

**Submission
No 57**

REVIEW OF THE NSW RECONSTRUCTION AUTHORITY ACT 2022

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Submission to the Joint Select Committee on the NSW Reconstruction Authority

Chair of the committee

Background.

The author has been involved in the emergency management arrangements in NSW through various appointments since 1996. This continues today in his current appointment as CEO of the Western Sydney Regional Organisation of Councils (**WSROC**) representing the collective interests of local government in Western Sydney. Previously as a senior executive in the RTA he was responsible for developing policy and protocols for responding to emergencies and incidents on NSW roads and in 2007 was appointed as an Australian Defence Force Liaison officer to support the NSW – Commonwealth emergency management arrangements.

This submission is a personal one and complements the submission, also from me, as the CEO of WSROC that reflected the collective view of Western Sydney Councils .

In this submission there will appear to be a focus on the “operational” elements of emergency management and this is necessary to demonstrate that some reforms in these areas will have a major contribution to the work that will be necessary if RA is to fulfil its mandate.

The State’s emergency management arrangements are based on an all hazards approach, many of the areas suggested for improvement are structural in nature and will therefore affect prevention, preparedness, response and recovery capabilities across all hazards. Some of the less desirable outcomes of the NSW response to recent emergencies have their roots in policy and practices spanning a couple of decades.

It should be noted that there were many instances of processes working well and excellent outcomes from the combined efforts of the State, local government and communities, these should be acknowledged in so far that they provide a counter-perspective to the more negative but necessary perspective that is the very nature of how improvement is achieved.

The obvious.

The RA and other public sector agencies are in the process of making the transition from a “response” and “recovery” focused agenda to one that is substantially moving towards “prevention” and “preparedness”. This will require far more engagement with place-based government (Councils) than ever before, it may also require;

- far more clarity in the role of Local Government across the whole of emergency management continuum,
- reorganising how Local Government contributes to emergency management and resilience, and
- identifying the optimum capabilities for local government to contribute to the whole of government efforts and resourcing appropriately.

Observation 1.

The State makes a huge investment in the emergency management arrangements of NSW is it possible to get better outcomes.

In 2014 the author attended a community-based seminar titled "Community Resilience" attended by the Minister for Police and Emergency Services, and many chief executives of public sector agencies. It was obvious that everyone was talking about emergency response capabilities and not community resilience as was the understanding in more progressive jurisdictions.

Such fundamental misunderstandings present a real and substantial threat to our community. It raises critical questions about who is accountable for steering policy and capability development in preparation for those times of the utmost challenge to our community. Some 10 years later this is slowly starting to change however;

- high value emergency management resources¹ continue to be systematically wasted,
- community resilience is in decline due to the widespread deployment of more sophisticated but less resilient technology and broader Government policy² that produces poor resilience outcomes,
- preparation for responding to and recovery from emergencies as defined in the SERM Act has shown little improvement over the past two decades as the emergency management arrangements continue to be distracted in day-to-day operational activities of the emergency services,
- In particular REMC should not be distracted with the planning associated with major events, or the development of emergency management arrangements for new infrastructure coming on-line, nor should it be reporting on hazmat or other incidents on our road network, nor should it be second guessing what other Government agencies are doing to meet their statutory obligations but this is exactly what is happening. A review of REMC Minutes will demonstrate what the author is talking about.

The question then becomes, why not use REMC to solve problems, give them well-defined tasks where regional expertise can be applied to develop policy and protocols and guide emergency management capability development.

¹ LEMC and REMC

² For example selling public assets without conditions that would retain some resilience features such as overspecification, overcapacity and redundant features.

There is scope for the RA to reconsider the leadership of, the purpose and the scope of LEMC and REMC to ensure the new priorities of prevention and preparation will be successful.

Observation 2.

Response to emergencies in or on the boundaries of the Greater Sydney Metropolitan Area (GSMA) , including those that may require the activation of emergency management arrangements do not follow the process indicated in the State EMPLAN and associated sub-plans and protocols. The "escalation" process described from the LEOC, through a REOC and then the SEOC happens only in the "textbooks".

While this observation is more related to the "response" phase of an emergency the prevention and preparation phases are also affected by this issue.

In the GSMA even a relatively minor emergency is dealt with by combat agency, state-level 24/7 Operations Centres. There are quite a few of these including; Transport Management Centre, RFS State Operations Centre, SES Ops Centre, Rail Management Centre, NSW Ambulance Service HQ, Fire and Rescue NSW, Police Operations Centre etc.

Unless the emergency is catastrophic in nature with no advance warning then these state-level operations centres are already responding to an emergency before the SEOC is formally activated.

Therefore the notion of LEOC and REOC in the GSMA urban area forming some part of the emergency escalation chain is demonstrably redundant.

A more practical approach to managing emergencies in urban and peri-urban areas. (i.e. lets actually acknowledge what really happens in these areas) will greatly assist in the preparation of communities and other stakeholders.

Observation 3.

The number, locations and capabilities of local and regional emergency operations centres within the GSMA need a fundamental re-assessment consistent with meeting strategic objectives and supporting combat agencies in responding to obvious place-based hazards.

Again while this is predominantly a "response" phase issue it nevertheless impacts the "preparation" phase of emergency management. preparedness".

Not all Local Government Areas require Local Emergency Operations Centres (LEOC) based on risk or past experiences. Existing arrangements provide for substandard or ad hoc facilities that are deficient in space and function. There is simply no need for 33 LEOCs in the GSMA.

It is acknowledged that because of the scale, location or intensity of an emergency, suitably equipped "Urban Emergency Operations Centres" in the GSMA would be required to accommodate a substantial component of the multi-agency command, control and co-ordination capabilities to complement the SEOC and support the combat agency on direction by the SEOC. These could be

at a “regional” scale, suitably equipped, providing mutual support to one another, spatial based back-up and located for best effects. This would negate the need for LEOCs and REOCs and replace them with a small network of highly effective operations centres.

The need to maintain LEMC and REMC in urban areas is removed with available resources being directed to the establishment of a number of Urban Emergency Management Committees based on jurisdictions of common hazard interests.

The current arrangements are considered suitable for rural/regional areas of NSW.

Observation 4.

The local government arrangements that contribute to the whole of government approach to prevention, preparation, response and recovery are outdated, and do not reflect best practice.

Not all local government areas have the same exposure to hazards, in terms of scope, scale or intensity. Grouping Councils into prevention and preparation forums with artificial jurisdictional boundaries that do not reflect common hazards and exposure serves no purpose and contributes to the lack of engagement between the state government and local government.

REMC and Regional Emergency Operations Centres are based on the boundaries of Police “administrative” areas rather than operational considerations in response to place-based hazards³. What do Burwood and Strathfield Councils have in common with Wollondilly and Campbelltown Councils when it comes to natural hazards is beyond explanation and yet this is the basis for how Local Government is organised in the region.

During emergencies there are only two types of Councils, those that are directly impacted by emergencies and those that are not. This simple conclusion was the basis for the informal re-organising Councils, during recent flooding events, into a group of non-directly impacted Councils that provided operational and logistical support to those Councils that were directly impacted.

Surely this is a simple and far more constructive way of re-organising Local Government in a more formal sense.

Interestingly, how Local Government is actually defined in the current arrangements of NSW is still unclear, even though it has representation in the SEMC it is not clear whether it is a functional area, a supporting agency, a participating organisation, or ?

Para 460 of the State Emergency Management Plan states **“Recognising that local councils have many other tasks to perform, state agencies support councils with resources, personnel and advice”**. We are not aware of any substantive discussions between the NSW Government and Local Government to identify what the many other tasks are and then agree to an appropriate level of support.

³ For example the South West Sydney Metro Region Emergency Management Committee has the following Councils, Burwood, Camden, Campbelltown, City of Canada Bay, Canterbury Bankstown, Cumberland, Fairfield City Liverpool City, Strathfield Municipal, Wollondilly Shire

It is acknowledged that across Local Government, historically in the response and recovery phases of emergencies, the performance of Local Government has varied greatly between LGAs. This is due to a number of factors but what is surprising is that this single observation being such a recurring one from many inquiries, no-one has bothered to ask the most obvious of questions “why is this so?”.

Local government is now far more active than they have been in the past in contributing to all phases of the emergency management continuum especially in the prevention, preparedness and some aspects of recovery. So the question arises “Is there a set of governance arrangements and capabilities that Councils should develop and be supported by the Commonwealth and State Governments that produce optimum outcomes on behalf of communities?”.

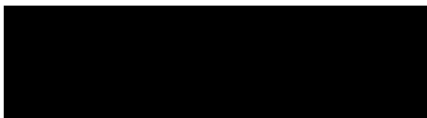
Conclusion.

It is unfortunate that any lack of strategic capability within a State’s Emergency Management arrangements is only identified during an emergency event that is intense and protracted in scale. The Royal Commission into the Victorian Bushfires (2009) and The Commission of Inquiry Into the Queensland Floods (2010-2011) both identified major deficiencies in those states respective emergency management arrangements even though, just like in NSW, everything was considered by former Governments and the Government of the day to “be on track”.

History proved them wrong and we need to take the opportunity to be better prepared. At the very least an understanding of our deficiencies can lead to mitigation, unaddressed they represent a real and immediate risk.

The RA has a job to do, it must be supported, it is on the right path.

This is also an opportunity to address a number of structural defects that have been unaddressed for too long, let’s not waste it.



Charles Casuscelli RFD