and the IPR Framework.

4.3.1   Emergency management and climate change adaptation

A review of local government Community Strategic Plans (CSPs) across NSW, noted that:

> *there is scarce mention of emergencies or emergency management and where this occurs is not elaborated: "Climate extremes" are more often referred to as a community priority, but not often, and generally confined to a section on environmental management, and again not elaborated on*. [C. Dunn, ANU, pers. comm.]

A review of Climate Change Adaptation (CCA) among the SCCG Councils also found that many Councils considered emergency management a low priority (SCCG, 2013). However, as infrastructure managers, and others, shift practices to accommodate actual and predicted changes in risk the "silo" effect can hide actions that are potentially adaptive in the context of "business as usual". It is possible also, that such actions might be maladaptive if viewed in a broader context. If such "business as usual" responses do not involve the LEMO/LEMC they are often not identified as emergency management.

4.3.2   Emergency Management and the Integrated Planning and Reporting Framework

The Division of Local Government does not see that the Community Strategic Plans will include all actions of a local government; rather they will focus on new priorities and changes in program delivery.

> *The CSP is cast as a 'visionary' document – the future goals and aspirations for the community. Therefore, it's unlikely that Emergency Management [alone] will get a high profile in the CSP (although some councils may refer to it in the strategies falling out of the high level objectives [such as "Community Safety"]).*

> *[DLG] would expect that the Delivery Program and Operational Plans would be where more specific discussion about a council's intended emergency management activities and actions would be captured. If any of these activities and actions came with a cost, required specific assets or staffing, then the Resourcing Strategy should reflect those requirements.* [Advice from DLG, 2014]

The Division (DLG; 2012, 2013(a)(b)), in conjunction with other agencies, has released discussion papers to assist Councils include emergency management in the Integrated Planning and Reporting Framework.

Figure 7 Proposed Risk and Emergency Management Arrangements for Local Government in NSW
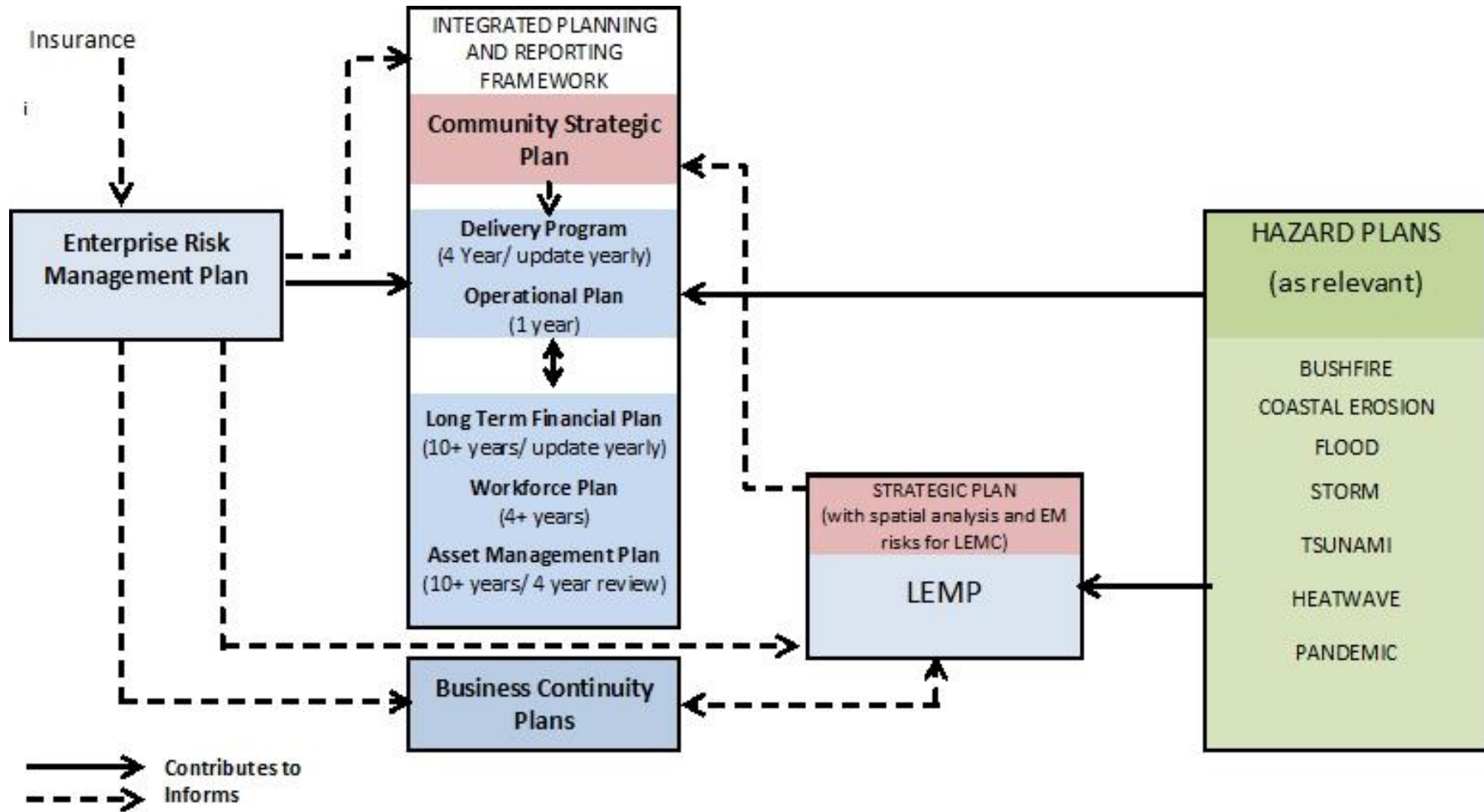
Recommendations

That Council:

- Integrate ERM and BCP with emergency management planning
- Include ERM, BCP, and emergency management in their Integrated Planning and Reporting Framework
- Work through the LEMC to collaborate with businesses and infrastructure providers to promote resilience and provide service continuity
- Support community engagement and preparations for emergencies by assisting the relevant combat agencies
- Ensure they have the resources available to assist the combat agencies during an emergency, and plan additional support for their communities after the emergency.

5 The Health Check

> Key Points:
>
> - Multiple sources (s 5.3) assisted in developing an overview of the key issues for Local Government staff in emergency management.
> - Many of the issues identified in these sources were outside the scope of the Health Check and were recorded for future reference and work
> - The Literature Review assisted in assessing and choosing an approach for the structure of the Health Check
> - In adopting a synthetic approach, rather than a hazard-based approach, the Health Check follows international good practice and seeks to develop a broader understanding of emergency management across Local Government and the community
> - To ensure national relevance the Health Check uses the Framework of the National Strategy for Disaster Resilience as the Priorities for first level in the assessment hierarchy
> - The content and format of the Health Check was developed with the support of an Advisory Committee and through consultation with representative councils from across NSW

5.1   The Aim

The aim is to improve the Emergency Management Planning capability of Local Government for harm minimisation in response to natural hazards.

5.2   Advisory Committee (AC)

An AC formed by representatives from Local Government, State Government agencies, and universities supports, and provided guidance for, the project. The AC focused the frame of the project to natural hazards, based on the time and resources available. The principles and many of the actions in the *Health Check* are adaptable to deal with all hazards.

5.3   Developing the content of the Health Check

5.3.1   Interviews with Emergency Management staff

Semi-structured interviews with six (6) Sydney Region Councils, and seven (7) regional Councils provided an overview of emergency management from the perspective of LEMOs. Most interviews were with individuals, with two group interviews based on LEMC arrangements. The questionnaire is provided in Section 7.3. Figure 8 summarises broadly the results of conversations.

From the results of the conversations:

- no council covers all areas of emergency management well, although most do some things well;

- most Councils do minimal reporting of emergency management, either to Council itself or as part of the Community Strategic Plan

- most identified Response and, in some, Recovery as a strength, with Prevention or Preparation as lesser commitments

- hazards do not align with council boundaries, or agency boundaries, diffusing ability to act

- the LEMC is often essential for developing good functional relationships between councils and agencies

- most LEMOs operate without a defined Position Description or Duty Statement

- there is very little data on costs and benefits of emergency management activities

- more support is needed from the State in terms of resources and data

- very little work is being undertaken in direct community engagement, which is primarily the role of the Combat Agencies, although there are some very good examples of programs

- there was a common view that the process of Emergency Management is poor and too reliant on individuals, without systems or provision for corporate memory

- there is "role creep" and blurring of the lines between Councils and agencies to get things done
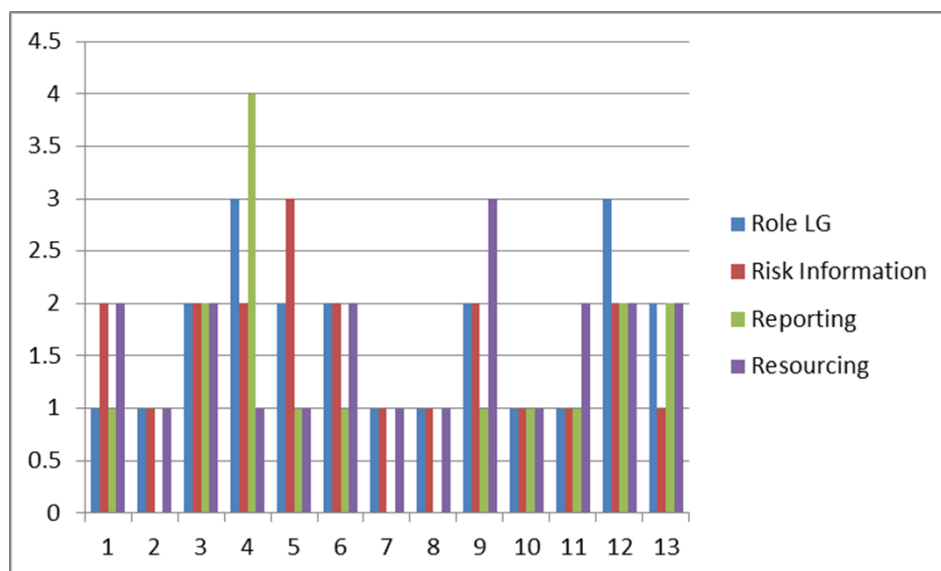

Figure 8 Outcomes of interviews with Local Government staff

The questionnaire information from the13 LGAs is grouped into 4 broad areas and scored on a four point scale for each council. The results are indicative only and highlight the variation between and within councils in how they perceive and implement emergency management.

Taking a strategic overview of the results, we proposed that the *Health Check* should be:

- comprehensive to provide a better understanding of emergency management in Local Government

- educational, not just in a technical sense, but also in a sense of possibility

- normative; by setting the bar at what is desirable

- systems focused and not reliant on individuals

- aspirational; moving from the traditional "civil defence" model to a holistic view of "shared responsibility".

5.3.2   What is good practice?

A targeted literature review, undertaken by researchers from the Fenner School of Environment and Society, informed the initial conceptualisation of the Health Check. The Literature Review is included as Section 7.1, below.

This review of recent NSW and national literature on the challenges facing local Government provided further guidance on key issues for inclusion in the *Health Check* and sought external models and examples of local government emergency management assessments, and information on the targets and means used. It also served to contextualise the SCCG project within international good practice for emergency management and disaster risk reduction. Importantly it demonstrated that the concerns within SCCG about the "health" of the EM sector are universal. Two core topics are:

- lessons and goals that exist across national boundaries, and

- templates for executing the Health Check.

A sweeping desktop search for "emergency management reviews" and "emergency management local government checks" within peer reviewed journals and broader Internet data bases provided relevant case studies. Five case studies, chosen for their relevance, were reviewed in detail for use in the *Health Check*. The two practice based examples from the United Kingdom and New Zealand were backed up with semi-structured email interviews with involved personnel. The focus was on the lessons learnt from the implementing organisations.

Five key lessons, or goals, to achieve "best practice" outcomes are:

- emergency management needs to have adequate priority within council

- the role of the council and LEMO in all stages of EM (PPRR) needs to be clear

- emergency management needs to be integrated with all organisational structures and activities - "in an ideal world these would all be linked and coordinated...efficiencies, synergies, and common shared goals". (Ministry of Civil Defence and Emergency 2012 a,b))

- there is a need to ensure continuity of performance through knowledge transfer/alternate LEMO and support staff

- key documentation should be readily accessible to all key staff and exist in accessible yet safe electronic back-ups.

The assessment template should be:

- digitally accessible and suitable for electronic storage and updating
- a segmented spread sheet/ interactive pdf of succinct Goals, Indicators and Measures across functional areas
- a numerical based evaluation system
- capable of providing local governments with a comparative report detailing "health" relative to State standards or the performance of similar councils.

The conclusions from the literature review regarding aims and target areas are also consistent with the outcomes from interviews and discussions with council staff members. The Health Check adopts elements of the good practice of assessments abroad with the working templates trialled internationally and nationally.

5.3.3   Consulting Local Government for the *Health Check*

5.3.3.1   Forum Workshop

The SCCG invited all councils in NSW to participate in a workshop to review and develop the content of the Health Check. The workshop had the following outline:

Aim:

To engage Local Government representatives in the design and development of a *Health Check* that will enable a co-ordinated approach by Local Government across the spectrum of PPRR

Objectives:

- To refine the format and overall scope of the *Health Check*
- To populate the draft *Health Check* with priority objectives and KPIs

Method:

The day was structured around three workshop sessions; each moving down a 'level' in the *Health Check*. Each table addressed a different Priority from the NSDR

Workshop 1   The Format of the *Health Check* and key outcomes for each Priority

Workshop 2   Prioritise the activities and start developing performance measures and KPIs

Workshop 3   Populating the *Health Check*

Outputs:

Each table worked on A0 worksheets. Scans of each sheet provide a complete record from each group.

The SCCG distributed the material from the worksheets, entered into an Excel spreadsheet with separate worksheets for each priority, to attendees and the AC in early January for comments on veracity of interpretation and completeness.

5.3.3.2   Consultation on the Draft *Health Check*

The spreadsheet, circulated to 29 (twenty nine) councils in city and regional areas across the State during February, was exhibited for further comment and review.

The Project Officer engaged groupings of Councils in three workshops to assist in receiving input into the design and contents of the *Health Check*. The consultation included one-on-one conversations with a range of other contacts.

All council officers involved supported the process, although some expressed concern that it could result in additional burdens for Local Government without adequate support and resources.

5.3.3.3   Revised Health Check

The post consultation version, edited to clarify indicators and to remove redundancies, included improved functionality and clear instructions for use.

The SCCG distributed the revised Health Check in May to all participating councils with the request that councils respond by the end of June. The primary concerns were to:

- improve the user interface
- improve functionality and robustness of tool
- simplify the assessment to maintain engagement and improve integration
- provide a better distinction between the roles of Local Government and the LEMC
- simplify feedback/reporting information for senior management to identify their areas of need.

Four councils provided feedback by early July. An evaluation of all the contributions guided revision of the spreadsheet. Those councils still wishing to contribute to the process, and that had not already provided feedback, provided reviews of the updated *Health Check*. The Councils contributed at different points in the development process, thereby providing iterative input to refine the final shape and content of the *Health Check*.

A key factor for councils not completing the *Health Check* remained the lack of buy-in by all parts of Council, and the commitment of time and resources to complete the assessment. The SCCG used this feedback to simplify the assessment process and to improve the appearance of the *Health Check*, and including a more expanded discussion on the use and benefits of the assessment for councils.

The *Health Check* now engages users in a more attractive format with preliminary sections providing background and information on the Health Check and a user guide.

5.4   The structure of the *Health Check*

The *Health Check* uses the National Strategy for Disaster Resilience (NSDR) as a framework to capture a holistic range of goals and indicators that contribute to emergency management planning. The *Health Check* then enables users to sort the data for reporting to council and communities.

5.4.1 The hierarchy of the *Health Check*

The *Health Check* uses the Priorities of the NSDR as the first level to facilitate an holistic analysis and engagement with all relevant stakeholders, with additional levels as "outcomes" and "goals". The structure of the *Health Check* has three levels:

Priority (from the NSDR)

   #.# **Outcome** (developed from notes in the NSDR and accompanying Workbook)

      #.#.# **Goal** (developed in consultation with users and stakeholders)

The *Health Check* evaluates the goals, illustrated by "prompts", which probe users on their emergency management preparedness across emergency management planning.

Ideally, completing the *Health Check* will involve a collaborative approach between the Local Emergency Management Committee (LEMC) and councils, with all relevant functional areas of Council engaged.

The *Health Check,* using a standard format (Excel), allows users to:
- record, review, and document their engagement in emergency management planning, and
- provide standardised reports to management, Councillors and communities.

The trial version of the *Health Check*, developed in the consultation with users, used KPIs for each Goal as questions. We found this level of detail seemed daunting to some users and the more narrow focus of the KPIs served to disengage users from a more general and interactive discussion of ways to achieve the outcomes and goals that are relevant to each individual council.

Some users sought clarity of on the intentions of each Goal, and the KPIs provided useful guidance on the scope of the goal, and the kinds of actions that councils might consider in evaluating their abilities to support emergency management.

5.4.2 Evaluating current activities

The *Health Check* uses a simple scale to evaluate current commitments:
- Little or none
- Below expectations
- Meets expectations
- Above expectations
- Outstanding.

The process, which is qualitative, identifies areas of opportunity rather than providing a rigorous quantitative measure of performance.

The five step scale allows enough differentiation to provide useful reporting of outputs, without being onerous. The *Health Check* encourages users to include current and possible actions in response to identified needs for each goal, to explain the basis for the evaluation for future reference and guidance, and to provide a path forward. The key outcome is awareness across council of needs and opportunities rather than a static audit.

There are no right or wrong answers and the *Health Check* provides a tool for councils to clarify their own circumstances and needs for emergency management planning. The prompts are neither mandatory nor exclusive and provide support for engagement and consultation. Some prompts may be useful as direct reference for possible actions, with or without modification, but each council, as it considers its needs and resources, will determine its own program. We anticipate councils will identify other useful actions that we can incorporate into revisions of the *Health Check*.

Our consultation and reviews (Section 5.3.1) show that most, if not all, councils are doing some things well, but few are doing everything well.

5.4.3 The Role of the LEMC

The primary use of the tool is for a council to self-assess emergency management capability; however, to promote improved integration with the combat agencies, it also provides a separate LEMC section to allow interested LEMCs to use the tool to promote discussion and engagement between the council(s) and the combat agencies.

COUNCIL		LEMC
PRIORITY 1	**Leading change and coordinating effort**	**PRIORITY 1**
PRIORITY 2	**Understanding risks**	**PRIORITY 2**
PRIORITY 3	**Communicating and educating about risks**	**PRIORITY 3**
PRIORITY 4	**Partnering with those that effect change**	**PRIORITY 4**
PRIORITY 5	**Empowering individuals and communities**	PRIORITY 5
PRIORITY 6	**Reducing risks in the built environment**	PRIORITY 6
PRIORITY 7	**Supporting capabilities for disaster resilience**	**PRIORITY 7**

5.5 Which issues are included in the Health Check?

The Project Scope identifies the issues that are to be included in the *Health Check*. The list below cross references issues to the seven NSDR Priorities of the *Health Check*.

The *Health Check* supports planning for emergency management and complements evaluations by both individual councils and the LEMCs. The *Health Check* identifies PPRR in the sense of planning and preparing for all roles across emergency management.

It is the interface between the LEMP, which primarily prepares for Response and Recovery arrangements, and the *Health Check*, which looks at Prevention and Preparation and how Council supports Response and Recovery, that allows the two processes to inform each other. Some councils assign individual staff to specific functional area liaison roles to facilitate co-ordination between the Council and Combat Agencies. An assessment of actual Response and Recovery operations is relevant to post-event evaluations rather than the Health Check. The findings of these evaluations may identify deficiencies in Council's preparations and inform use of the Health Check to improve future responses.

Table 3 Scope of Health Check and NSDR Priorities

Health Check Scope	NSDR Priorities						
	1	2	3	4	5	6	7
All functions of Local Government relevant to Emergency Management	✓	✓	✓	✓	✓	✓	✓
Multi-Hazard Risk assessment under climate change and implications for resourcing focusing on key natural hazards for Local Government		✓				✓	✓
Community characteristics (e.g. demographics) relevant to Emergency Management		✓		✓			
Community awareness of hazards and risk management and opportunities for Local Government to promote awareness and shared responsibility	✓	✓	✓	✓	✓		✓
Local Government capacity, capability, and resilience, and opportunities for resource sharing	✓		✓	✓	✓		✓
Incorporation of Best Practice and learnings into operational preparedness	✓	✓		✓	✓	✓	✓
All service and delivery functions of Local Government that contribute to resilience and business continuity for response and recovery	✓	✓	✓	✓	✓	✓	✓
Potential roles of local businesses and other providers in emergency management				✓			✓

5.6   Outputs of the Project

Project outputs include:

- Project Report, including:
    - A Literature Review (Section 7.1)
    - Review of NSW legislation applicable to emergency management planning in Local Government (Section 7.2)
- The Health Check tool
- User Guide
- Supporting resources
- Summary documents

Outcomes of the *Health Check* may include:

- Reporting on councils activities across all areas of emergency management
- Identification of opportunities for cost-effective options for improved emergency management
- Identification of critical areas for communication between Local Government and the combat agencies

The useability of the *Health Check* is important and user needs will drive improved design and functionality. The release version maintains the integrity of the source data by using a separate interface, and allowing users to focus on issues of concern for discussion and evaluation.

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7 Project materials informing the design of the Health Check

7.1 **Literature Review**

7.2 **Review of the Legislation**

7.3 **Consultation Questionnaire (Stage 1)**

7.1 Literature Review

Introduction

The following review covers five examples of literature or capability surveys applicable to the emergency management (EM) sector. These were chosen to represent a range of literature inclusive of best practice examples, theoretical pieces and examples from other sectors. The information is taken from a range of international documents: France, United Kingdom, New Zealand, the EU and from within Australia.

The information provided allowed the review to shift slightly away from a traditional literature review to include insight from practitioners abroad. Whilst most analysis is of documents available online via a desktop search, the UK and NZ reviews include input from personnel who supplied documents and reports. They also engaged in an informal email interview process, responding to questions about the implementation of their capability surveys from the emergency officer point of view and its relation to in-country circumstances. Additionally some literature results are summarised and then further adapted to show applicability to the SCCG. This is in light of project insights and developments regarding the report formation and presentation.

The following are presented in an order from emergency management theoretical approaches, to examples of implemented capability surveys, with the final two reviews demonstrating the outcomes of climate change adaptation reports and applying the results to the emergency management themes. In no way does this represent the entire literature on EM "health checks" or similar processes, but offers a selection of cases where lessons can be learned and techniques or approaches could be useful or applicable to the SCCG project.

Below is a summary diagram to capture the main relevance of each review.

	Questionnaire examples	Methodology	Frameworks for analysis	Report structure	Final output summary
UK Capability Survey	✓		✓		
A model-based approach to EMP		✓	✓		
NZ CDEM Capability Report	✓	✓	✓	✓	✓
LAPS			✓	✓	✓
ADAM		✓	✓		

UK Self-Assessment Check-list for Civil Contingencies Act (emergency management).

Supplied by the Reading Borough Council, written by the UK Cabinet Office 2002.

The UK Civil Contingencies Act is the governing legislation for Local Government Authorities (LGA) and Emergency services to ensure preparation for emergencies. The Act came into effect in 2004, during which time the Cabinet Office issued a survey of all LGAs to assess their compliance. The initial assessment was created as an internal check-list given to LGAs and

served to guide government on the arrangements and issues needed to be addressed before implementation of the Act. The received document was an early version of the check-list and the template has since been refined, although the premise remains.

The Check-list is a 24 page list of questions along with examples of supporting documentation that would be required to meet a positive assessment under the future Act. The key issues are listed under the headings of Corporate Arrangements, Risk Assessment, Emergency Planning, Resources, Training and Plan Validation, Inform and Warn, Information Sharing, Cooperation and Joint working, Business Continuity, and Promotion of Business Continuity planning. An example of questions relevant to SCCG can be found in Appendix I. Respondents could give a Yes, No, Partial or N/A response.

The guiding legislation states that key duties for LGAs are:

1. Cooperate with other responders
2. Share information between responders
3. Risk assess emergencies
4. Plan for Emergencies (as a result of the risk assessments)
5. Business Continuity Management
6. Communicating with the Public
7. Providing advice and assistance to Business and Voluntary organisations

Like Australian guiding legislation, there is no preferred structure for delivering the services and duties of the bill. Some of the supporting documentation required simply needs to exist without necessarily having proof of being used. Local context is acknowledged along with a need for multi-agency strategic work towards emergency management agendas.

The strength in this document is in its thoroughness to ask questions regarding all levels of staff and communication networks. It further emphasises the need for maintaining the most up to date security of documents including ensuring all information relevant to an emergency is backed up electronically in various and accessible locations. Another more novel aspect is in regards to training and practice of plans. Have contact numbers been tested recently? Can Emergency Officers actually walk through the steps outlined in LEMPs under pressure? These are important questions that would be the difference between immediate and delayed response in an emergency. Another novel aspect is creating ties with media and businesses to support councils where resources fall short e.g. which external media outlets will deliver information the most effectively for councils?

The Reading Borough Councils Emergency Planning & Risk Management Officer commented that the plan provided a good guide for them to internally review their capability and to source the required documents to ensure compliance. As the Act has more force and duties than the Australian guiding legislation it appears that there was ready acceptance of the check-list by LGAs and completion was viewed as both necessary and overall positive to future emergency management preparedness. Audits of LGAs emergency preparedness are also executed by the government which acts as an incentive to the use of such self-assessments.

A model-based approach for a systematic risk analysis of local flood emergency operation plans: a first step toward a decision support system

By E. Piatyszek • G. M. Karagiannis 2012.

This study critically investigated the French Emergency Operating Plans (EOP) and provides check-lists and schematics for analysis. It was written in response to the increase of incidence of natural hazard emergencies in the 2000s and is aimed at the French approach. In France a new law labelled "Modernization of civil protection" with "Community Safeguard Plans" (EOP) came into force in 2004. The transferability of the method of a systematic risk analysis of the EOP is defended due to the generally defined set of functions that local emergency plans contain. By using a risk analysis approach the authors argue the identification of failures can be found more rigorously and exhaustively than through experience feedback or "lessons learned activities".

The core research uses a functional modelling of local EOPs to represent them as a set of interacting processes of functions. They took a structure analysis and design technique (SADT) and modified it to include inputs based on action, protocol, actors, technical resource and with time constraints shown below in fig 1. This model, "encompassing human, technical, organizational and informational aspect of local EOP" is used to produce a check-list to identify the function of the plan.
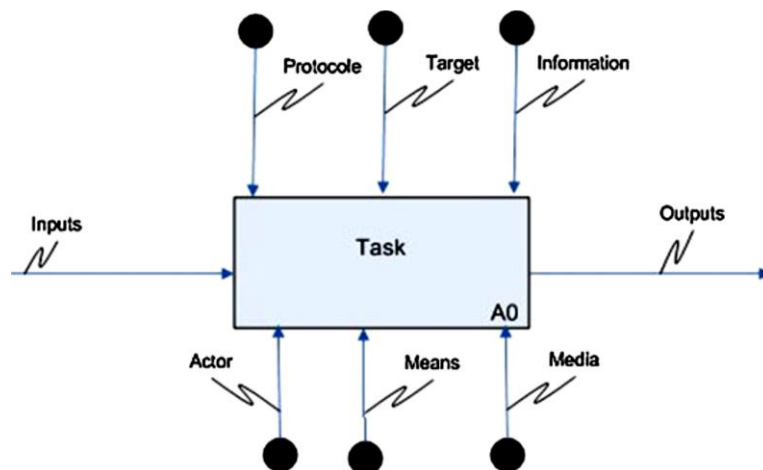

Figure 1 Enhanced data structure of the SADT method used to model EOP

Once this has been created for each subsidiary level, a "failure tree" was used to highlight all possible risk areas where the system could fail. These branches of the failure tree were then the key questions used for a check-list. An example is given about road closure which relies on the information of hazardous roads, the communication to the personnel who erect barriers and having the appropriate resources. Failure could occur in the communication between actors (failure of radio) which ultimately fails the "road closure" task. The question stands "do you have a back-up form of communication?"

This method of analysis has strengths in its systematic approach to identifying the key questions. However, the process is input intensive and could be viewed as too exhaustive for the use of councils. It also assumes knowledge of protocols and necessary information inputs which may not be accessible to those implementing the model. Also to create an individual

one for each council in question would require significant time, and would have to occur post interview stage to insure all inputs are met. Whilst it is thorough in its investigation, the check-list created would not be too dissimilar to the examples given by UK and NZ capabilities surveys.

CDEM Capability Assessment Report: Part 1 By Ministry for Civil Defence and Emergency Management 2012

This report is a review of the capability of CDEM Groups, including the results of the

CDEM Monitoring and Evaluation Programme 2009-2012, in regards to the Capability Assessment Tool created in 2010. In New Zealand the CDEM Act 2002 legislates local authorities to create EM plans but also to "ensure [the authority is] able to function to the fullest possible extent during and after an emergency." Similarly, to the PPRR framework, NZ CDEM uses a 4Rs framework: risk reduction, readiness, response, and recovery. In order to assess this, each authority was required to fill out the assessment tool, participate in interviews and have supporting documentation reviewed. An external completion of the assessment tool was also done to compare results. Each then received an individual written feedback report on their performance (for the 16 regions).

The report gives collaborated results of 76 constituent local authorities, and drew upon interviews with 493 individuals. Such thorough investigation was deemed necessary to give a detailed overview of the CDEM groups' capabilities, with the aim of having as granulated results as possible. The assessment tool is also more highly detailed in the level of response given compared to the "yes", "partially", and "no" responses of the UK questionnaire. Instead 6 levels of rating can be chosen from. The Assessment tool uses a "traffic light" type system to grade their respondents and compare outcomes with national averages. The categories are: 'target environment' (green), 'satisfactory' (yellow), and 'requires attention' (red). The visual to display this information is a Spider diagram (Fig 2) which is effective in drawing attention to good or poor results.

Figure 2: Example of a 'Spider' Diagram Displaying Indicator Results
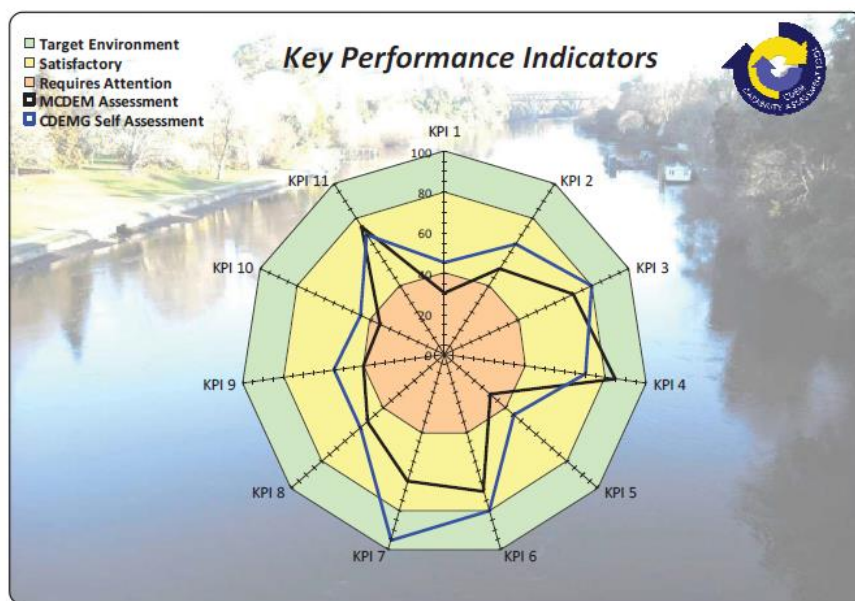
By collating the results from all regions a national performance outcome is clearly shown through the traffic light based colour coding of four Goals, one Enabler and fifteen Objectives within a matrix. This is effective both on the individual report scale and for the overall regional performance indicator. For comparative purposes it was also useful to supply matrices demonstrating worst and best respondents.

The respondents overall performance was also referred as their "development state" in regards to emergency management. Respondents could be grouped under the categories of "Developing", "Advancing" or "Mature" organisations regarding their capability. Ideally all local authorities should be within the Advancing or Mature stage to meet the CDEM Act requirements. This type of grading could also prove useful for SCCG, where all authorities must provide an LEMP but its depth of content and how well it is executed are of question. By framing EM programmes and plans in these terms, it could change the perception of the system from an oft neglected obligatory function to one of competitive modernisation capability regardless of legislation.

A key lesson is in changing the prioritisation of EM for local authorities, where assessments such as this are traditionally viewed as a chore and placed bottom of the list. CDEM viewed the process of EM surveys as demonstrating the importance of the sector and that it was supported on a national level. This encouraged LGAs to place EM as a higher priority on their agendas. Another lesson is in ensuring LEMPs are not held in place by a single individual. CDEM became aware of a flaw where good EM systems could fail with the removal of a single staff member. Although technically a council could score highly in the assessment tools, continuity in performance is an issue and should also be held accountable in any assessment.

The CDEM personnel did admit to the programme of assessment not being popular among respondents; however it was a crucial and beneficial process to both fulfil the monitoring and evaluation legislation and be used by regional councils to effect change in their governance/leadership, funding, planning, and operations. Rejection of reports by councils is still a possibility and just provides further feedback of issues.

Leading Adaptation Practices and Support Strategies for Australia: An International and Australian review of Products and tools. (LAPS) By Webb, R and Beh, J 2013. National Climate Change Adaptation Research Facility.

The LAPS report created under NCCARF provides a complete review into the products available for adaptation practices and how these fit within the scope of end-user needs. Whilst the report is focussed solely on adaptation its application into emergency management is two-fold. Firstly application of adaptation is aimed at the uncertainty of impacts largely from natural hazards upon populous areas. This is based on recent extreme weather events within Australia and abroad that can be partially attributed to climate change, and on predictions of greater natural hazard issues within the near future. These same issues of natural hazards are the focus of emergency management, so adapting to become more resilient or resistant to natural hazards is also to be prepared for a short term emergency i.e. flash flooding. Secondly the focus of this adaptation research is on identifying products and services that will "provide better guidance and more confidence" for authorities to act. A similar framework could be placed upon EM to highlight the types of products (or plans) that exist, the content they cover, and their ability to meet end-user (LGA) needs.

The three key research focuses are:

1. "Good adaptation principles",
2. "End user needs" and
3. "Adaptation support products".

These categories highlight the gaps and needs for adaptation with a main theme of "guidance" reoccurring throughout. Outcomes of stakeholder engagement include creating a common yet contextualised product to affectively handle the issues of adaptation, deliver guidance and best practice examples. These three concepts could be tailored for the SCCG health check as a useful introduction to a report. Sequentially the categories could be altered to "Good EM principles", "End user-needs and legislation requirements" and "EM support documents and products".

The type of concerns brought up by local councils could be applicable across a range of natural hazard based sectors. This includes: basic needs are generic across councils, there are existing yet varied products, capacity to create, select and implement products needs more guidance, there is a divergence between "entry-level" councils and those with existing "detailed" plans, decision making roles are unclear and there can be a large inconsistency between data available in councils. Another schematic used in the report for how a product database could be used is within the product analysis section. Here a matrix exists of process stage vs information available to demonstrate what is useful to end-users when. There is potential for this type of matrix to be useful to SCCG to plot stages of LEMP creation, implementation and evaluation against the type of supporting institutions or documents available, or whether these were indeed used to form or enact the LEMP as a measure of adequate resource use.

Two proposals from LAPS are useful for consideration in the later stages of a health check report. One is the creation of an online database or portal which holds all LEMP and supporting productions/documents for easy access and comparability between councils. The second is creating a chart (Annex II) that shows the functional or user feature coverage against the products/plan available. Once all LEMPs have been assessed, and other tools for assessment or creation, a similar table could be made to deliver back to LGA as a first stop shop for information.

ADAM (Adaptation and Mitigation Strategies: Supporting European Climate Policy) Final Report By the European Union, an Integrated project 2009.

During the mid-2000s, the EU instigated a series of working groups and specific project teams to manage areas of climate change mitigation and adaptation. The ADAM group, in particular, to created practical reports, best practice guides and tool kits to deal with the natural hazard risks of climate change. Building on the Scientific Expert Group on Climate Change and Sustainable Development Report 2007 (SEG), funded and supported by the UN and Sigma XI, a series of research into ways to best assess adaptation capabilities. The product was a catalogue outlining eight key categories that needed to be considered in order to complete a total assessment of adaptation capabilities. These are shown on the left of the table below. Supporting these categories is an analysis of feasibility in application of measures inclusive of cost-benefit approaches and their overall implication for sustainable development.

A main point from both ADAM and SEG is that climate change can result in abrupt changes, and that "appropriate planning beyond normal disaster preparedness" is required to reduce the impacts of natural disasters/emergencies in the future. In light of this, whilst adaptation can often be viewed as a long term plan for a LGA, some impacts from climate change could affect how they run their emergency management systems in the short term. They refer to this time-scale theme under "learning examples" to show different characteristics of approaches across different circumstance and time-scales. Two main conclusions were: authorities (individual or organisations) need to have a willingness to respond to perceived, predicted or known risks over long time-scales, and there needs to be adequate capacity to take action immediately and sustainably into the future.

The categories presented were used to assess a range of European cities, most of which were recently subject to extreme flooding incidences. However, the framework itself is more aimed at a state or regional level in so far as it refers to areas that may only be successfully impacted or changed from a higher level of government. This is also asserted through the sections of an adaptation plan requiring significant funding (such as engineering) or those that would be beneficial if done holistically across an area opposed to by ad-hoc enthusiastic councils. Another noted area of interest is "Management Best Practice" and what this means if broken down into different government levels. This specific category could be broken down into the different functional silos referred to in existing SCCG matrices, which would then render the rest of the categories as external parameters for consideration to what has already been considered.

What can be gleaned from this framework is how it is fitted to the existing legislation for LGA within the Sydney area. From the Molino Stewart Report for OEH "Sydney Adaptation Research Review: Emergency Management" the legislation surrounding flooding and the requirements by local councils has been taken. This has been placed into the table against the ADAM categories with examples of measures councils could conceivably achieve. In this way its clearer how the ADAM framework functions in relation to emergency management and how it can capture sectors outside the functional areas already considered.

Table 1 ADAM framework with OEH flooding legislation requirements for local councils in NSW

	Flooding Legislation Requirement	Measure
Technological	• Provide updated flood intelligence to SES (as new information becomes available) • Flood warning system (automatic messaging based on automatic rainfall and water level gauge information) • Maintenance of automatic rainfall and water level gauges	Linking smart phones to data
Soft engineering	• Public utilities (operation of water & sewer infrastructure to manage public health during floods)	Enhancing pipe flow capacity. Increasing green spaces/ permeable surfaces.
Management Best practice	Preparation of Flood Studies and Floodplain Risk Management Plans • communication with SES • Close roads and erect barriers during any local flooding event	Functioning personnel who know and understand EM procedures. Designated communication persons and back-up staff
Planning and design	• Land use planning and infrastructure planning on flood prone land (building controls, evacuation & access, public health)	Land-use/ buffer zones
Legal/ regulatory	• Pay contributions to the funding of the SES as required by the Minister (11.7%) • Manage Section 149 Certificates for flood	Building regulations
Insurance/ financial		Incentivising preventative behaviour
Education and training	• Promote community flood awareness (in conjunction with SES)	Easy access brochures on best flood protection/evacuation methods
Generation/ transfer of knowledge	• Data collection (actual flood intelligence during and after flood events)	Interlinked LGA reports/ data/ documents/practice guides. Regular meetings.

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7.2 Review of Legislation

Local Government and Emergency Management in New South Wales

Local Government Act 1993 (NSW)

The *Local Government Act 1993* (NSW) makes no specific mention of emergency management. Although there are no specific emergency management provisions, the Act does say that 'A council has the functions conferred or imposed on it by or under any other Act or law'.[1] The table to s 22 lists some Acts that confer functions on local governments. The table to s 22 identifies the following relevant Acts and functions:

- The Fire Brigades Act 1989 (NSW) imposes an obligation on councils to pay contributions toward the costs of maintaining the fire brigades.
- The Rural Fires Act 1997 (NSW) authorises council to issue of permits to light fires during bush fire danger periods and to furnish information to the Rural Fire Service Advisory Council and its Co-ordinating Committee.
- The State Emergency Service Act 1989 (NSW) requires council to recommend a person for appointment as the local SES controller;
- The State Emergency and Rescue Management Act 1989 (NSW) requires a council to prepare for emergencies; and
- Councils have relevant authority under the Roads Act 1993 (NSW).[2]

Fire Brigades Act 1989 (NSW)

Under this Act, local authorities have to contribute their share to the funding of NSW Fire and Rescue. The Minister is required to make an annual estimate of fire brigade expenditure that is to be met by the Treasurer (14.6%), local councils (11.7%) and insurance companies (73.7%).[3] The Minister is to determine the contribution from each local government area which is to be paid from Councils consolidated fund to the Commissioner if quarterly instalments.[4]

The Fire Brigades Advisory Council consists of the Commissioner of Fire and Rescue NSW, a person appointed by the Minister to represent the insurance industry, a person appointed by the Minister to represent local governments and a person appointed by the Minister with expertise in fire prevention and control. The person appointed to represent local government is to be selected from a panel of three people jointly nominated by the Local Government Association of NSW and the Shires Association of NSW.[5] The Council is to "advise the Minister on any matter relating to the development, co-ordination, administration and regulation throughout the State of fire brigade services …"[6]

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[1] Local Government Act 1993 (NSW) s 22

[2] Ibid.

[3] *Fire Brigades Act 1989* (NSW) ss 45 and 48.

[4] Ibid ss 47, 49, 52 and 56.

[5] Ibid s 75.

[6] Ibid s 76.

Rural Fires Act 1997 (NSW)

A local authority, which includes a local council, may form a rural fire brigade for any rural fire district within their area (s 15). If the local authority forms a rural fire brigade that authority has to determine the territory in which the brigade is to operate (s 18) and to keep the membership register (s 20).

The Rural Fire Service consists of the Commissioner and Fire Control Officers (s 8 and 10) for each rural fire district (s 6). Within a rural fire district it is the Fire Control Officer who is "responsible for the control and co-ordination of the activities of the Service". The local authority is to provide necessary facilities and accommodation, to a standard approved by the Commissioner, to allow the Fire Control Officer to perform his or her duties (s 37).

The 14-member Bushfire Coordinating Committee includes a representative from the Local Government Association and a representative from the Shires Association (s 47). The Committee is responsible for planning for, and advising the Commissioner on, bush fire prevention, mitigation and suppression (s 48). The Bushfire Coordinating Committee must appoint a Bushfire Management Committee for the "area of any local authority for which a rural fire district is constituted" (s 50). The Committee consists of a number of people including one nominee from the local authority (Rural Fires Regulation 2008 (NSW) cl. 14). The Management Committee is to prepare operational and risk management plans for their area of responsibility (s 52).

A public authority (which includes a local government authority) is required to take any practical steps, and any steps which are required by the Commissioner of the RFS, to prevent bushfires on, or the spread of bushfires from, land owned or under its control or management including any road for which the authority is responsible (s 63). The authority must "report to the Commissioner not later than 3 months after the end of the financial year on its activities to reduce bush fire hazards on the managed land during the preceding financial year" (s 74).

Where an occupier of land is aware of any fire burning on their land during a bush fire danger period, they must take steps to extinguish the fire and if they cannot extinguish the fire notify a rural fire brigade, fire control officer or other listed officer (s 64). Where a land owner or occupier has cleared land up to 6 metres from their dividing fence, but their neighbour has not, the occupier may require their neighbour to fix any fence damaged by fire (s 76).

A person may make a complaint that there is a bush fire hazard due to a failure by a public authority, the owner or occupier of land to take appropriate fire risk reduction measures (s 74A). Where the complaint relates to conduct of a public authority (including a local government authority) the complaint is made to the Commissioner, in all other cases it may be made to the relevant local authority. The local authority must, within 14 days, notify the Commissioner of the complaint. Notwithstanding the complaint is made to the local authority it is investigated by the Commissioner (s 74D) who may take remedial action (s 74E).

The Commissioner may declare specify local fire danger periods (s 82). Before making that declaration the Commissioner must consult with the local authority (s 83).

A person may apply to a local authority for permission to carry out bushfire hazard reduction work (s 100F). Before a local authority carries out hazard reduction works, it must certify that a bushfire risk management plan applies to the land (s 100G).

Local councils are required to contribute to funding of the NSW Rural Fire Fighting Fund in the same way and the same percentage that they contribute to the funding of Fire and Rescue NSW (ss 101-114).

The Rural Fires Advisory Council includes a nominee of the Local Government Association and the Shires Association of NSW (ss 122-123). The council advises the Minister on issues relating to the administration of rural fire services (s 124).

A council or any person exercising a function under the Rural Fires Act "must furnish such information (and in such form) relating to the exercise of that function or the administration of this Act as the Commissioner or Bush Fire Co-ordinating Committee may reasonably require" (s 126).

Notwithstanding the table to s 22 of the *Local Government Act* says that the *Rural Fire Service Act* "authorises council to issue of permits to light fires during bush fire danger periods" that does not appear to be the case. Bushfire dangers periods are dealt with in Part 4, Division 4 (ss 81-84). Division 5 (ss 85-98) deals with "Permits and notice requirements". In Division 5 an "appropriate authority" is either the Commissioner of the NSW Rural Fire Service or the Commissioner of Fire and Rescue NSW (s 85). It is an offence to light a fire for the purpose of land clearing or to maintain a fire break during a fire danger period, or in any circumstances where the fire may pose a danger to any building, without a permit issued by an 'appropriate authority' (ss 87 and 88). As noted, appropriate authority for this part does not include a council.

State Emergency Service Act 1989 (NSW)

The Commissioner of the State Emergency Service may appoint a person recommended by the local government authority as local controller for the local government area recommended. If the local government authority fails to make a recommendation that is suitable to the Commissioner then the Commissioner may appoint an emergency officer to the role of local controller. The council must provide "suitable training facilities and storage and office accommodation to enable the local controller to exercise his or her functions" (s 17).

A local council must contribute to the costs of operating the State Emergency Service in the same manner, and the same proportion, as the contributions made under the Fire Brigades Act and the Rural Fires Act (ss 24A-24M).

State Emergency and Rescue Management Act 1989 (NSW)

In preparing for an emergency, the local government is to provide executive support for the Local Emergency Management Committee (the LEMC)[7] and the general manager of the local government authority is to chair the LEMC.[8] The general manager is also a member of the Regional Emergency Management Committee, which is chaired by the Regional Emergency Operations Controller (REOCON).[9]

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[7] State Emergency and Rescue Management Act 1989 (NSW) s 32.

[8] Ibid s 28.

[9] Ibid s 22.

The Local Emergency Management Committee is not a committee of council, it is established by the Act to develop the local emergency plan and to assist the Local Emergency Operations Controller (LEOCON) in the performance of his or her duties. (The LEOCON is a police officer appointed to that role by the Regional Emergency Operations Controller (REOCON)). It is the LEOCON, not Council, who is "responsible for controlling … the response to an emergency that affects only that [Local Government] area" unless the State Emergency Management Plan identifies a specific combat agency to lead the response to a particular hazard.[10]

In developing the local emergency plan, the LEMC must give effect to policy directives from the State Emergency Management Committee and it is accountable to the Regional Emergency Management Committee.[11]

There is a Local Rescue Committee for each local government area. The Rescue Committee is chaired by the LEOCON and is made up of members of the emergency service organisations in that area.[12] There is no provision for local government representation on the Local Rescue Committee.

Roads Act 1993 (NSW).

A local council is the roads authority for "for all public roads within the area, other than: (a) any freeway or Crown road, and (b) any public road for which some other public authority is declared by the regulations to be the roads authority" (s 7).

As a roads authority a council "may regulate traffic on a public road by means of barriers or by means of notices conspicuously displayed on or adjacent to the public road" and by the appointment of traffic controllers (*Roads Regulation 2008* (NSW) cl. 6), but only for limited purposes. Relevantly those purposes include "protecting a public road from serious damage by vehicles or animals as a result of wet weather" and "protecting members of the public from any hazards on the public road" (Roads Act 1993 (NSW) s 115). A local authority may be called to exercise these powers in the event of flooding or other emergency posing a danger to roads or road users.

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[10]   Ibid s 31.
[11]   Ibid s 29.
[12]   Fire Brigades Act 1989 (NSW) Part 5; Rural Fires Act 1997 (NSW) Part 5; State Emergency Service Act 1989 (NSW) Part 5A.

7.3 Consultation Questionnaire (Stage 1)

Interview questions for Health Check planning

Key terms in the objectives of the brief are: Interaction, engagement, data collection, information exchange, collaboration, capacity building, resilience, education, involvement, delivery, promotion, and monitoring change.

What do you see as the role(s) of Local Government in emergency management?

General:

Prevention	Preparation	Response	Recover

What emergency related activities are carried out by Council?

General:

Prevention	Preparation	Response	Recover

What resources are provided for emergency management, including materiel and organisational commitment? (sharing of resources between councils during emergencies; what is total Council budget?)

General:

Prevention	Preparation	Response	Recover

How effective is data acquisition and management, interpretation and evaluation, and accessibility for informing emergency management? (demographics, hazards, risk assessment and management, at risk communities,…)

General:

Prevention	Preparation	Response	Recover

How effective is Council in engaging with community in emergency management and awareness of hazards?

General:

Prevention	Preparation	Response	Recover

How resilient is the community in terms of emergency management? (perceptions, requests for assistance, volunteer engagement, etc., and how expectations are managed)

General:

Prevention	Preparation	Response	Recover

What reporting is there of emergency management activities, including incorporation of information into the Integrated Planning and Reporting Framework?

General:

Prevention	Preparation	Response	Recover

What problems with processes etc. do you see and how might they be improved?
(communications and co-ordination with other agencies; resource sharing; support from agencies/State Government; planning; training/exercises and learning; leadership during emergencies; experience and skill levels;

General:

Prevention	Preparation	Response	Recover

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