



EMERGENCY RESPONSE OPERATIONS IN SUPPORT OF THE COUNTRY FIRE SERVICE

<i>Responsible Officer/s</i>	Director Infrastructure Services
<i>Relevant Legislation / Documents</i>	Local Government Act Other Policy/Procedure
<i>Adopted</i>	21 February 2014
<i>Reviewed</i>	August 2023
<i>Next Review</i>	Every 4 years

1. Purpose

The policy sets out the District Council of Loxton Waikarie's position in regard to participation in and support for local Country Fire Service (CFS) emergency response operations.

In particular this paper sets out:

- a) how Council Employees may be released to participate as CFS Volunteers in emergency response situations, and
- b) how Council owned plant and equipment may be accessed by the CFS for the purpose of emergency response operations, when required.

2. Policy

Scope

The general function of a Council in an emergency situation is to manage its area at the local level by taking measures to protect and make safe its wider community from natural and other hazards, within a good governance risk management framework.

In accordance with S7(d) (*Functions of a Council*) of the Local Government Act 1999, it is a function of a Council *"to take measures to protect its area from natural and other hazards and to mitigate the effect of such hazards"*.

The State Emergency Management Plan prepared pursuant to S9 of the Emergency Management Act (2004), lists Councils as *Participating Organisations* which is a group classification that supports CFS emergency response and recovery activities.

To support this policy the Council will:

- establish, maintain and manage an “*Emergency Response Support Register*”. The Register will ensure the preparedness and the availability of the human resource pool within a Council area in the event of an emergency situation, and

- establish, maintain and manage an “Emergency Services Plant and Equipment Register” which will identify Council owned plant and equipment that can be available to the CFS for the purpose of being used in an Emergency response operation.
Attached to the Register will be the terms and conditions of availability and use of the plant and equipment.

Pursuant to S103 (1) of the Workers Rehabilitation & Compensation Act, Pt 2, S17 of the Workers Rehabilitation & Compensation Act Regulations 2010 applies to include any person who is registered on the “*Emergency Response Support Register*”.

103A—Special provision for prescribed classes of volunteers

(1) The Crown is the presumptive employer of persons of a prescribed class who voluntarily perform work of a prescribed class that is of benefit to the State (and the Crown therefore has the liabilities of a self-insured employer in relation to persons of that class).

Preparedness

The CFS and Council will meet periodically to confirm critical coordination arrangements, including contact protocols and the Council resources that could be made available by Council and the arrangements for accessing them (eg whether the Council will deliver them to a nominated location or whether they will be available from a particular Council depot).

Local arrangements may be tailored to suit specific requirements.

Release of Council Employees

The Council agrees to:

1. support any Council Employee who undertakes the process to be listed on the Emergency Response Support Register
2. not obligate any Council Employee to be listed on the Emergency Response Support Register
3. allow Council Employees who are listed on the Emergency Services Register, to participate in CFS induction and training programs during normal business and / or duty hours
4. maintain the integrity of the Emergency Response Support Register
5. negotiate separately, to the extent of any ex-gratia remuneration, with Employees who initiate Emergency Services leave
6. allow leave with pay for the period of time that an employee is released to participate in an emergency response as approved, up to hours of the employees normal working day, per day of that release

7. ensure that the employee will suffer no loss of entitlements for the period that he/ she is released to participate in a emergency response, entitlements will accrue within the employees normal working hours
8. require the Council Employee to sign an “Emergency Release from Employment” form indicating the individual’s availability to participate, where required as a CFS Volunteer and immediately release the Employee from Council employment
9. not prejudice any employment conditions of the individual whilst acting as a CFS Volunteer within and relating to the emergency circumstances
10. reserve the right not to release Council Employees registered on the Emergency Register during an emergency response operation should extenuating circumstances, as determined by the Chief Executive Officer apply or exist.

Provision of Council Plant & Equipment

Council will:

1. provide a list of plant and equipment that is maintained in operational condition and available to the CFS, for the purpose of being utilised in an emergency response operation
2. liaise with CFS about how the delivery of, or access to, any plant and equipment will be undertaken
3. provide to the CFS details of persons listed on the Emergency Response Support Register that are qualified to operate the various items of equipment
4. consider an official request from the CFS for the provision of equipment in a timely and effective manner, given the emergency situation
5. provide any plant and equipment free of charge or cost for 48 hours from the time of the initial CFS request
6. reserve the right to seek recovery of costs, charges after the emergency is declared over should extenuating circumstances apply
7. reserve the right not to release Council owned plant and equipment for Emergency response operations should extenuating circumstances, as deemed by the CEO apply or exist.

Liability clause

For the purpose of this policy, it is acknowledged that the District Council of Loxton Waikerie is a Member of the Local Government Association Mutual Liability Scheme and entitled to the civil liability cover pursuant to S142 of the LG Act and risk management support as set out in the LGAMLS Rules.

Further, it is acknowledged that the CFS, via the Minister for Emergency Services of the South Australian State Government is entitled to the benefits of the South Australian Government Insurance and Risk Management arrangements administered by the South Australian Government Captive Insurance Corporation (“SAICORP”) in respect of the operations under this policy.

Other documents referenced

Emergency Response Support Register:- can be accessed from the following location

Emergency Services Plant & Equipment Register
Emergency Release from Employment
Fit for Work Policy and Procedure (WHS)

11. Availability

This Policy will be available for inspection at the Council Offices at Loxton or Waikerie during ordinary business hours at no charge.

Copies of this Policy will also be available from Councils website: www.lwdc.sa.gov.au or postal copies may be obtained from the Council Office free of charge.

12. Document history and version control

Date	Version	Authorisation	Amendment Details
February 2014	1		First version
16 August 2023	2	Council meeting ORD 2023-223	Formatting and title amendments