



Legislative Assembly for the
Australian Capital Territory

Standing Committee on Legal Affairs

Submission cover sheet

Inquiry into the Emergencies Amendment Bill 2026

Submission number: 006

Submitter: ACT Government

Date authorised for publication: 12 August 2026

- Inquiry into the
Emergencies
Amendment Bill
2026

ACT GOVERNMENT SUBMISSION



Acknowledgement of Country

The Justice and Community Safety Directorate acknowledges the Ngunnawal people as traditional custodians of the ACT and recognise any other people or families with connection to the lands of the ACT and region.

We respect the Aboriginal and Torres Strait Islander people, particularly our Aboriginal and Torres Strait Islander staff, and their continuing culture and contribution they make to the Canberra region and the life of our city.

© Australian Capital Territory, Canberra 2026

Material in this publication may be reproduced provided due acknowledgement is made.

Produced by the Justice and Community Safety. Enquiries about this publication should be directed to the Justice and Community Safety.

GPO Box 158, Canberra City 2601

act.gov.au

Telephone: Access Canberra – 13 22 81

If you are deaf, or have a hearing or speech impairment, and need the telephone typewriter (TTY) service, please phone 13 36 77 and ask for 13 22 81.

For speak and listen users, please phone 1300 555 727.

For more information on these services, contact us through the National Relay Service:

www.accesshub.gov.au.

If English is not your first language and you require a translating and interpreting service, please telephone Access Canberra on 13 22 81.

Contents

Introduction	4
Context for Reform	4
Evidence Base for Reform	4
Limitations of the Existing Advisory Model	5
Policy Intention of the Bill	5
Strengthening Community Outcomes and Reducing Risk.....	6
A Contemporary Advisory Model.....	6
An Evolution, Not a Return to the Past	7
Conclusion	7



Introduction

The ACT Government welcomes the opportunity to provide a submission to the Standing Committee on Legal Affairs' inquiry into the Emergencies Amendment Bill 2026 (the Bill).

The Bill forms part of the Government's broader commitment to modernising emergency management governance in the Territory. It repeals provisions establishing the Multi-Hazards Advisory Council (MHAC) under the Emergencies Act 2004 and enables the establishment of contemporary, non-statutory advisory arrangements.

This submission is intended to assist the Committee by outlining the context for the Bill, explaining the policy intention underlying the proposed amendments, and demonstrating how the reforms will strengthen governance, improve risk reduction and enhance community resilience. It also addresses the transition away from a statutory advisory body and articulates why the proposed model represents a necessary and considered evolution.

Context for Reform

Emergency management in the ACT operates in a significantly different environment to that which existed when the *Emergencies Act 2004* was enacted. Since that time, the risk landscape has become more complex and dynamic, shaped by climate change, increasing hazard intensity and frequency, and the emergence of compounding and cascading risks.

At the same time, community expectations have evolved. There is a growing expectation that government decision-making will be informed by diverse expertise, incorporate community perspectives and remain responsive to emerging information.

The Bill recognises that advisory structures must evolve alongside these changes. As noted in the Explanatory Statement, the reforms support a shift toward "adaptive, flexible and forward-looking governance" capable of responding to emerging risks and contemporary resilience frameworks.

Evidence Base for Reform

The reforms proposed in the Emergencies Amendment Bill 2026 are supported by contemporary emergency management policy, disaster governance research and lessons from major reviews and inquiries. Together, this evidence demonstrates that effective emergency management increasingly relies on advisory arrangements that are flexible, multidisciplinary and capable of adapting to changing risks.

Internationally, disaster risk reduction frameworks, including the United Nations Sendai Framework for Disaster Risk Reduction 2015–2030, emphasise the importance of adaptive governance, collaboration and the integration of diverse sources of knowledge. Contemporary approaches recognise that emergency management systems must be able to respond to evolving risks, incorporate emerging expertise and support continuous learning.

Australian reviews of disaster governance have reached similar conclusions. They have highlighted the increasing complexity and frequency of natural hazards, the importance of stronger coordination across sectors and the need for governance arrangements that can readily engage scientific, operational and community expertise. These reviews consistently support governance models that are responsive, collaborative and capable of evolving over time.

Evidence from post-disaster inquiries and operational reviews also demonstrates that emergency management outcomes are strengthened when decision-makers have access to timely, multidisciplinary advice. Effective advisory arrangements draw on a range of perspectives, including emergency services, researchers, Aboriginal and Torres Strait Islander peoples, community organisations and other stakeholders with relevant expertise.

In contrast, statutory advisory bodies can be limited by fixed legislative requirements governing membership, functions and processes. While these arrangements provide certainty, they can be less responsive to emerging risks and changing priorities. Flexible advisory models allow governments to access the expertise most relevant to contemporary challenges and adapt advisory arrangements as circumstances change.

The reforms proposed in the Bill reflect these developments in emergency management governance. By enabling contemporary, non-statutory advisory arrangements, the Bill supports a model that can evolve over time, incorporate diverse expertise and remain aligned with the ACT's strategic priorities for risk reduction, resilience and community safety.

Limitations of the Existing Advisory Model

MHAC's predecessor, the ACT Bushfire Council, was established in 2004 with fixed legislative requirements governing its membership, functions and processes. While appropriate at the time, these requirements now constrain its ability to operate effectively in a contemporary environment. The statutory framework imposes fixed membership categories, prescriptive reporting obligations and a broad mandate that limits focus and agility.

These constraints reduce the Council's capacity to incorporate new expertise, respond to emerging issues and align its work with current strategic priorities. The need for legislative amendment to effect change further limits responsiveness.

Successive reforms to the *Emergencies Act 2004* have sought to update the functions and operation of the ACT Bushfire Council and the Multi-Hazards Advisory Council, while retaining a legislated advisory body. These amendments recognised the need for advisory arrangements to evolve alongside changing risks and contemporary emergency management practice.

However, despite these efforts, the fundamental limitations of a statutory model remain. The Council's membership, functions and governance arrangements continue to be prescribed in legislation, limiting the Government's ability to adapt advisory structures, access emerging expertise and realign priorities in response to changing risks and community expectations without further legislative amendment.

Experience has demonstrated that incremental amendments to the statutory framework have not addressed these underlying constraints. The proposed reforms therefore move beyond modifying the Council's legislated role and instead remove the requirement for a prescribed statutory body altogether, enabling advisory arrangements that can evolve over time and remain responsive, multidisciplinary and fit-for-purpose in a rapidly changing risk environment.

Policy Intention of the Bill

The Bill is intended to remove these structural constraints and enable the establishment of advisory arrangements that are adaptive, flexible and strategically aligned.

The repeal of MHAC provisions removes all statutory requirements relating to its operation and allows the Minister to establish non-statutory advisory councils administratively. This

approach ensures that advisory structures can evolve over time without the need for legislative amendment.

The Government intends that new advisory bodies will align with the Strategic Bushfire Management Plan and the ACT Disaster Resilience Strategy, ensuring that advisory functions are directly connected to contemporary policy frameworks.

This represents a shift toward a governance model that prioritises adaptability, continuous improvement and alignment with strategic objectives.

Strengthening Community Outcomes and Reducing Risk

A key outcome of the Bill is the strengthening of community safety and wellbeing through improved advisory capability.

The Wellbeing Impact Assessment identifies a strongly positive impact on safety, driven by improvements in risk reduction, preparedness and adaptive governance. By enabling more relevant and timely advice, the reforms enhance the Government's ability to anticipate and mitigate risks associated with bushfires and other hazards.

Flexible advisory arrangements allow for the integration of scientific, ecological, cultural and community knowledge, improving both the quality and relevance of advice. This contributes to more effective mitigation strategies and better preparedness outcomes.

The reforms also enhance community engagement by enabling broader participation in advisory processes. This includes greater opportunities for involvement by Aboriginal and Torres Strait Islander peoples, whose knowledge and land management practices play a critical role in risk reduction and resilience.

Improved governance and stronger community engagement contribute to increased trust in public institutions and more effective emergency management outcomes.

A Contemporary Advisory Model

The advisory model enabled by the Bill reflects contemporary best practice in emergency management governance.

Modern systems increasingly emphasise adaptive, multidisciplinary approaches that integrate diverse expertise and support ongoing learning. The proposed model supports these principles by allowing advisory bodies to operate with flexible membership and adaptable work programs.

This flexibility enables the Government to engage relevant expertise as needed and respond to emerging risks in a timely manner. It also supports the creation of targeted working groups and the continuous refinement of advisory processes.

Alignment with the Strategic Bushfire Management Plan and the ACT Disaster Resilience Strategy ensures that advisory functions are focused and directly contribute to implementation priorities.

An Evolution, Not a Return to the Past

The proposed reforms do not represent a return to previous advisory arrangements. Rather, they are a deliberate and considered evolution.

The new advisory bodies are designed for a contemporary environment, incorporating climate science, landscape-scale approaches and broader community engagement. They reflect lessons learned from the operation of MHAC and from post-disaster inquiries, which consistently highlight the importance of flexible, adaptive governance.

The Wellbeing Impact Assessment notes that contemporary research and post-disaster reviews emphasise the role of adaptive, multidisciplinary governance in improving risk outcomes and community resilience.

The reforms also align with emerging practices across Australia and internationally, where jurisdictions are increasingly adopting flexible advisory models to respond to complex and evolving risks.

By moving to a non-statutory model, the ACT Government is ensuring that its advisory arrangements remain fit-for-purpose and capable of evolving over time.

Conclusion

The Emergencies Amendment Bill 2026 represents a necessary and forward-looking reform to the ACT's emergency management framework.

The Bill addresses structural limitations in the existing statutory advisory model and enables the establishment of more flexible, adaptive and strategically aligned advisory arrangements. In doing so, it strengthens the quality of advice available to government, enhances community engagement and supports improved risk reduction and resilience outcomes.

The reforms are grounded in evidence, informed by experience and aligned with contemporary best practice. They represent a deliberate evolution of advisory governance, ensuring that the ACT is well positioned to meet the challenges of an increasingly complex risk environment.

The ACT Government appreciates the Committee's consideration of this important reform and remains committed to supporting the Inquiry process.