



Select Committee on Australia's Disaster Resilience
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20th December 2023

Dear Senators

Kimberley Regional Group Submission to the Inquiry into Australia's Disaster Resilience

The Kimberley Regional Group of Local Governments welcomes the opportunity to provide a written submission to the Senate Select Committee on Australia's Disaster Resilience.

The Kimberley Regional Group (KRG) would like to thank the committee for holding hearings in the Kimberley. Representatives from the four Kimberley Shires, the Shires of Broome, Derby West Kimberley, Halls Creek and Wyndham East Kimberley were able to present at these hearings. This written submission builds upon the points made at the hearings.

This is a challenging time for the Kimberley Region. The 2023 Fitzroy Valley floods, and outcome of ex tropical cyclone Ellie had significant impact across the whole region with roads and bridges closed, food security compromised, and hundreds of people evacuated to surrounding towns. These floods required a complex and extended response and recovery effort, with individuals and communities still impacted today.

The KRG I look forward to seeing the outcomes of this inquiry, with recommendations that will build resilience so that we are better prepared for and can mitigate the impact of natural disasters. If you would like further information on our submission, please contact Paul Rosair our Executive Officer on paul@naja.com.au or 0419 930 467

Yours sincerely

Cr David Menzel
Chair
Kimberley Regional Group



Kimberley Regional Group Submission to the Inquiry into Australia's Disaster Resilience

About the Kimberley Regional Group

The Kimberley Regional Group (KRG) is an alliance of the four Shires of the Kimberley in northern Western Australia, being the Shire of Broome, the Shire of Derby West Kimberley, the Shire of Halls Creek and the Shire of Wyndham East Kimberley. Our Vision is to maintain and enhance the rich diversity and liveability of the Kimberley for its people and the world. Collaboratively the group seeks to drive positive impact across the region through improved social, economic and cultural outcomes. Our region covers 427sqm. The four Shires manage around 1000km of sealed, and 4500km of unsealed roads along with airports and other municipal infrastructure and services including evacuation centres. The Kimberley is home to over 39,000 people 40 percent of whom are Aboriginal and Torres Strait Islander people. The Kimberley has three regional centres, Broome, Kununurra and Derby, with smaller regional towns of Halls Creek, Fitzroy Crossing and Wyndham. There are over eighty remote communities across the region, some of which have populations up to 600 people and are larger than rural towns in other areas of Western Australia. The Kimberley region is prone to cyclones and the impact cyclones and of ex-tropical cyclones has led to severe flooding impacting on communities, industries and local businesses. The impact of climate change is going to increase the frequency and scale of natural disasters.

Inquiry Terms of Reference

To inquire into and report on:

(a) current preparedness, response and recovery workforce models, including:

- i. the role of the Australian Defence Force in responding to domestic natural disasters,
- ii. the impact of more frequent and more intense natural disasters, due to climate change, on the ongoing capacity and capability of the Australian Defence Force,
- iii. the impact on the Australian Defence Force in responding to domestic natural disasters, and
- iv. the role of Australian civil and volunteer groups, not-for-profit organisations and state-based services in preparing for, responding to and recovering from natural disasters, and the impact of more frequent and more intense natural disasters on their ongoing capacity and capability;

(b) consideration of alternative models, including:

- i. repurposing or adapting existing Australian civil and volunteer groups, not-for-profit organisations and state-based services, and
- ii. overseas models and best practice;



(c) consideration of the practical, legislative, and administrative arrangements that would be required to support improving Australia's resilience and response to natural disasters; and

(d) any related matters.

Response to the Terms of Reference

(i) Role of the Defence Force

The Defence Force has been critical in supporting local communities to respond to and recover from natural disasters. The 2023 Kimberley Floods saw the deployment of defence personal, and helicopters provide much needed support to local communities, the WA Department of Fire and Emergency Services and local governments. If the ADF were not available to assist there would have been a significant impact on both the response and recovery efforts.

It is our understanding that The Australian Defence Force (ADF) is integrated into the WA Emergency Management Framework with established preparedness, response and recovery roles prescribed in the State's Emergency Management Plan.

The ADF has a presence in the Kimberley with Norforce and the RAAF Curtin base at Curtin. Members of the ADF are involved in Shire Local Emergency Management Committees. The KRG welcomes the expertise that the ADF brings to these committees.

Given the remote location of the Kimberley, and the impact of natural disasters on transport infrastructure which leads to the closure of airports and roads, it is critical that the capabilities of the ADF can be utilised to support disaster response and recovery.

It would be useful for the KRG to better understand the ADF assets that are based within the Kimberley region and can be called onto assist in an emergency situation. Also, to better understand their local capabilities.

The KRG recognises that a primary role of the ADF is not responding to natural disasters. However, given the remoteness of our communities we welcome the capacity and capabilities that the ADF brings to the disaster recovery and response. It is critical that when deployed that the ADF work seamlessly with local government and within existing state, district and local emergency management arrangements and in partnership with local communities.



(iv) The role of A civil and volunteer groups, not-for-profit organisations and state-based services in preparing for, responding to and recovering from natural disasters, and the impact of more frequent and more intense natural disasters on their ongoing capacity and capability

Aboriginal community-controlled organisations

Given the number and remoteness of Aboriginal communities, Aboriginal Community Controlled Organizations provide a critical link between formal emergency management arrangements and local communities. There is a critical need to build the capacity and the capability of the Aboriginal community-controlled sector to undertake this work. Also, to build the resilience of remote Aboriginal communities so that they can better prepare for, respond and recover to natural disasters. The KRG would like to bring to the Committee's attention work undertaken by Ninti One around involvement in managing, mitigating or planning for such events. <https://www.nintione.com.au/?s=emergency+management>.

There is an urgent need for dedicated new investment and resources to enable local Shires and Government agencies to work with local Aboriginal communities to build local capacity and capability to create more resilient communities. The Kimberley response to the COVID-19 health pandemic, led by Aboriginal medical services, is a good example of how government can support local Aboriginal organisations to work within their communities and mitigate the impact of disasters. Also, the Aboriginal Ranger program, with its focus on caring for country, also provides a strong platform to embed emergency management, with a focus on mitigation, to enable communities to be more resilient to natural disasters.

Volunteers and Non-government organisations

The role of volunteers is critical as volunteers are the backbone of our Volunteer Emergency Services, who respond to natural disasters. A key issue in our region is the high turn over of staff which can impact on the capacity of some of the units to retain trained volunteers.

The frequency and severity of natural disasters does put a strain on our volunteers, in particular communities that have reduced volunteer capacity. This puts a strain on Council staff to often fill this void. The other issue is that many volunteers have property and families impacted by natural disasters.

Given our remoteness many communities do not have access to non-government services such as mental health, services for people with disabilities and youth services. Natural disaster events have shown the vulnerability of people with disabilities, and it is critical that there is greater investment into services that can support vulnerable groups to reduce risk during a disaster event.



(c) Consideration of the practical, legislative, and administrative arrangements that would be required to support improving Australia’s resilience and response to natural disasters

Disaster Relief Funding Arrangements

There needs to be a greater focus on resilience at the Commonwealth and State level on supporting local government to work with their communities to build resilience to natural disasters. Sustained and increased investment in resilience, particularly resilient infrastructure and betterment, will ensure future recovery will be faster and less expensive.

The WA Disaster Relief Funding Arrangements do not enable local governments to build back better, so infrastructure is repaired, but not at a standard to resist future events. This is not efficient and waste time and money. Appendix One is case study from the Shire of Wyndham East Kimberley that highlights this point.

We recommend for DRFA the following:

- Formal recognition should be given to resilience as part of the DRFA – improving infrastructure in high-risk areas
- Shorter assessment period for DRFA claims
- Immediate access to funding to commence works
- Staff from State or Federal government placed in the affected local authority to assist with a its response to a natural disaster
- Eligible costs to include Local Government staff wages and equipment, and the associated “ordinary” use of Local Government plant and equipment.
- Refund arrangements are done on a commercial basis – a retention of say 5% until documentation is correct. This is the major issue for us commencing works.
- Recognition should be given to establishing infrastructure that would allow for more efficient delivery of works such as boreholes for water in remote locations and leach drains to dispose of blackwater.

To reduce disaster risk

- A process to coordinate similar applications across a range of LGs to reduce regional disaster risk
- Betterment funding to make assets more resilient at the time of repair or restoration
- Funding for local government to assess their level of resilience and for activities in line with the National Disaster Risk Reduction Framework
- A specific funding pool for Aboriginal communities to build their resilience
- DRFA WA funding for Category C and D and activation of this funding
- Ensure that the cost-sharing ratio between the Commonwealth and the States does not become an impediment for States to seek Category D cost sharing arrangements.
- Given our remoteness, a greater focus on models that focus on place-based capacity building is critical so that communities can be more resilient and better prepared for natural disasters.



There needs to be better consistency in relation to best practice across Australia. We understand betterment is integrated into the Queensland DRFA. It is not in WA. In some States local government contributions are capped at a certain threshold above which the State government fully funds restoration.

Financial Assistance Grants

There is an urgent need to restore Financial Assistance Grants to local government to a level equal to 1 per cent of Commonwealth taxation revenue. Also, to renew the formula to address the needs of larger remote and regional areas such as the Kimberley. This would assist our Council capacity to support local communities, including with disaster management activities

Insurance

The cost and availability of insurance cover for volunteers, businesses and members of the communities remains an ongoing issue for our communities. There is an urgent need at a Federal level to review insurance policies, including their cost, so that policies are fit for purpose for Kimberley communities and provide fair value for money.

A base level of adequate infrastructure and services

The base level of infrastructure and services across the Kimberley is low. This is exacerbated in a natural disaster. There is a critical need for increased and accelerate investment into strategic infrastructure to build resilience and support disaster response and recovery efforts. This includes;

- Roads,
- Ports
- Airports
- Fuel storage
- Food storage
- Telecommunications
- Flood and coastal warning systems
- Emergency shelters
- Social Housing
- Animal management facilities

For example, there is one sealed road into and out of the Kimberley. During the 2023 Kimberley floods, the closing of this road at Fitzroy Crossing, coupled with the closing of the Stuart Highway into the Kimberley from the Northern Territory, cut road transport both into and across the Kimberley. Derby, Fitzroy Crossing, Halls Creek, Wyndham and Kununurra were isolated from the rest of Australia and had no road freight. There is an urgent need to accelerate the sealing of the Tanami Road from the Stuart Highway in the Northern Territory to Halls Creek. This would provide an alternative transport route in and out of the Kimberley. Also, to upgrade strategic roads within the Kimberley so that are more fit for purpose for the level of flood risk.



The impact of road closure in 2023 led to food security issues with major supermarkets running out of cold and dry goods across the Kimberley. Our region needs dedicated wet and dry warehousing facilities at strategic locations in the East and West Kimberley to ensure food security.

Another key issue is that evacuation in place is not possible in many towns and communities due to a lack of social housing which leads to severe overcrowding. There is an urgent need for increased investment into new social housing supply. Also, for swift access to fit for purpose emergency housing options if people do need to evacuate for long periods.

Given the impact of natural disasters on wildlife greater investment is needed into animal care facilities during and after a natural event, along with support for veterinarians and wildlife carers as part of the response and recovery efforts. This is an important animal welfare and public health issue.

To support local business and communities, there is a need for an agreed freight subsidy which is ready to be implemented during a natural disaster. Also, a plan in place to support the pastoral and agricultural industries to better prepare for, respond to and recover from a natural disaster. Also, there is an urgency need for a bio-hazard plan for natural disasters to manage risk to both people and the environment.

Quarantine and biohazards

The Kimberley Ports of Broome and Wyndham do not have first port of entry status effectively making them export only ports. The ports played a critical role in the 2023 floods in the transport of goods. There is an urgent need for the Department of Agriculture, Forestry and Fisheries DAFF to agree to reintroduce the fee for service quarantine inspections for those instances when they do not have the resources available to service the vessels. Also, for the provision of the infrastructure necessary for Broome and Wyndham Ports to comply with First Point of Entry requirements. This would facilitate a better recovery and response effort to natural disasters in our region.

Climate Change

It is critical that disaster resilience activities consider their impact on climate change. Activities to build resilience should harness the use of renewable energy and use sustainable technologies so that they reduce their environmental footprint and contribution to global warming. This should be a policy objective.



Appendix One - Case Study, Shire of Wyndham East Kimberley

The Gibb River-Kalumburu Road and Port Warrender Roads service remote Aboriginal communities, Pastoralists and tourism operators. They are subject to damaging weather events approximately 3 years in every 5. These events happen during the wet with the limited dry season the only construction opportunity.

- As we have been advised that there is no betterment, we repeatedly fix the same road segments, and materials and water become scarce. Over time these costs more than betterment
- DRFA-WA can take 2 years to implement from event to works. Last season events occurred toward the end of February, which is when initial helicopter inspection of the road can occur. Road access is still unlikely with floodways' too high to cross or roads damaged. The helicopter inspection is a low-level flight where damaged sections are GPS measured and GOPRO footage taken to verify damage. A pro-rata cost is applied for a rough works estimate. Data is provided to DFES for approval to engage an engineering consultant.
- It takes months for DFES approval to progress a detailed contract estimate breakdown by the Institute of Engineers. Due to remoteness, obtaining quotes may offer no result. If successful through a tender, costs vary from high to very high. Main Roads WA is required to verify cost estimates to determine if the Institute of Engineers, contractor's information is accurate. There is then an approval waiting period. This is not usually obtained prior to the end of the next dry season.
- Another aspect of this approval process is that works regarded necessary by engineers has been excluded in the approval process. A case in point was where a road had been graded to allow access was regarded as sufficiently good enough and so re-sheeting material was not approved to be place on that section of road. When the next event occurs in this area this section of road will incur significantly more damage.
- After approval, works are Tendered including remote camp facilities. In a recent cost breakdown, we estimate of \$6,000,000, \$4,500,000 was spent in administration and other non-direct construction costs; \$1,500,000 on the road.
- Opportunities to minimise cartage cost for sullage waste by installing leach drains at four locations, which would return cost in around 1.5 construction years, was considered inappropriate, as it was an improvement not repairs. Consequently, DRFA-WA will pay high cartage rates to remove blackwater from future temporary camps. Where a haulier will not allow their vehicles to enter the site due to road conditions, sullage removal may be impossible leaving an environmental hazard, and inability to continue construction.
- The installation of water bores was considered unrelated to immediate construction works, leading to high cartage distances and at the end of the dry the inability to continue with works. We currently rely on the generosity of Pastoral stations for water supply.
- Processing of reimbursement inefficiencies or under resourcing results in lengthy delays funds repayment. There is no guarantee of full repayment. The factors put the Shire at financial risk as we cannot manage the cash flow impact of delays. At one point the amounts outstanding were \$4.7 million on a rate base of \$10,5 million.



- To expedite construction, the Shire tendered a 3 + 2-year contract for DRFA-WA related earthworks, subject to a declared event, and DFES approval of a works program. Due to DFES approval processes for work done we have legal issues arise from this process. Our contractor had requested some costs were paid which were necessary for the work to be done and which were in line with the Tender. The time taken for approval of these items as well as the inflexibility to vary the works schedule once work commences is problematic. Not all items can be foreseen and included in a scope of works. This has resulted in a deterioration of the relationship between the Shire and our contractor which required a legal process to resolve. We did incur unnecessary legal costs to defend our position which cannot be recovered. The end result of this issue is that it is unlikely that contractors will tender for this work due to the complexity of the arrangements.
- As a result, the Shire cannot take on the financial risk of letting a contract for works without the guarantee of a reliable process that will refund expenditure within normal commercial timeframes. It has been suggested by the Shire that a retention of 10% be withheld from all parties until the necessary documentation is put in place.

