- PRACTICE NOTE -
Sourcing Supplementary Emergency Response Resources through Municipal Councils

1. PURPOSE

This practice note clarifies the policy and procedures governing the sourcing of supplementary emergency response resources from municipal Councils. It is issued for the information of emergency response agencies and municipal Council emergency management practitioners[1].

2. LEGISLATION

The *Emergency Management Act 2013* establishes the legislative framework for the multi-agency emergency response arrangements which are further outlined in the Victorian State Emergency Management Plan (SEMP). The SEMP provides a link to this practice note that can be found on the Municipal Association Victoria (MAV) website.[2]

3. STATE EMERGENCY MANAGEMENT PLAN

The SEMP states that agencies are required to use their internal resources systems to request, dispatch, track and move resources in the first instance. Agencies can request specialist resources from other local agencies through the Incident Emergency Response Coordinator (IERC) or the Municipal Emergency Response Coordinator (MERC).[3] This applies to all classes of emergencies.

This includes the ability to request the use of Council-managed resources to support emergency response.

In some circumstances the cost incurred by the Municipal Council in the provision of Council-managed resources to support emergency response may be absorbed by the Municipal Council.[4]

However, in response and recovery, agencies' emergency payment responsibilities include: where an agency's expenditure is in order to fulfil its own responsibilities, that agency is responsible for the costs including services and resources sourced from others.[5]

Municipal Councils are not required to arrange the provision of non-Council-managed resources (resources that are not owned or contracted to the municipal Council). However, some municipal Councils may choose to offer this support. Where equipment or resources are not owned by Council and must be sourced through a third party or contractor, the control agency requesting the equipment or resource will bear all costs associated to the request.

> The Incident Controller is responsible for the safety of all personnel and equipment on their incident ground, including all municipal council resources supporting the response.

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[1] This includes all events from a single incident through to a level 3 incident.
[2] MEMEG | MAV Website
[3] SEMP page 24 {Requesting additional resources}. *See also JSOP 3.09: Resource Request Process*
[4] See section 12 of this practice note
[5] SEMP page 34 {Funding}

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4. WHAT ARE SUPPLEMENTARY EMERGENCY RESPONSE RESOURCES?

A supplementary emergency response resource is a resource that is required by a control agency (usually an emergency service, including the control agency) for emergency response operations that is neither owned nor effectively controlled by that agency. Supplementary resources include, but are not limited to:

- personnel – (e.g. agency support and industry technicians)
- equipment – (e.g. plant, vehicles)
- services – (e.g. expert technical advice like a Municipal Building Surveyor, Environmental Health Officer etc.).

The concept of accessing supplementary emergency response resources is that the control agency requires the resource to complete a task that would otherwise be beyond its capacity or capability.

5. THE ROLE OF EMERGENCY RESPONSE COORDINATORS

The IERC, MERC, and RERC are Victoria Police members either at the emergency scene/incident control point or appointed for each municipal district or response region. They are responsible for ensuring that an emergency is being effectively coordinated at their respective levels (local and region).

Part of every response coordinator's role is to coordinate agencies and resources within their area of responsibility to support response activities.[6]

The IERC/MERC performs this coordination role in relation to an emergency affecting one municipal district and the RERC assumes this role at a regional level where more than one municipal district is affected, or alternatively an incident that effects one municipal district and the resource request is beyond the capacity of the local municipal resources.[7]

The State Coordinator for Emergency Response is the Emergency Management Commissioner, who is responsible for sourcing response resources from the Commonwealth, other states or other countries as required for Class 1 and Class 2 emergencies, or for emergencies that affect more than one region. A RERC may escalate requests unable to be fulfilled by the region to the Emergency Management Commissioner through the Senior Police Liaison Officer.[8]

The role of the Emergency Management Commissioner in this case is to ensure that coordination is effective at the State level.

6. THE ROLE OF THE MUNICIPAL EMERGENCY MANAGEMENT OFFICER

A Municipal Council must appoint one or more Municipal Emergency Management Officers (MEMOs) for its municipal district.[9]

MEMOs are responsible for liaising with agencies in relation to emergency management activities for the municipal district and assisting in the coordination of emergency management activities for the Municipal Council.

> **Municipal Resources** are resources that are owned or under the direct control of the municipal Council.
>
> **Direct Control** are contractor resources that are part of a contract to provide services to a Council but belong to a third-party company and have been made available for emergency response operations as per the relevant contract.

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[6] SEMP page 24 {Coordination}, 61 {IERC}, 64 {MERC} & 73 {RERC}
[7] Emergency Management Act 2013, s. 40A
[8] SEMP page 73 & Emergency Management Act 2013 ss. 32, 40A
[9] Emergency Management Act 2013, s. 59G

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7. HOW DOES A CONTROL AGENCY SOURCE SUPPLEMENTARY EMERGENCY RESPONSE RESOURCES?

Control agency requests for supplementary resources are directed to the relevant coordinator (IERC/MERC/RERC). Supplementary emergency response resources are initially sourced at a local level, i.e. from within the municipality. The coordinator must contact the MEMO and request the required municipal resources.

The MEMO will determine whether the requested resources are available from municipal resources (owned or under the direct control of the Municipal Council) and, if available, arrange for their provision.

> Agencies must use their internal resources systems to request, dispatch, track and move resources in the first instance. Agencies can request supplementary resources from other local agencies through the coordinator. Municipal Councils are not the only source for supplementary emergency response resources.[10]

8. WHAT HAPPENS IF THE SUPPLEMENTARY EMERGENCY RESPONSE RESOURCE IS OWNED BY A COUNCIL CONTRACTOR?

As many Municipal Council functions are performed by contractors, in some instances the resources being requested will be privately owned. These resources are considered municipal resources if they are under the *direct control* of the Council. They should be considered to be available for emergency response operations and such availability should be built into relevant contracts.

9. WHAT ABOUT OTHER LOCAL RESOURCES (NOT MUNICIPAL RESOURCES) THAT MAY BE REQUIRED FOR EMERGENCY RESPONSE OPERATIONS?

There is no obligation for Councils to source other resources that are located within (or beyond) the municipal district that are neither owned nor controlled by the municipal Council. The extent to which each Municipal Council is prepared to be involved in sourcing other resources from within (or beyond) its municipal district should be discussed with the MEMO and coordinator (IERC or MERC) and, where possible, should be detailed in the Municipal Emergency Management Plan (MEMP).

10. WHAT HAPPENS IF THE REQUESTED SUPPLEMENTARY EMERGENCY RESPONSE RESOURCE IS NOT LOCALLY AVAILABLE?

If supplementary resources requested through the MEMO are not locally available, the MEMO will notify the IERC/MERC as soon as possible. The IERC/MERC may then escalate the request to the RERC to determine whether the resource is available at a regional level, e.g. from another Municipal Council[11] within the region or adjoining region. This escalation of resource supplementation to the regional level does not necessarily transfer the coordination of the emergency response.

11. PROVISION OF MUNICIPAL RESOURCES OUTSIDE THE MUNICIPAL DISTRICT

Municipal Councils may be requested to provide supplementary resources to support emergency response operations outside their municipal district. Arrangements for the provision of municipal resources for emergency response operations outside the municipal district should be included in Regional Emergency Management Plans (REMPs).

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[10] Refer to *JSOP 3.09: Resource Request Process*
[11] The Municipal Association of Victoria Inter-Council Resource Sharing Protocol

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Municipal Councils are encouraged to share their resources with other Municipal Councils for use in emergency operations (with details included in REMPs). The arrangements for sharing of municipal resources between Councils can be predetermined by agreement between the respective Councils.[12]

12. WHO PAYS FOR SUPPLEMENTARY EMERGENCY RESPONSE RESOURCES SOURCED FROM MUNICIPAL COUNCILS?

In line with capacity, capability and contractual constraints, Councils will endeavour to provide Council-managed resources in line with the request. The use of some resources may be charged to the requesting agency, or time-limited, due to the expense or nature of the operation, or safety considerations.[13]

The application of this arrangement recognises that Municipal Councils have limited budgets to provide resources for emergency response operations or may be bound by contractual limitations. Such limits and constraints should be reasonable and commensurate with each Municipal Council's capacity to provide such resources.

Control agencies are responsible for meeting the cost of resources sourced by a Municipal Council that are non-Council-managed resources. When an emergency response coordinator, or a Council officer, arranges provision of a non-Council-managed resource for a control agency, it does so as an agent of the control agency which retains full responsibility to meet all the associated costs.[14]

This does not prevent a Council from electing to meet the costs, at its discretion.

It is good practice for the MEMO to alert the control agency to the cost of supplementary emergency response resources (sourced through the municipal Council).[15]

13. WHO IS RESPONSIBLE FOR INSURING SUPPLEMENTARY EMERGENCY RESPONSE RESOURCES?

The owners of resources are responsible for providing adequate insurance for resources used for supplementary emergency response.

Private owners of equipment used for emergency response operations on a non-contracted (ad hoc) basis may be insured for a range of risks under the Emergency Resource Providers Support Scheme (EmRePSS). EmRePSS is special insurance cover provided by the Victorian Managed Insurance Authority (VMIA) for all municipal Councils and a number of participating State Government agencies with emergency management responsibilities. Refer to https://www.vmia.vic.gov.au/insurance/policies-and-cover/emrepss.

State government agencies not participating in EmRePSS may have similar insurance that extends to cover for privately owned resources used in emergency response operations.

14. CAN LOCAL ARRANGEMENTS DIFFER FROM THE POLICY ARTICULATED IN THE SEMP?

Local arrangements may be tailored to suit specific requirements. The application of this Practice Note is not intended to restrict such local agreements if they can provide efficient and equitable outcomes and comply with legislative requirements. Municipal Emergency Management Plans should include specific details of local arrangements.

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[12] The Municipal Association of Victoria Inter-Council Resource Sharing Protocol
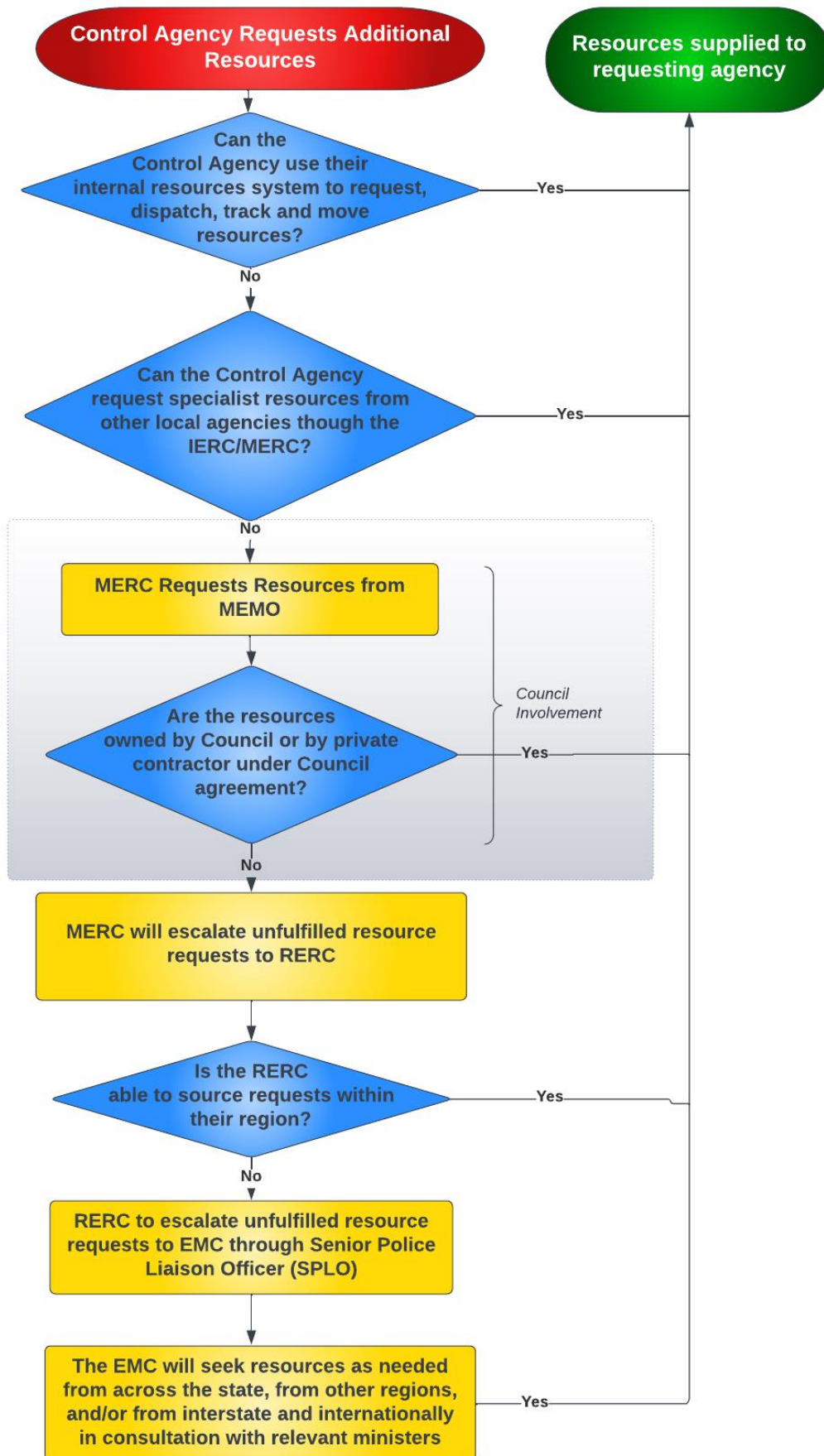[13] SEMP page 34 {Municipal Councils}
[14] Legislation may provide specific powers for control agencies to recover costs from property owners.
  For example, the fire services may recover additional costs incurred in attending hazardous materials incidents.
[15] SEMP page 34 {Funding & Municipal Councils} page 35 {private organisations}

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15. SUPPLEMENTARY RESPONSE RESOURCE PROCESS FLOW CHART

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┌─────────────────────────────┐        ┌──────────────────────┐
│ Control Agency Requests      │        │ Resources supplied to│
│ Additional Resources         │        │ requesting agency    │
└─────────────────────────────┘        └──────────────────────┘
              │                                      ▲
              ▼                                      │
      ◇ Can the Control Agency use their             │
        internal resources system to request,        │
        dispatch, track and move resources? ─Yes─────┤
              │ No                                    │
              ▼                                       │
      ◇ Can the Control Agency request                │
        specialist resources from other               │
        local agencies though the IERC/MERC? ─Yes─────┤
              │ No                                     │
              ▼                                        │
  ┌──── Council Involvement ─────────────────┐         │
  │  ┌──────────────────────────────┐        │         │
  │  │ MERC Requests Resources from │        │         │
  │  │ MEMO                         │        │         │
  │  └──────────────────────────────┘        │         │
  │              │                            │         │
  │              ▼                            │         │
  │      ◇ Are the resources owned by         │         │
  │        Council or by private contractor   │         │
  │        under Council agreement? ─Yes──────┼─────────┤
  │              │ No                         │         │
  └──────────────┼───────────────────────────┘         │
                 ▼                                      │
  ┌──────────────────────────────┐                     │
  │ MERC will escalate unfulfilled│                     │
  │ resource requests to RERC     │                     │
  └──────────────────────────────┘                     │
                 │                                      │
                 ▼                                      │
      ◇ Is the RERC able to source                      │
        requests within their region? ─Yes──────────────┤
                 │ No                                   │
                 ▼                                      │
  ┌──────────────────────────────┐                     │
  │ RERC to escalate unfulfilled  │                     │
  │ resource requests to EMC      │                     │
  │ through Senior Police Liaison │                     │
  │ Officer (SPLO)                │                     │
  └──────────────────────────────┘                     │
                 │                                      │
                 ▼                                      │
  ┌──────────────────────────────┐                     │
  │ The EMC will seek resources   │                     │
  │ as needed from across the     │                     │
  │ state, from other regions,    │                     │
  │ and/or from interstate and    │                     │
  │ internationally in            │                     │
  │ consultation with relevant    │                     │
  │ ministers              ───────┼──Yes────────────────┘
  └──────────────────────────────┘
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16. FURTHER INFORMATION

If further information is required in relation to this Practice Note, refer to:

- State Emergency Management Plan.
- Emergency Management Act 2013
- JSOP 3.09 – Resource Request Process

Victoria's Natural Disaster Financial Assistance (NDFA) scheme is available to eligible undertakings including municipal Councils to relieve some of the financial burden that may be experienced following an eligible disaster, such as a bushfire, flood, or terrorist act, in accordance with the Australian Government's Disaster Recovery Funding Arrangements (DRFA).

17. Document information

Document details

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