

Defence Assistance to the Civil Community

Department of Defence

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Canberra ACT
28 September 2023

Dear President
Dear Mr Speaker

In accordance with the authority contained in the *Auditor-General Act 1997*, the Auditor-General has undertaken an independent performance audit in the Department of Defence. The report is titled *Defence Assistance to the Civil Community*. Pursuant to Senate Standing Order 166 relating to the presentation of documents when the Senate is not sitting, I present the report of this audit to the Parliament.

Following its presentation and receipt, the report will be placed on the Australian National Audit Office's website — <http://www.anao.gov.au>.

Yours sincerely

Rona Mellor PSM
Acting Auditor-General

The Honourable the President of the Senate
The Honourable the Speaker of the House of Representatives
Parliament House
Canberra ACT

AUDITING FOR AUSTRALIA

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Contents

Summary and recommendations.....	7
Background	7
Conclusion	8
Supporting findings.....	8
Recommendations.....	12
Summary of Department of Defence's response	13
Key messages from this audit for all Australian Government entities	13
Audit findings.....	15
1. Background	16
Reviews and inquiries into DACC arrangements	24
Previous audits and reports.....	27
Rationale for undertaking the audit	28
Audit approach	28
2. Preparing to respond to DACC requests.....	30
Has Defence provided clear guidance on its DACC role and responsibilities?	30
Has Defence engaged with DACC stakeholders?	37
Has Defence prepared its personnel to deliver DACC responsibilities?	41
Has Defence gathered relevant information and planned effectively for DACC?	42
Has Defence informed decision-makers of risks associated with the provision of DACC assistance?	46
3. Managing the delivery of DACC	50
Has Defence established clear arrangements to coordinate and provide emergency DACC?	50
Has Defence considered and applied relevant legislative and policy requirements in the provision of emergency assistance?.....	52
Has Defence appropriately monitored and reported on risks, cost, workforce and community impacts during DACC delivery?	67
4. Assessing and learning from DACC activity.....	76
Has Defence established fit-for-purpose arrangements to identify lessons learned?.....	76
Has Defence addressed findings and recommendations from internal and external reviews of emergency DACC?	80
Appendices	85
Appendix 1 Department of Defence's response	86
Appendix 2 Improvements observed by the ANAO	88
Appendix 3 DACC 3 cost recovery waivers	89
Appendix 4 Implementation of Royal Commission recommendations	91



Audit snapshot

Auditor-General Report No.6 2023–24

Defence Assistance to the Civil Community



Why did we do this audit?

- ▶ Defence Assistance to the Civil Community (DACC) provides the means through which the Department of Defence (Defence) can assist other organisations or agencies, often during natural disasters and other emergencies.
- ▶ The Australian Defence Force's (ADF's) role in providing such assistance may come at a cost to force preparedness, readiness and combat effectiveness.



What did we find?

- ▶ Defence has established largely effective planning and administrative arrangements to support the provision of emergency DACC.
- ▶ The effectiveness of its arrangements is reduced by shortcomings in implementation, monitoring and reporting against requirements.



What did we recommend?

- ▶ There were four recommendations to Defence aimed at improving the: recording of costs; cost recovery advice to Ministers; post-activity reporting; and recording of lessons learned.
- ▶ Defence agreed to the four recommendations.



Key facts

- ▶ DACC support is classed as either 'emergency assistance' (DACC categories 1–3) or 'non-emergency assistance' (DACC categories 4–6).
- ▶ Operation Bushfire Assist 2019–20 involved more than 6500 ADF personnel, including 3000 reservists, making the operation the largest ADF mobilisation for domestic disaster relief in Australian history.

748

emergency DACC tasks recorded as completed between 27 May 2013 and 30 June 2022.

\$91.5 million

recorded cost of DACC provided under Operation Bushfire Assist 2019–20 and Operation Flood Assist 22–1.

16 days

average duration of emergency DACC tasks under Operation Bushfire Assist 2019–20 and Operation Flood Assist 22–1 and 22–2.

Summary and recommendations

Background

1. Department of Defence (Defence) assistance during emergencies is provided under Defence Assistance to the Civil Community (DACC) arrangements and is governed by Defence policy and procedures.¹
2. Defence's mission and purpose is to defend Australia and its national interests in order to advance Australia's security and prosperity. Defence is resourced to deliver against this through the following two outcomes, documented in its Portfolio Budget Statements. DACC activities fall under Outcome 1.
 - Outcome 1: Defend Australia and its national interests through the conduct of operations and provision of support for the Australian community and civilian authorities in accordance with Government direction.
 - Outcome 2: Protect and advance Australia's strategic interests through the provision of strategic policy, the development, delivery and sustainment of military, intelligence and enabling capabilities, and the promotion of regional and global security and stability as directed by Government.
3. The *Defence Assistance to the Civil Community Policy* (DACC Policy) 'describes the agreed approach to providing Defence assistance to the civil community' and outlines ten key principles that are to be applied by Defence personnel when making decisions about the provision of DACC support.² It also sets out that:

Through the 2020 Defence Strategic Update, Government has directed Defence to enhance its support to civil authorities in response to national and regional crises and natural disasters such as pandemics, bushfires, floods or cyclones. Defence is committed to assisting the civil community in both emergency and non-emergency situations. DACC is a mechanism by which Defence achieves this effect. DACC support is not to involve the use, or potential use, of force (including intrusive or coercive acts) by Defence members.³

Rationale for undertaking the audit

4. DACC provides the means through which Defence can assist other organisations or agencies. This assistance delivers an outcome or effect at a time when the recipient's own resources are unlikely to be sufficient and/or have been overwhelmed. The Australian Government has observed, in the context of the recent Defence Strategic Review, that the Australian Defence Force's (ADF) role in providing assistance to the civil community following natural disasters comes at a cost to force preparedness, readiness and combat effectiveness.

1 DACC is not conducted under any specific Commonwealth legislation.

2 Department of Defence, *Defence Assistance to the Civil Community Policy* [Internet], 31 August 2021, pp. 4–12, available from <https://www.defence.gov.au/sites/default/files/2020-12/DACC-Policy.pdf> [accessed 31 March 2023].

The ten key principles outlined in the DACC Policy cover: the nature of support provided and the capability of Defence to provide support; approval processes; command and control arrangements; risk management; financial requirements; and preparation for, and implementation of, the provision of support.

3 *ibid.*, paragraph 1.5.

5. This audit has been undertaken to provide independent assurance to the Parliament on the effectiveness of Defence's administrative arrangements to support the provision of emergency assistance to the civil community.

Audit objective and criteria

6. The objective of the audit was to assess the effectiveness of Defence's planning and administrative arrangements to support the provision of emergency DACC.

7. To form a conclusion against the objective, the following high-level criteria were adopted.

- Does Defence prepare effectively to respond to DACC requests?
- Has Defence established fit-for-purpose arrangements to manage DACC delivery?
- Has Defence established arrangements to assess and learn from DACC activity and reviews?

Conclusion

8. Defence has established largely effective planning and administrative arrangements to support the provision of emergency DACC. The effectiveness of its arrangements is reduced by shortcomings in implementation, monitoring and reporting against requirements.

9. In respect to its planning and preparation for emergency DACC activity, Defence has:

- provided clear guidance on its roles and responsibilities;
- undertaken relevant stakeholder engagement, including at the national and sub-national levels;
- taken appropriate steps to prepare its personnel to deliver DACC;
- undertaken relevant and focused information gathering and planning, including in the lead-up to the High Risk Weather Season; and
- provided advice to the Australian Government and reviewers on the impact of DACC on Defence capability.

10. While fit-for-purpose arrangements have been established to coordinate and deliver DACC, Defence's implementation of these arrangements has been partly effective. Shortcomings identified in the implementation of policy requirements include the completion of risk assessments, cost recovery tasks and monitoring and reporting activities.

11. Defence has established fit-for-purpose arrangements to identify lessons learned from DACC activities, and has included relevant requirements in its guidance and directives. Defence has, however, made limited use of these arrangements and has not complied with all requirements. Defence has partly addressed the findings and recommendations of internal and external reviews of DACC arrangements.

Supporting findings

Preparing to respond to DACC requests

12. Clear guidance on Defence's civil assistance role was provided in October 2020, when the August 2020 DACC policy framework was published. Among other things, the framework outlines

the circumstances in which Defence may provide assistance and how those activities are to be requested and coordinated. Prior to its public release, Defence undertook an internal review of the framework to identify learnings from the 2019–20 bushfires and to inform its response to a government request that existing DACC arrangements be reformed so as to take a more proactive stance for responding to significant natural disasters. (See paragraphs 2.2 to 2.16)

13. Defence's *Concept Plan Coalesce* sets out the operational framework to enable detailed planning for the provision of DACC 2 and DACC 3 support. It was last updated in November 2022 and is supported by eight regional Joint Operations Support Staff (JOSS) support plans, seven of which are to be reviewed annually. At June 2023, four of these plans remained overdue for review by up to 53 months (4.4 years). (See paragraphs 2.17 to 2.21)

14. Since 2020, Defence's engagement with stakeholders has been focused on annual planning and communication activities in preparation for the High Risk Weather Season (HRWS). Defence inputs to the 2022–23 HRWS Preparedness Program included a briefing for each state and territory outlining the process for requesting DACC support, as well as details on Defence's capabilities, HRWS posture, and resource limitations. Defence also drafted a HRWS Communication Plan in December 2020 to identify target audiences, key stakeholders, and the sensitivities and risks for communication around DACC activities. (See paragraphs 2.22 to 2.30)

15. Defence records do not support regular attendance at relevant committees and forums, as required by the DACC Manual since August 2020. At the national level, these include the Australian Government Crisis and Recovery Committee and National Coordination Mechanism. (See paragraphs 2.27 to 2.28)

16. While Defence relies on the DACC Manual and Policy as the primary mechanisms for conveying how DACC is conducted and managed, Defence has also developed awareness raising information for ADF personnel involved in delivering DACC support. For ADF personnel assigned to certain DACC 2 and DACC 3 tasks, e-learning modules and briefings have been developed to cover situational awareness, survivability, expected values and behaviours, guidance on dealing with members of the public and the media, legal considerations, and medical guidance. (See paragraphs 2.31 to 2.36)

17. Defence planning for the delivery of DACC support is largely focused on annual preparations for the HRWS. Chief of the Defence Force (CDF) warning orders and Chief of Joint Operations (CJOPS) task orders for the HRWS over the past three years have outlined Defence's force posture and which of its assets were likely to be required. Defence's planning and advice to decision-makers is informed by the Bureau of Meteorology's Global Seasonal Outlook. (See paragraphs 2.37 to 2.39)

18. Defence has conducted and participated in table-top exercises simulating natural disaster scenarios for flooding, bushfires and cyclones, and for the call-out of Defence reserves. Through its review work, Defence has identified that it does not have a good awareness of reservist civilian qualifications. While the Minister for Defence was advised in June 2020 that qualifications would be captured, tracked and utilised, work to progress the collection of these details remained paused as at March 2023. Defence advised the ANAO in July 2023 that this work would not proceed. (See paragraphs 2.40 to 2.45)

19. While a number of Army Lessons Boards and Fleet Lessons Boards were conducted in 2021 and 2022 to identify areas for improvement after the HRWS, Defence was unable to provide the ANAO with documentation for any Defence-level or Air Force lessons boards. Further, Defence's recording and monitoring of lessons with enterprise-wide implications on its centralised lessons database, the Defence Lessons Repository, has been limited. (See paragraphs 2.46 to 2.50)

20. Since 2020, Defence has provided the Australian Government and reviewers with advice regarding its assessment of the impact of DACC on Defence capability. The risks advised by Defence, which were acknowledged in the Australian Government's response to the 2022 Defence Strategic Review, relate to force preparedness, readiness and combat effectiveness. Defence also advised the Defence Minister that amendments to the *Defence Act 1903* could address legal risks associated with the delivery of DACC support by ADF members, Defence personnel and foreign forces. (See paragraphs 2.51 to 2.64)

Managing the delivery of DACC

21. Defence has long-standing and fit-for-purpose arrangements to coordinate and provide emergency DACC support. These include Joint Task Force (JTF) arrangements that can be activated by the Chief of the Defence Force (CDF) or relevant approving authority, for commanding domestic operations such as responses to natural disasters. To facilitate DACC support, Defence also: establishes an Emergency Support Force each year in each state and territory in anticipation of requests for assistance during the High Risk Weather Season (HRWS); and provides ADF Liaison Officers within state and territory emergency management agencies to assist in the coordination of DACC support. (See paragraphs 3.3 to 3.11)

22. Shortcomings in the application of policy requirements were identified across each of the seven case studies reviewed by the ANAO. Defence did not consistently comply with the DACC Manual in the following respects.

- The initiation and approval requirements for two DACC tasks. In one case Defence sought to avoid triggering the requirement, in the Secretary's Accountable Authority Instructions, to obtain the Defence Minister's approval to waive the recovery of DACC costs. This approach raises both compliance and ethical issues regarding Defence's management of public resources.
- Estimating the costs for five DACC tasks or recording the actual costs associated with the DACC support provided by Defence.
- WHS and risk management requirements — while high-level risk assessments were conducted at the Joint Task Force and Joint Task Group levels, Defence could not demonstrate that risk assessments required at the DACC task-level had been completed. (See paragraphs 3.12 to 3.59)

23. Defence has not consistently applied the cost recovery requirements outlined in the DACC Manual and Defence's Cost Recovery Policy. While Defence has sought Ministerial approval for cost recovery waivers for some DACC 3 tasks, advice to the Minister outlining the reasons for those waivers has not always been consistent with the intent of those policies. (See paragraphs 3.34 to 3.44)

24. Defence personnel do not consistently report on DACC activities as required, weakening Defence's capacity to monitor DACC delivery. Further, information held in the DACC database is

unreliable, in large part because key details of DACC tasks have been recorded incorrectly, or not recorded at all. ANAO review indicates the following.

- The completion of post-activity reports (PARs) has been limited, with 744 (99.5 per cent) of the 748 DACC 1–3 tasks identified as completed since 2013–14 not having a PAR lodgement date recorded.
- For the seven DACC tasks selected for detailed review by the ANAO, situation reporting and PARs had been completed for five of the tasks (71 per cent). For three of these five tasks, the situation reports were either provided late or not provided to all required recipients in accordance with DACC Manual requirements. (See paragraphs 3.60 to 3.89)

25. Between June 2014 and December 2022, the DACC Manual required the preparation of a biannual or annual report for the Chief of the Defence Force (CDF) and Defence Secretary on the level of DACC support provided. This reporting relied on task-level data submitted through PARs. While this reporting was intended to improve compliance with PAR requirements, it last took place in December 2015 and was removed from the DACC Manual released in December 2022. Defence continues to provide other types of reporting to CDF and the Defence Minister, however the current reporting regime does not include task-level information. (See paragraphs 3.90 to 3.99)

Assessing and learning from DACC activity

26. Defence has established fit-for-purpose arrangements to identify lessons learned from DACC activities and has included relevant requirements in the DACC Manual and a joint lessons directive issued by the Chief of Joint Operations (CJOPS). However, it has made limited use of the arrangements and has not complied with all requirements.

27. The Defence Lessons Program (DLP) and Defence Lessons Handbook provide policy, guidance and support for lessons management in Defence. A Defence Lessons Repository (DLR) has also been established for collating observations, insights and lessons (OILs) from Defence activities. However, Defence's limited use of the DLR for DACC purposes does not align with the requirements of the DACC Manual or CJOPS Joint Lessons Directive 48/2022.

28. In the context of 2828 individual tasks recorded in the DACC database as delivered between 27 May 2013 and 30 June 2022, the Defence Lessons Repository included 185 observations, 20 insights and one lesson related to DACC activities recorded since 2013–14. (See paragraphs 4.2 to 4.23)

29. Defence has partly addressed the findings and recommendations of internal and external reviews of DACC arrangements.

- In October 2021 Defence closed out the ten recommendations of an internal review requested by the Australian Government following Operation Bushfire Assist 2019–20. At the time of closure, updates against four of the recommendations noted that implementation activity was still underway. Work relating to a recommendation to track reservist civilian skillsets was subsequently discontinued by Defence.
- An agreed Auditor-General recommendation to review DACC reporting requirements and improve compliance was partly implemented. Defence conducted a review of the DACC Manual in 2014 to consider the minimum reporting requirements necessary to discharge

Defence accountability and transparency obligations. However, the steps taken to strengthen the priority afforded by Defence units to meeting reporting requirements — through the introduction of biannual and later annual reporting to CDF and the Defence Secretary — were short-lived. The last instance of such reporting was in 2015 and the requirement was removed in 2022.

- Defence implemented the three recommendations relating to DACC made in the report of the 2020 Royal Commission into National Natural Disaster Arrangements. (See paragraphs 4.24 to 4.41)

Recommendations

Recommendation no. 1 Paragraph 3.41

The Department of Defence implement arrangements to ensure that costs associated with providing DACC support are accurately tracked and recorded, in line with the requirements of the DACC Manual.

Department of Defence response: *Agreed.*

Recommendation no. 2 Paragraph 3.43

The Department of Defence ensure that its advice to the Minister for Defence in respect to waiving cost recovery for DACC 3 tasks is: aligned with Australian Government and Defence cost recovery policies; appropriately addresses the efficient and effective use of Commonwealth resources; and outlines the financial and resource impacts associated with not recovering costs.

Department of Defence response: *Agreed.*

Recommendation no. 3 Paragraph 3.95

The Department of Defence improve its administrative arrangements for DACC to ensure that:

- (a) post-activity reports are completed with all relevant information and submitted according to the requirements of the DACC Manual;
- (b) data entered into the DACC database is complete and accurate, and supports reporting to the Chief of the Defence Force (CDF), Secretary of Defence and Minister for Defence; and
- (c) the CDF, Secretary and Minister are provided with sufficient and appropriate information on the aggregated costs of DACC support.

Department of Defence response: *Agreed.*

Recommendation no. 4 The Department of Defence implement arrangements to ensure that relevant observations, insights and lessons identified through post-operation and post-activity DACC reporting are recorded on the Defence Lessons Repository in accordance with Defence policies.

Paragraph 4.21

Department of Defence response: *Agreed.*

Summary of Department of Defence's response

30. Defence's summary response is provided below and its full response is included at Appendix 1.

Defence acknowledges the ANAO's assessment that Defence has established largely effective planning and administrative arrangements to support the provision of emergency Defence Assistance to the Civil Community (DACC).

The focus of the report on the administrative processes provides Defence the opportunity to ensure that policies and practices are refined to optimise support for emergency DACC operations.

The outcomes and implication of the ANAO report will be a key consideration in the next review of the DACC Manual and associated policies.

31. The improvements observed by the ANAO during the course of the audit are at Appendix 2.

Key messages from this audit for all Australian Government entities

32. Below is a summary of key messages, including instances of good practice, which have been identified in this audit and may be relevant for the operations of other Australian Government entities.

Governance and risk management

- Program reviews involve the investment of public resources. Adequate and timely implementation of agreed recommendations helps realise the full benefit of review activity and demonstrates commitment to improved public administration and accountability for performance.

Policy/program implementation

- High-quality policy and guidance documentation supports program implementation and compliance with requirements. Periodic review of documentation helps maintain its fitness-for-purpose.

Performance and impact measurement

- Well-operating lessons learned arrangements can enhance implementation effectiveness, entity efficiency, and review activity. Embedding such arrangements is an investment in effective delivery.
- Project closure activities and effective record-keeping position entities to provide soundly-based information and advice to decision-makers and the Parliament on the impact and outcomes of entity activities.

Audit findings

1. Background

1.1 When a natural disaster or other domestic emergency occurs within Australia, state and territory governments (state governments) have primary responsibility for the protection of life, property and the environment within their respective jurisdictions. State governments draw on a range of emergency services, volunteer organisations and commercial resources when responding to these emergencies, and in certain circumstances, may also request Australian Government non-financial assistance to provide additional resources for response and recovery activities.

1.2 The *Australian Government Crisis Management Framework* (AGCMF) outlines the Australian Government's approach to preparing for, responding to, and recovering from crises, and provides ministers and senior officials with guidance on their respective roles and responsibilities.⁴

1.3 The *Australian Government Disaster Response Plan* (COMDISPLAN) outlines the coordination arrangements for the provision of Australian Government non-financial assistance in the event of a disaster or emergency within Australia or its offshore territories.⁵ The COMDISPLAN derives its authority from the AGCMF and is managed by the Australian Government's Department of Home Affairs, through the National Emergency Management Agency (NEMA).⁶

1.4 For a state government to make a request under the COMDISPLAN, one of the following criteria must be met:

- all government, community and commercial resources are exhausted or are likely to be exhausted;
- the jurisdiction is unable to mobilise its own resources (or community and commercial resources) in time; or
- the Australian Government has a capability that the state or territory does not have.

Defence assistance to the civil community

1.5 Department of Defence (Defence) assistance during emergencies is provided under Defence Assistance to the Civil Community (DACC) arrangements and is governed by Defence policy and procedures.⁷ Defence has stated that:

DACC provides the means through which Defence can assist State and Territory Governments, non-Defence organisations or agencies to deliver emergency or non-emergency support at a time when their own resources are not sufficient, have been overwhelmed, no alternative for gaining

4 Department of the Prime Minister and Cabinet, *Australian Government Crisis Management Framework* [Internet], 15 November 2022, available from <https://www.pmc.gov.au/publications/australian-government-crisis-management-framework-agcmf> [accessed 31 March 2023].

5 Department of Home Affairs, *Australian Government Disaster Response Plan* [Internet], 16 December 2020, available from <https://www.homeaffairs.gov.au/emergency/files/plan-disaster-response.pdf> [accessed 31 March 2023].

6 NEMA was established in September 2022 to 'create a single, enduring, end-to-end agency to better respond to emergencies, help communities recover, and prepare Australia for future disasters.' The establishment of NEMA consolidated the functions of Emergency Management Australia (EMA) and the National Recovery and Resilience Agency. NEMA is located in the Home Affairs portfolio.

The current version of the COMDISPLAN published by the Department of Home Affairs was last reviewed in December 2020 and has not been updated to reference the recently established NEMA.

7 DACC is not conducted under any specific Commonwealth legislation.

this support is available or there is a mutually beneficial outcome for Defence in providing assistance. Whether assisting emergency service agencies to respond to natural disasters or other emergencies, or supporting government/non-government agencies, the DACC arrangements exist to guide the requirements of providing Defence support outside the core business of military operations to defend Australia.⁸

1.6 Defence's mission and purpose is to defend Australia and its national interests in order to advance Australia's security and prosperity. Defence is resourced to deliver against this through the following two outcomes, documented in its Portfolio Budget Statements. DACC activities fall under Outcome 1.

- Outcome 1: Defend Australia and its national interests through the conduct of operations and provision of support for the Australian community and civilian authorities in accordance with Government direction.
- Outcome 2: Protect and advance Australia's strategic interests through the provision of strategic policy, the development, delivery and sustainment of military, intelligence and enabling capabilities, and the promotion of regional and global security and stability as directed by Government.

DACC Policy

1.7 Defence's policies and procedures for DACC have been periodically reviewed and updated. The current iteration of the *Defence Assistance to the Civil Community Policy* (DACC Policy) was approved in August 2020 and last reviewed in August 2021 (see paragraphs 2.2–2.13 of this audit). It 'describes the agreed approach to providing Defence assistance to the civil community' and outlines ten key principles that are to be applied by Defence personnel when making decisions about the provision of DACC support.⁹ It also sets out that:

Through the 2020 Defence Strategic Update, Government has directed Defence to enhance its support to civil authorities in response to national and regional crises and natural disasters such as pandemics, bushfires, floods or cyclones. Defence is committed to assisting the civil community in both emergency and non-emergency situations. DACC is a mechanism by which Defence achieves this effect. DACC support is not to involve the use, or potential use, of force (including intrusive or coercive acts) by Defence members.¹⁰

1.8 The DACC Policy also states, in the 'rationale' section, that:

DACC provides a highly responsive and agile policy framework through which Defence can assist other organisations or agencies. This assistance delivers an outcome or effect at a time when the recipient's own resources are unlikely to be sufficient and/or have been overwhelmed. It can also include an activity of significance where there is a mutually beneficial outcome for Defence in providing assistance. Although states and territories have primary responsibility for domestic

8 Department of Defence, 'Support to the Australian Community' [Internet], available from <https://www.defence.gov.au/programs-initiatives/support-australian-community> [accessed 14 June 2023].

9 Department of Defence, *Defence Assistance to the Civil Community Policy* [Internet], 31 August 2021, pp. 4–12, available from <https://www.defence.gov.au/sites/default/files/2020-12/DACC-Policy.pdf> [accessed 31 March 2023].

The ten key principles outlined in the DACC Policy cover: the nature of support provided and the capability of Defence to provide support; approval processes; command and control arrangements; risk management; financial requirements; and preparation for, and implementation of, the provision of support.

10 *ibid.*, paragraph 1.5.

disaster response within their jurisdiction, Defence support to civilian agencies in times of major disasters and emergencies has been a consistent policy of Australian Government physical assistance. The DACC arrangements exist to guide decision makers in the application of Defence resources to provide support outside the core business of military operations to defend Australia and its national interests to advance Australia's security and prosperity.¹¹

1.9 In the DACC Policy, DACC support is classed as either 'emergency assistance' (DACC categories 1–3) or 'non-emergency assistance' (DACC categories 4–6), as set out in Box 1 below. This audit focuses on emergency assistance provided through DACC categories 1, 2 and 3. As discussed in paragraph 1.41, DACC categories 4, 5 and 6 were not examined as part of this audit.

Box 1: DACC categories

Emergency Assistance:

- DACC 1 — localised, short-term emergency responses
- DACC 2 — significant crisis response or relief assistance
- DACC 3 — significant recovery assistance

Non-emergency Assistance:

- DACC 4 — local, small-scale non-emergency support
- DACC 5 — general, significant non-emergency support
- DACC 6 — support to law enforcement – no use of force (including no intrusive or coercive acts)

Source: DACC Policy

DACC 1 — localised, short-term emergency responses

1.10 Requests for support under DACC 1 arrangements are made at the local level directly to a Senior Australian Defence Force (ADF) Officer¹², Base Manager or Unit Commander and are not required to be made in writing. Requests are considered by the 'approving authority' which, in the case of DACC 1 support, is the Senior ADF Officer, Base Manager or Unit Commander. The approving authority may approve DACC 1 support if satisfied that the following conditions are met:

- deliberate and decisive action is necessary to protect human life, prevent and/or alleviate suffering, prevent extensive loss of animal life or prevent widespread loss and damage to property;
- civilian resources are inadequate, unavailable or cannot be mobilised in time;
- the requested support is consistent with the principles of DACC (see footnote 9); and
- assistance can be provided from within the approving officer's resources.

¹¹ *ibid.*, paragraph 1.6.

¹² The Senior ADF Officer is a senior officer of a Defence base, appointed by the Chief of the Defence Force (CDF) through the responsible Service or Group Head and holds primacy of command at the base level to respond to base-wide incidents.

1.11 Once approved, the provision of DACC 1 support is coordinated by the approving authority in consultation with the regional Defence Joint Operations Support Staff (JOSS)¹³ and civilian authorities at the incident site.

1.12 The approving authority is required to re-assess the continued provision of DACC 1 support 48 hours after it was initially activated. If further support is required, it must be provided in consultation with Defence's Military Strategic Commitments Domestic Branch (MSC).¹⁴ MSC and the regional JOSS may consider transitioning the DACC 1 task to another DACC category if the continuation of support is likely to exceed the approving authority's resources.¹⁵

1.13 Support under DACC 1 arrangements concludes when the approving authority is satisfied that the emergency circumstances have been resolved, or when the support task has transitioned into another DACC category. The approving authority is required to notify JOSS, MSC and Headquarters Joint Operations Command (HQJOC)¹⁶ of any commitment to DACC 1 support as soon as possible by the most expedient means, and the JOSS are to register the request in the DACC database. These actions can be completed following the conclusion of support.

DACC 2 and DACC 3 — significant crisis response, relief and recovery assistance

1.14 Once an affected jurisdiction determines that due to the nature, magnitude or duration of an event, it cannot reasonably cope with the needs of the situation, it may advise NEMA of its intention to seek Australian Government non-financial assistance under COMDISPLAN.¹⁷ NEMA is responsible for activating COMDISPLAN¹⁸ and obtaining the required approvals from the Minister for Emergency Management after that activation.

1.15 Once ministerial approval has been provided, NEMA may request support from appropriate agencies. The process for obtaining support from Defence involves NEMA submitting a task request through MSC for approval by the Chief of the Defence Force (CDF) or an appropriately delegated official.

13 Defence's JOSS network is comprised of eight regional JOSS offices responsible for, among other things, the coordination of requests from the community for DACC support.

14 MSC provides strategic-level management and situational awareness of potential and current ADF commitments and is responsible for the DACC Policy.

15 Defence advised the ANAO in March 2023 that:

There are almost certainly instances where events have transitioned through DACC categories since 2013. Key examples are ... the events associated with COVID 19 Assist. These events added the additional complication of being non-emergency, but still often associated with life-supporting arrangements. The specific cases in the DACC database since 2013 however are not known or readily identifiable.' The DACC database is discussed at paragraphs 3.61–3.77 of this audit.

16 The role of HQJOC is to plan, control and conduct operations, activities and actions as directed to meet Australia's strategic objectives.

17 The authority to request assistance under COMDISPLAN is vested in nominated officials in each jurisdiction. See Department of Home Affairs, *Australian Government Disaster Response Plan* [Internet], 16 December 2020, p. 6, available from <https://www.homeaffairs.gov.au/emergency/files/plan-disaster-response.pdf> [accessed 31 March 2023].

18 COMDISPLAN consists of three phases: standby; activated; and deactivated. Activation of COMDISPLAN enables the coordination of requests for Australian Government assistance, and the provision of Australian Government support through NEMA.

1.16 Based on the complexity, duration or geographical spread of the support requested, CDF may issue a direction to activate a Joint Task Force (JTF). JTF arrangements are discussed at paragraphs 3.3–3.6.

1.17 Following approval of DACC 2 or 3 support, the JOSS are to register the request in the DACC database. A DACC 2 or 3 support task is to conclude when any of the following occur:

- the requesting agency withdraws its request for continued support;
- NEMA de-activates COMDISPLAN; or
- the approving authority determines, in consultation with civil authorities, that the DACC support is no longer required.

1.18 A post-activity report is to be provided to HQJOC, MSC and JOSS within 28 days of the conclusion of support and the JOSS are to ensure that all details of the task are recorded on the DACC database.

1.19 The process for requesting and providing DACC support is summarised in Figure 1.1.

Recent significant DACC events

Operation Bushfire Assist

1.20 Defence stood up Operation Bushfire Assist 2019–20 on 31 December 2019 in response to the 2019–20 bushfire season. At its peak more than 6500 ADF personnel, including 3000 reservists, worked with more than 450 international military personnel to provide emergency relief and response and recovery operations, making this operation the largest mobilisation of the ADF for domestic disaster relief in Australian history. Defence support included: use of Defence assets to facilitate the transportation of emergency supplies and evacuation of civilians; road and fence clearance; the provision of water, fuel, meals and accommodation to emergency services personnel and impacted communities; and the maintenance of fire breaks. The operation concluded on 26 March 2020.

Operation COVID-19 Assist

1.21 Announced on 1 April 2020, Operation COVID-19 Assist saw more than 18,000 ADF personnel providing support across every state and territory during the pandemic, with a peak of 3500 personnel providing support on 1 September 2020. The operation provided support for various initiatives including: hotel quarantine program assistance for returning Australians and international travellers; emergency response planning assistance; police border controls logistics support; frontline COVID-19 swab testing support; contact tracing teams; and logistical support for civilian authorities. The operation concluded on 7 October 2022.

Flood assistance

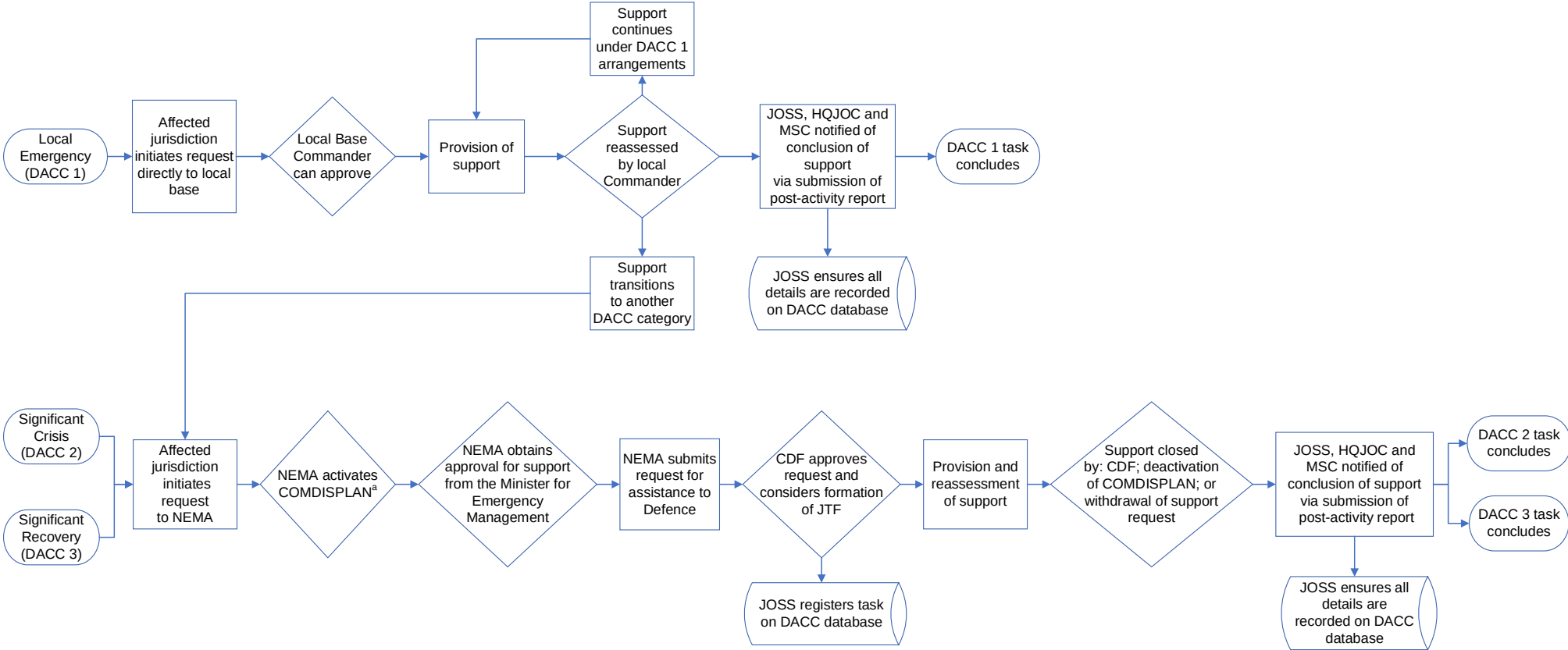
1.22 Defence has also provided support to flood-affected regions through the following operations.

- Operation NSW Flood Assist 21-1, which commenced on 24 March 2021 as part of the Australian Government's response to flooding in New South Wales (NSW) and concluded on 15 April 2021.
- Operation Flood Assist 22-1, which commenced on 28 February 2022 in response to flooding in Queensland and NSW and concluded on 26 April 2022.

- Operation Flood Assist 22-2, which commenced on 17 October 2022 in response to flooding in NSW and Victoria, before being extended to flood-affected regions of South Australia on 14 December 2022 and concluding on 5 February 2023.
- Operation Flood Assist 23-1, which commenced on 6 January 2023 after heavy rainfall in Western Australia's Kimberley region and concluded on 28 February 2023.

1.23 Defence assistance across these operations included: sandbagging; use of Defence assets to support search and rescue efforts; doorknocking; aerial surveillance and imagery of flood-affected regions; and clearance of flood-damaged waste.

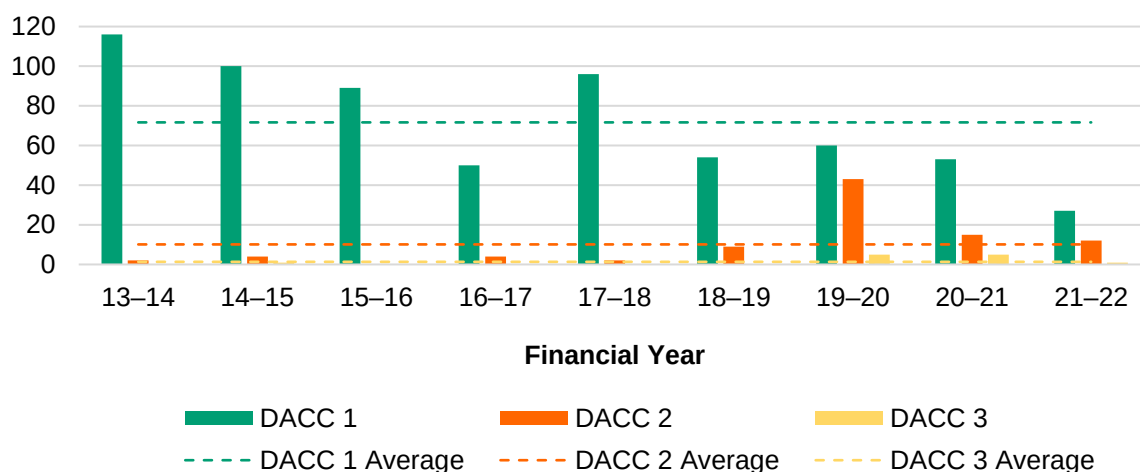
Figure 1.1 DACC request for support process



1.24 For the period 27 May 2013 to 30 June 2022, Defence recorded 4051 individual emergency and non-emergency DACC tasks in the DACC database. The majority of these have been recorded as DACC 1 activities, with a notable increase in DACC 2 and DACC 3 tasks from 2018–19. This increase largely relates to support provided as part of Operation Bushfire Assist 2019–20, Operation COVID-19 Assist, and the flood assistance operations discussed in paragraph 1.22.

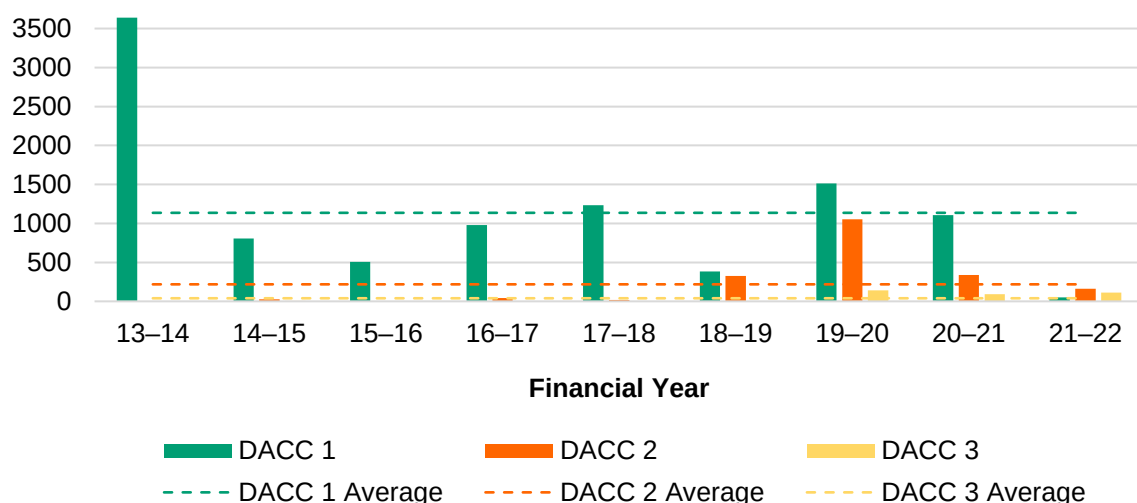
1.25 Figure 1.2 and Figure 1.3 illustrate the distribution of DACC support for each year for the period 27 May 2013 to 30 June 2022, as recorded in Defence's DACC database.¹⁹

Figure 1.2 Number of emergency DACC tasks recorded by Defence, per annum and by DACC category



Source: ANAO analysis of Defence data.

Figure 1.3 Days of emergency DACC support recorded by Defence, per annum and by DACC category



Source: ANAO analysis of Defence data.

¹⁹ While the information in the database suggests that the volume of DACC 1 support has decreased since 2013–14, ANAO analysis indicates that this may not be accurate due to poor record-keeping and other data integrity issues. This issue is discussed further in paragraphs 3.66–3.77.

DACC related expenditure

1.26 The DACC Policy states that the costs incurred for all DACC support are to be funded from Defence Service and Group budgets. However, the Australian Government may agree to provide supplementary funding where it directs the ADF to undertake major operations. Where supplementation is agreed, Defence receives funding for the net additional cost of major operations on a 'no-win/no-loss basis'.²⁰ The net additional cost is the cost of a Defence operation, above the cost of Defence business-as-usual activities.

1.27 Table 1.1 sets out the net additional cost component recorded by Defence for 2019–20, 2020–21, 2021–22 and 2022–23.

Table 1.1 Net additional costs recorded by Defence for DACC support

DACC support ^a	2019–20	2020–21	2021–22	2022–23 ^d	Total
DACC 1	–	\$60	\$7,932	–	\$7,992
DACC 2	\$204,227	\$636,238	\$40,546	\$336,456	\$1,217,467
DACC 3	\$45,731	–	\$114,292	\$29,420	\$189,443
Operation COVID-19 Assist ^b	–	\$145,880,000	\$116,200,000	\$3,861,059	\$265,941,059
Operation Bushfire Assist 2019–20	\$68,406,000	–	–	–	\$68,406,000
Operation Flood Assist (21–1 and 22–1)	–	– ^c	\$23,141,000	\$8,806,488	\$31,947,488

Note a: Defence reports costs by DACC category unless the task becomes a declared operation. Once declared, a specific charge code is established for the operation and the associated costs from that point onwards are recorded against that code. Operations may include costs associated with multiple DACC categories. Defence is unable to disaggregate the costs recorded for declared operations by DACC category.

Note b: Tasks under Operation COVID-19 Assist were managed as non-emergency DACC arrangements. The ANAO identified 43 tasks associated with the COVID-19 response in the DACC database that were recorded as emergency DACC (categories 1–3). Defence provided documentation to the ANAO in July 2023 showing that 42 of these tasks had been re-categorised as non-emergency tasks.

Note c: Defence was unable to provide the ANAO with cost figures for Operation Flood Assist 2021–1.

Note d: Figures for 2022–23 are based on Defence advice to the ANAO provided in September 2023.

Source: Defence data.

Reviews and inquiries into DACC arrangements

Royal Commission into National Natural Disaster Arrangements

1.28 On 20 February 2020, the Prime Minister announced the establishment of a Royal Commission to examine the national natural disaster coordination arrangements in the aftermath

20 No-win/no-loss arrangements seek to ensure Defence is not financially advantaged or disadvantaged by a government direction to undertake major operations. For the purposes of supplementation, and unless the Australian Government agrees otherwise, a major operation is an operation where the net additional cost of conducting that operation is equal to, or exceeds, \$10 million in the Budget year.

of the 2019–20 bushfires. The Royal Commission’s final report was tabled in Parliament on 30 October 2020. It found that:

- there was confusion at the state and territory level over the thresholds for requesting Commonwealth support, and the role of Defence in providing support in response to domestic disasters; and
- Defence personnel providing DACC support were not afforded the same immunity provisions from civil or criminal liability that state and territory emergency services personnel possessed.²¹

1.29 The Royal Commission made 80 recommendations. Three related to DACC support, as follows.

- State and territory governments should take steps to ensure that there is better interaction, planning and ongoing understanding of ADF capabilities and processes by state and territory fire and emergency service agencies and local governments.
- The Australian Government should review the content of the DACC Manual to ensure consistency of language and application with a revised COMDISPLAN.
- The Australian Government should afford appropriate legal protections from civil and criminal liability to ADF members when conducting activities under an authorisation to prepare for, respond to and recover from natural disasters.²²

1.30 The Australian Government supported the three recommendations. Defence’s progress in implementing these recommendations is discussed at paragraph 4.41.

Senate Select Committee on Australia's Disaster Resilience

1.31 The Senate Select Committee on Australia’s Disaster Resilience was established on 30 November 2022 to inquire into Australia’s preparedness, response and recovery workforce models, as well as alternative models to disaster recovery. The Committee’s terms of reference outlined, among other things, that it would examine:

- the role of the ADF in responding to domestic natural disasters;
- the impact of more frequent and more intense natural disasters, due to climate change, on the ongoing capacity and capability of the ADF; and
- the impact on the ADF in responding to domestic natural disasters.

21 Royal Commission into National Natural Disaster Arrangements, *Royal Commission into National Natural Disaster Arrangements Report* [Internet], 28 October 2020, pp. 187–199, available from <https://naturaldisaster.royalcommission.gov.au/publications/royal-commission-national-natural-disaster-arrangements-report> [accessed 27 March 2023].

22 A Senate Finance and Public Administration References Committee inquiry, *Lessons to be learned in relation to the Australian bushfire season 2019-20*, released in December 2021, noted the findings and recommendations of the Royal Commission in relation to Defence. The inquiry did not make any recommendations of its own to Defence.

1.32 As at September 2023, the Committee's final report was scheduled for tabling in April 2024.²³

State and territory inquiries

1.33 The 2019–20 bushfire season resulted in multiple state and territory reviews of response efforts, including those outlined in Table 1.2. DACC arrangements have been considered in the context of many inquiries.

Table 1.2 State and territory inquiries – findings relating to DACC

Report	Findings relating to DACC
Final Report of the NSW Bushfire Inquiry, July 2020	The inquiry recommended that the NSW and Australian Governments review DACC arrangements including the circumstances in which states can request Australian Government assistance, and the level of information provided by the ADF to states on available resources and capabilities. ^a
Inquiry into the 2019–20 Victorian Fire Season – Phase 1 Community and sector preparedness for and response to the 2019–20 fire season	The inquiry found that Defence assistance had been dispatched in a timely manner in response to COMDISPLAN requests from Victoria and that ADF support was critical to the response and relief operations during the 2019–20 fire season. The report did not make any recommendations relating to DACC support. ^b
Independent Review into South Australia's 2019–20 Bushfire Season	The review found that ADF capabilities were not well understood by civilian agencies or the community and recommended regular engagement with the ADF to understand the capabilities that could potentially be deployed. ^c
ACT Emergency Services Agency Operational Review of the Bushfire Season 2019/20	The review found that DACC support requests were dealt with in a timely manner, and that coordination between the ACT Emergency Services Agency and the ADF was effective. The report did not make any recommendations relating to DACC support. ^d
ACT Coronial inquiry into the Orroral Valley Fire	The inquiry was ongoing at the time of this audit. The Orroral Valley fire started on 27 January 2020 when an ADF helicopter landed in Namadgi National Park. The inquiry's scope includes the events between ignition of the fire and subsequent communication of the fire's location to the ACT Emergency Services Agency.

Note a: NSW Bushfire Inquiry, *Final Report of the NSW Bushfire Inquiry* [Internet], 31 July 2020, pp. 349–353, available from <https://www.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/publications/NSW-Bushfire-Inquiry-1630/Final-Report-of-the-NSW-Bushfire-Inquiry.pdf> [accessed 27 March 2023].

Note b: Inspector-General for Emergency Management, *Inquiry into the 2019–20 Victorian Fire Season – Phase 1 Community and sector preparedness for and response to the 2019–20 fire season* [Internet], 31 July 2020, pp. 321–324, available from <https://files.igem.vic.gov.au/2021-03/Inquiry%20into%20the%202019%2020%20Victorian%20Fire%20Season.pdf> [accessed 27 March 2023].

23 On 14 September 2023, the Joint Standing Committee on Foreign Affairs, Defence and Trade published a report following its inquiry into the Department of Defence Annual Report 2021–22. The report made observations in relation to Defence's support for domestic crises including natural disasters. See: Joint Standing Committee on Foreign Affairs, Defence and Trade, *Inquiry into the Department of Defence Annual Report 2021–22* [Internet], 14 September 2023, available from https://parlinfo.aph.gov.au/parlInfo/download/committees/reportjnt/RB000124/toc_pdf/InquiryintotheDepartmentofDefenceAnnualReport2021%e2%80%9322.pdf [accessed 14 September 2023].

Note c: Government of South Australia, *Independent Review into South Australia's 2019–20 Bushfire Season* [Internet], June 2020, pp. 69–70, and 119, available from <https://www.safecom.sa.gov.au/public/download.jsp?id=159868> [accessed 27 March 2023].

Note d: ACT Government, *ACT Emergency Services Agency Operational Review of the Bushfire Season 2019/20*, [Internet], 20 August 2020, pp. 44–45, available from <https://esa.act.gov.au/sites/default/files/2020-08/ACT%20Emergency%20Services%20Agency%20Operational%20Review%20of%20the%20Bushfire%20Season%202019-20.PDF> [accessed 27 March 2023].

Source: ANAO analysis.

Defence Strategic Review

1.34 The Australian Government released a public version of the Defence Strategic Review on 24 April 2023. The review stated that:

- Defence is not structured or appropriately equipped to act as a domestic disaster recovery agency concurrently with its core function, in any sustainable way.
- Defence must be the force of last resort for domestic aid to the civil community. This is critical given the urgent geostrategic risks that the nation faces and the need for the ADF to be in a position to respond to regional contingencies.²⁴

1.35 The review recommended that: ‘Defence should be the force of last resort for domestic aid to the civil community, except in extreme circumstances.’²⁵ The Australian Government agreed in principle to this recommendation, and made the following observations.

- It acknowledged that the ADF’s role in providing assistance to the civil community following natural disasters came at a cost to force preparedness, readiness and combat effectiveness.
- It would work in partnership with states and territories to further develop national resilience response mechanisms.
- It would further develop and consider the recommendations it had agreed to in-principle as part of a National Defence Strategy to be delivered in 2024.²⁶

Previous audits and reports

1.36 Previous ANAO performance audits relating to Defence’s arrangements for responding to domestic emergencies include:

- Auditor-General Report No.46 2021–22 *Administration of the National Bushfire Recovery Agency*;

24 Australian Government, *National Defence: Defence Strategic Review 2023* [Internet], 23 April 2023, p. 41, available from <https://www.defence.gov.au/about/reviews-inquiries/defence-strategic-review> [accessed 14 June 2023].

25 *ibid.*, p. 109.

26 *ibid.*, p. 110.

In August 2023, the Australian Government released a public discussion paper on ‘Alternative Commonwealth Capabilities for Crisis Response’ and called for ‘views on the capabilities that the Commonwealth Government needs to have to support state and territory-led crisis response and recovery efforts as an alternative to the ADF.’

- Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community*²⁷;
- Auditor-General Report No.1 2011–12 *The Australian Defence Force’s Mechanisms for Learning from Operational Activities*; and
- Auditor-General Report No.41 1999–2000 *Commonwealth Emergency Management Arrangements*.

Rationale for undertaking the audit

1.37 DACC provides the means through which Defence can assist other organisations or agencies. This assistance delivers an outcome or effect at a time when the recipient’s own resources are unlikely to be sufficient and/or have been overwhelmed. The Australian Government has observed, in the context of the recent Defence Strategic Review, that the ADF’s role in providing assistance to the civil community following natural disasters comes at a cost to force preparedness, readiness and combat effectiveness.

1.38 This audit has been undertaken to provide independent assurance to the Parliament on the effectiveness of Defence’s administrative arrangements to support the provision of emergency assistance to the civil community.

Audit approach

Audit objective, criteria and scope

1.39 The objective of the audit was to assess the effectiveness of Defence’s planning and administrative arrangements to support the provision of emergency DACC.

1.40 To form a conclusion against the objective, the following high-level criteria were adopted.

- Does Defence prepare effectively to respond to DACC requests?
- Has Defence established fit-for-purpose arrangements to manage DACC delivery?
- Has Defence established arrangements to assess and learn from DACC activity and reviews?

1.41 The ANAO examined Defence’s framework of policies, plans, processes and guidance that apply to its preparations for, and provision of ‘emergency assistance’ (DACC categories 1, 2 and 3). The ANAO did not examine:

- ‘non-emergency assistance’ provided through the DACC framework (DACC categories 4, 5 and 6);
- the results of support delivered under DACC by Defence; or
- the activities of other entities, or the effectiveness of emergency management frameworks managed by other entities, such as the COMDISPLAN and the AGCMF.

27 The ANAO has assessed Defence’s progress in addressing the recommendation from this report at paragraphs 4.31–4.37.

Audit methodology

1.42 The audit methodology included discussions with relevant Defence officials and an examination and analysis of Defence records.

1.43 The audit was open to contributions from the public. The ANAO did not receive any submissions.

1.44 The audit was conducted in accordance with ANAO Auditing Standards at a cost to the ANAO of approximately \$549,961.

1.45 The team members for this audit were Jarrad Hamilton, Hugh Balgarnie, Shane Madden, Ethan Carey, Burak Yuksel, Sally Ramsey and Amy Willmott.

2. Preparing to respond to DACC requests

Areas examined

This chapter examines whether the Department of Defence (Defence) prepares effectively for responding to emergency Defence Assistance to the Civil Community (DACC) requests.

Conclusion

In respect to its planning and preparation for emergency DACC activity, Defence has:

- provided clear guidance on its roles and responsibilities;
- undertaken relevant stakeholder engagement, including at the national and sub-national levels;
- taken appropriate steps to prepare its personnel to deliver DACC;
- undertaken relevant and focused information gathering and planning, including in the lead-up to the High Risk Weather Season; and
- provided advice to the Australian Government and reviewers on the impact of DACC on Defence capability.

2.1 Effective planning and administrative arrangements for DACC activity will include clear guidance on Defence's roles and responsibilities, effective stakeholder engagement, the preparation of Defence personnel to deliver DACC, focused information gathering and planning, and advice to decision-makers on risks associated with the activity.

Has Defence provided clear guidance on its DACC role and responsibilities?

Clear guidance on Defence's civil assistance role was provided in October 2020, when the August 2020 DACC policy framework was published. Among other things, the framework outlines the circumstances in which Defence may provide assistance and how those activities are to be requested and coordinated. Prior to its public release, Defence undertook an internal review of the framework to identify learnings from the 2019–20 bushfires and to inform its response to a government request that existing DACC arrangements be reformed so as to take a more proactive stance for responding to significant natural disasters.

Defence's *Concept Plan Coalesce* sets out the operational framework to enable detailed planning for the provision of DACC 2 and DACC 3 support. It was last updated in November 2022 and is supported by eight regional Joint Operations Support Staff (JOSS) support plans, seven of which are to be reviewed annually. At June 2023, four of these plans remained overdue for review by up to 53 months (4.4 years).

Defence's DACC policy framework

2.2 Internal policies and procedures to govern Defence's delivery of assistance to the civil community comprise the *Defence Assistance to the Civil Community Policy* (DACC Policy) and the

Defence Assistance to the Civil Community Manual (DACC Manual).²⁸ The DACC Manual has been in place since 2012. The DACC Policy was first established in August 2020.²⁹

2.3 The DACC Policy provides high-level guidance in the form of a policy statement, concepts, and a set of principles for Defence personnel considering whether to approve requests for DACC. Those concepts and principles include that:

- the provision of DACC support requires a continuous evaluation of the readiness of the Defence resources necessary to achieve the Australian Government's expected Defence outcomes;
- the provision of DACC is based on a number of factors and deliberate consideration is required to ensure Defence resources are used to deliver the core business of Defence; and
- DACC support is not to involve the use, or potential use, of force by Defence members.

2.4 This high-level guidance is supported by the DACC Manual, which sets out comprehensive working level processes and procedures. The first edition of the DACC Manual was issued by the Secretary of Defence and Chief of the Defence Force (CDF) in December 2012.³⁰ In addition to minor editorial amendments, the DACC Manual has undergone four reviews that resulted in new editions issued between 2017 and 2022, with the most significant amendments made in August 2020.³¹

2.5 The 2017 review involved changes as a result of learnings from Cyclone Debbie, a severe tropical cyclone that impacted Queensland in March 2017. These changes included aligning DACC categories with the terminology and process of the *Australian Government Crisis Management Framework* (AGCMF) and the *Australian Government Disaster Response Plan* (COMDISPLAN); and clarifying the ability of Joint Task Force (JTF) Commanders to approve and complete DACC 1 tasks.³²

2.6 Work for the next and most substantial review commenced in February 2020, in the context of the Australian Government's review of learnings from the response to the 2019–20 Australian bushfires and early work on reform options to strengthen the Commonwealth's ability to prepare for, and respond to, natural disasters and emergencies of national scale (see paragraph 2.53). As part of this work, Defence was responsible for:

- considering options to enable the Australian Defence Force (ADF) to take a more proactive stance in responding to significant natural disasters, including reforms to DACC, Defence

28 The DACC Policy is to be reviewed at least every two years, with the last review undertaken in August 2021. Defence advised the ANAO in July 2023 that revision of the DACC policy was due in August 2023.

29 Until then, the DACC Manual had contained both policy and operational content. The policy content was removed and established separately in the DACC Policy document in August 2020. See paragraphs 2.8–2.11 of this audit.

30 Prior to December 2012, the provision of DACC was governed by *Defence Instructions (General) OPS 05-1: Defence Assistance to the Civil Community — policy and procedures*.

31 The DACC Manual was also amended in June 2014 as part of a 'minor review' in response to Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community* (discussed at paragraphs 4.31–4.37 of this audit). While this review did not result in a new edition of the DACC Manual, it introduced mandatory post-activity reporting (PAR) and annual reporting requirements. PAR is discussed at paragraphs 3.81–3.89 and annual reporting is discussed at paragraphs 3.90–3.99 of this audit.

32 The 2017 review also resulted in the removal of clauses which mandated PARs. The requirement was reintroduced into the DACC Manual as part of its 2020 review.

Force Aid to the Civil Authority (DFACA) and Part III AAA arrangements under the *Defence Act 1903*³³; and

- examining ADF force structure and posture for domestic crisis response.

2.7 On the issue of potential changes to DACC arrangements, Defence's advice to government recommended against the establishment of a legislative framework for the use of the ADF for disaster relief, and for the continuation of the existing DACC policy framework, as: 'This allows flexibility for the use of the ADF by the Government as it sees fits [sic] without a prescriptive legal framework'. Defence also recommended that the DACC Manual be 'further enhanced and streamlined to facilitate more proactive ADF response to disaster relief'. Government consideration of this advice is discussed further in paragraphs 2.53 to 2.56.

2.8 In response to a CDF direction in March 2020, Defence's Military Strategic Commitments Division (MSC) had sought input from Emergency Management Australia (EMA)³⁴ and from across Defence and the ADF to inform the 2020 review of the DACC Manual. The Vice Chief of the Defence Force (VCDF) provided approval in June 2020 for a 'stand-alone' DACC Policy document to be developed. This was to occur ahead of revisions to the DACC Manual, which was to remain in place as a separate document focused on working level processes and procedures.

2.9 While authority to approve the DACC Policy was to remain with VCDF, approval of the DACC Manual was devolved to the Head of MSC. This was to streamline approvals for any amendments to the procedures resulting from annual High Risk Weather Season (HRWS) stakeholder reviews.³⁵ This was the second time the approval authority for the DACC Manual has been reassigned since the first edition of the DACC Manual was approved in 2012.³⁶

2.10 The content of the new DACC Policy comprised largely of extracted and rearranged policy elements that had been previously included in the DACC Manual.

2.11 On 2 October 2020, the Defence Minister wrote to the Prime Minister confirming that the review of DACC arrangements was complete and that a new, principles-based DACC Policy and a streamlined DACC Manual had been approved. The Defence Minister summarised the key changes as follows.

- The DACC policy documents had been published on Defence's public access website to provide civilian authorities with access to information on how DACC is requested and approved.³⁷

33 Under DFACA arrangements, Defence may be deployed domestically to enhance the capabilities of state or territory law enforcement authorities. This support may involve the use of force for domestic and maritime security operations. These arrangements are provided for under Part III AAA of the *Defence Act 1903*.

34 EMA transitioned to the National Emergency Management Agency (NEMA) in September 2022.

35 Defence's June 2020 advice to the VCDF indicated that this annual review process was not a new feature and had been in place since at least prior to the 2017 review.

36 The first edition of the DACC Manual (2012) was authorised by the Secretary and CDF and the second (2017) edition was authorised by the VCDF.

37 The Royal Commission in Natural Disaster Arrangements welcomed the public release of the DACC Manual, noting that during the 2019–20 bushfires the Manual was not publicly available which may have contributed to the limited understanding of DACC arrangements by state and local governments.

- The DACC approval and ‘approval not to charge’ delegations had been amended to improve responsiveness of Defence support³⁸ (DACC cost recovery arrangements are discussed at paragraphs 3.34–3.44 of this audit).
- A HRWS section had been included to improve integration with Commonwealth, state and territory management authorities (Defence’s HRWS arrangements are covered in paragraphs 2.22–2.26 of this audit).
- JTF and Joint Task Group (JTG) roles and responsibilities had been defined, including the establishment of an ADF representative to facilitate communication with states and territories ahead of the HRWS (JTF and JTG arrangements are covered in paragraphs 3.3–3.6 of this audit).
- Updated command and control, roles and responsibilities, public events of significance, legal, finance, WHS, administration and reporting.

2.12 The August 2020 DACC Policy and Manual were published on the Royal Commission website on 9 October 2020.

2.13 The most recent review of the DACC Manual was completed in December 2022 to reflect the establishment of the National Emergency Management Agency (NEMA) in September 2022 and to align with Defence’s February 2022 Accountable Authority Instructions.³⁹ Defence did not seek input from external stakeholders as part of the review.⁴⁰

DACC roles and responsibilities

2.14 Table 2.1 below outlines the roles and responsibilities of key internal Defence stakeholders. These are clearly set out in the DACC Manual.

38 Under the previous version of the DACC Manual, the CDF could waive cost recovery for DACC 3 tasks when the cost was under \$100,000 and the Defence Minister’s approval was required when costs were over \$100,000. In July 2020, Defence advised the Defence Minister that the level of support able to be provided below this threshold had diminished over the last decade due to increased operating costs. This had increased the need for ministerial approval for waivers and was described as an ‘additional level of administrative overhead’ that reduced Defence’s ability to respond to emergencies in a timely manner. Defence sought and received the Minister’s approval to raise this threshold to \$500,000, which provided CDF with authority to waive cost recovery for DACC 3 tasks that did not exceed \$500,000.

39 Defence’s February 2021 Accountable Authority Instructions (AAIs) included a list of Defence personnel who were authorised to approve not charging for DACC and instructions for submitting requests to the Minister, for not charging for DACC, when costs exceeded \$500,000. The September 2021 DACC Manual required that Defence personnel administer cost recovery in accordance with the AAIs. Defence’s February 2022 AAIs removed the list but maintained the instructions relating to submitting requests to the Minister (Defence’s 2023 AAIs are unchanged with respect to this content). The December 2022 DACC Manual required Defence personnel to administer cost recovery arrangements in accordance with the DACC Policy and Manual noting that this is authorised by Defence’s AAIs.

40 Defence sought input from EMA (now NEMA) as part of its 2020 review of the DACC Manual.

Table 2.1 Emergency DACC roles and responsibilities

Role	Emergency DACC responsibility
Chief of the Defence Force (CDF)	• Direct the Chief of Joint Operations (CJOPS) or Service Chiefs to execute emergency DACC support. • Appoint a Joint Task Force (JTF) Commander, as appropriate. • Approve DACC 2 and DACC 3 support tasks. • Approve cost recovery waivers for DACC support, up to a value of \$500,000.
Vice Chief of the Defence Force (VCDF)	• Accountable officer for the DACC Policy. • Approve cost recovery waivers for DACC support, up to a value of \$250,000. • Coordinate the preparation of ministerial-level documentation relating to DACC.
Chief of Joint Operations (CJOPS) Commands Headquarters Joint Operations Command (HQJOC)	• Exercise command and control^a of emergency DACC support, when directed by CDF. • Review supporting operational plans.
Military Strategic Commitments Division (MSC)	• Ensure the strategic policy and procedures for DACC are aligned with Australian Government policy and direction for Defence support. • Implement and review DACC Policy and procedures. • Approve cost recovery waivers for DACC support, up to a value of \$250,000. • Coordinate ADF representation at strategic-level interdepartmental committee meetings. • Coordinate Defence engagement for HRWS preparation activities in support of NEMA. • Prepare strategic reporting of DACC support as required.
Director Operations and Training Area Management (DOTAM)	• Collect and maintain reporting data of all DACC activity for periodic reporting as required. • Exercise command and control of regional JOSS.
Joint Operations Support Staff (JOSS)	• Act as a community point of contact for DACC requests. • Conduct direct liaison with the Defence chain of command in order to facilitate DACC situational awareness. • Ensure all requests for DACC support are registered and processed in accordance with DACC policy and procedures.
Military Service Chiefs (Navy, Army, Air Force)	• Provide personnel, assets and capabilities to CJOPS for use for emergency DACC support. • Approve cost recovery waivers for DACC support, up to a value of \$250,000. • Ensure that post-activity reports are completed and submitted within 28 days of the cessation of DACC support.

Role	Emergency DACC responsibility
Joint Task Force (JTF) Commander	- Exercise command and control of authorised DACC support as delegated by CDF. - Maintain engagement with state and territory emergency management agencies in consultation with NEMA and the regional JOSS. - Ensure post-activity reports are completed and provided to HQJOC and the relevant JOSS within 28 days of the cessation of DACC support.
Defence Finance Group (DFG)	- Review cost estimates for DACC support and provide resource implication comments in DACC cost waivers where two or more ADF Services are committed to the support. - Coordinate submissions to government requesting No-Win, No-Loss funding for major DACC operations.

Note a: Command and control is the process for the exercise of authority over, and lawful direction of, assigned forces and the means by which military forces are organised towards the strategic goals set by government. Defence's implementation of these arrangements in the context of DACC is discussed at paragraphs 3.22–3.25 of this audit.

Source: ANAO summary of details within the 2022 DACC Manual and 2021 DACC Policy.

Emergency DACC categories

2.15 The DACC Manual provides guidance on the categorisation of DACC activities and includes examples of support tasks that may be provided under each category.

2.16 Table 2.2 below sets out the descriptions of emergency DACC categories 1–3 provided in the December 2022 DACC Manual.

Table 2.2: Emergency DACC categories

DACC category	Details
1 Local Emergency Assistance	- DACC 1 is emergency assistance provided to authorities at a local level where: - deliberate and decisive action is necessary to save human life, alleviate suffering, prevent extensive loss of animal life or prevent widespread loss and damage to property; and - local civilian resources are inadequate, unavailable or cannot be mobilised in time. - DACC 1 support is provided from within the resources of a local Defence unit or base, or the integral resources already assigned to an established Joint Task Force (JTF). - DACC 1 tasks are short term in nature (generally no more than 48 hours). - The approving authority for DACC 1 support is the local Senior ADF Officer, Base Manager or Unit Commander. - Cost recovery for DACC 1 support is not undertaken unless the DACC recipient agrees to pay the costs.^a

DACC category		Details
2	Significant Crisis Response or Relief Assistance	- DACC 2 refers to requests for significant emergency non-financial assistance. - DACC 2 support is beyond the assistance that can be provided under DACC 1 due to the location, scale, complexity or expected duration of the request. - DACC 2 tasks require significant command and control, liaison officer engagement and personnel and materiel capability. - The approving authority for DACC 2 support is the CDF or another officer as delegated through a CDF Order. - Cost recovery for DACC 2 support is not undertaken unless the DACC recipient agrees to pay the costs.^b
3	Significant Recovery Assistance	- DACC 3 is assistance associated with recovery from a civil emergency or disaster, where the immediate threat to life or property has passed. - Provision of DACC 3 support involves longer term operations, such as reconstruction of physical infrastructure. - The approving authority for DACC 3 support is the CDF or another officer as delegated through a CDF Order. - DACC 3 support is provided on the basis of full recovery of direct costs unless those costs are waived by Defence.^c

Note a: There were no DACC requests recorded on the DACC database where it is evident that Defence has undertaken cost recovery for DACC 1 tasks.

Note b: The DACC database contains records for two DACC 2 tasks where cost recovery was recorded.

Note c: Cost recovery and waivers for DACC 3 support are discussed at paragraphs 3.34–3.44 of this audit.

Source: Summary of details within the 2022 DACC Manual.

Supporting guidance for Defence personnel

2.17 In addition to the DACC Manual, Defence has developed a Domestic Operations Doctrine for ADF use.⁴¹ It was issued by CDF on 12 October 2021.⁴² It provides guidance for planning and conducting Defence contributions to domestic operations that are broader than, but may involve, DACC support. These include domestic security operations, major event operations, and civilian search and rescue.

2.18 Defence has also detailed the operational framework and arrangements for the provision of DACC 2 and DACC 3 support by the ADF through its 'Concept Plan Coalesce', which is to be reviewed annually or 'as directed'. The current version of the plan, as at June 2023, was issued by the Chief of Joint Operations (CJOPS) on 15 November 2022.⁴³ It references the DACC Manual and DACC

41 ADF doctrines describe the general principles that guide the employment and operational effectiveness of the ADF. A doctrine is not a policy and does not have legal standing, however it provides authoritative guidance that requires judgement in its application.

42 The Domestic Operations Doctrine replaced *Joint Doctrine Note 5-20 – ADF Response to a Natural Disaster/Emergency*, issued in December 2020. The Domestic Operations Doctrine expanded on the Joint Doctrine Note to include domestic security, major event, and civil maritime security operations. Joint Doctrine Notes address emerging doctrine or an urgent requirement to fill a gap in existing doctrine.

43 The 2020 review aligned the plan with changes that were made to the DACC Manual in 2020 (see paragraphs 2.8–2.11) by adding additional tasks, synchronising planning and training with relevant agencies, and relationship management with state and territory civil management authorities. These tasks remained in the 2022 Concept Plan Coalesce.

Policy and outlines: limitations in relation to the provision of support; assumptions and facts about the operating environment; and operational requirements for Defence Services and Groups.⁴⁴

2.19 Defence has also developed eight regional JOSS support plans which reference the Concept Plan as a guiding document. The ANAO's review of the regional JOSS support plans indicated the following.

- The Australian Capital Territory/Southern New South Wales support plan, the Northern New South Wales support plan, the Queensland support plan, and the Tasmania JOSS support plan were overdue for review.⁴⁵
- Only one of the plans referenced Concept Plan Coalesce.⁴⁶
- None of the plans referenced the current version of the DACC Manual.⁴⁷

2.20 These findings are consistent with observations made by the ANAO in Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community*, which found that regional support plans contained references to out-of-date material. The ANAO suggested in that audit that Defence centrally review the content of the regional plans on an annual basis.⁴⁸

2.21 The Queensland, New South Wales, Australian Capital Territory/Southern New South Wales, and Western Australia regional JOSS offices have also developed their own Standard Operating Procedures for the provision of DACC support.⁴⁹ These procedures align with the processes in the DACC Manual and provide guidance at a more granular or region-specific level, such as outlining naming conventions for documents and key emergency contacts in the JOSS region.

Has Defence engaged with DACC stakeholders?

Since 2020, Defence's engagement with stakeholders has been focused on annual planning and communication activities in preparation for the High Risk Weather Season (HRWS). Defence inputs to the 2022–23 HRWS Preparedness Program included a briefing for each state and territory outlining the process for requesting DACC support, as well as details on Defence's capabilities, HRWS posture, and resource limitations. Defence also drafted a HRWS Communication Plan in December 2020 to identify target audiences, key stakeholders, and the sensitivities and risks for communication around DACC activities.

44 There is an inconsistency between the 2022 Concept Plan Coalesce and the 2022 DACC Manual. The plan states that it 'is to be activated following a Government of Australia request to support national, state or territory civil emergency management authorities as directed by the Approving Authority.' However, in relation to DACC 2 and DACC 3 support, the DACC Manual states that 'CJOPS will consider activating Concept Plan (CONPLAN) COALESCE'. Defence advised the ANAO in July 2023 that activation of Concept Plan Coalesce is not mandatory for DACC 2 and DACC 3 tasks.

45 The support plans for ACT/Southern NSW, Northern NSW and Tasmania are scheduled for annual review. The support plan for Queensland does not stipulate a review period. These support plans were last reviewed in: May 2018 (Northern NSW); December 2018 (ACT/Northern NSW); November 2020 (Queensland); and December 2021 (Tasmania).

46 The remaining seven JOSS support plans all referenced the former 'Concept Plan Charlemagne'.

47 The current version of the DACC Manual was released on 2 December 2022. The South Australia and Northern Territory regional JOSS support plans were reviewed after the release of the current DACC Manual.

48 Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community*, paragraph 3.13.

49 Defence advised the ANAO in March 2023 that the Tasmania, Victoria and Northern Territory JOSS offices use the DACC processes set out in the DACC Manual as their standard operating procedures.

Defence records do not support regular attendance at relevant committees and forums, as required by the DACC Manual since August 2020. At the national level, these include the Australian Government Crisis and Recovery Committee and National Coordination Mechanism.

2.22 Defence undertakes planning each year in preparation for the High Risk Weather Season (HRWS). This is a six-month period between 1 October and 30 April, which includes the Australian cyclone season (November to April) and the southern Australia bushfire season (based on the NSW statutory bushfire danger period of 1 October to 31 March).

National Emergency Management Agency Preparedness Program

2.23 Prior to the August 2020 review and update of the DACC Manual (discussed in paragraphs 2.8–2.11), it was standard Defence procedure for the CJOPS to issue a HRWS Warning Order in September of each year. The orders summarised the upcoming expected weather conditions and directed Defence personnel to undertake communication with civil authorities, particularly Emergency Management Australia (EMA),⁵⁰ ‘during the evolution of an event’. Defence would then, in October each year, provide the Defence Minister with a HRWS brief summarising the weather risks identified and the Defence service capabilities available to provide DACC support.

2.24 This process was expanded and documented within the DACC Manual in August 2020, in a dedicated HRWS preparedness chapter that describes, among other things, Defence’s roles and responsibilities in engaging with stakeholders as part of the National Emergency Management Agency’s (NEMA) HRWS Preparedness Program. The manual defines the preparedness program as ‘a series of activities conducted around Australia with federal, state and territory emergency management authorities’, and outlines that these activities are to:

- ensure an ongoing understanding of the civil operating environment, state/territory responsibilities, authorities, interdependencies, interoperability as well as their potential operational hazards, risks and challenges; and
- enable an understanding of the roles and responsibilities of the various Defence entities, as well as allow for an understanding of Defence capabilities which will likely be available during the HRWS.

2.25 These requirements were added to the DACC Manual as part of the August 2020 review. They were intended to address a recommendation of Defence’s internal review into Operation Bushfire Assist 2019–20 (discussed further in paragraphs 4.24–4.28).⁵¹

2.26 To support NEMA’s preparedness program in 2022–23, Defence developed a briefing for each state and territory outlining the process for requesting DACC support, as well as Defence’s

50 EMA transitioned to the National Emergency Management Agency (NEMA) in September 2022.

51 Recommendation 4(a) was that Defence, with EMA (now NEMA), coordinate with state and territory emergency management authorities to enhance integration and strengthen preparation for natural disasters and emergencies.

capabilities, HRWS posture, and resource limitations.⁵² The briefings also outlined the factors considered by Defence when assessing whether it is able to provide DACC support, including: the impact on other Defence operations, activities and preparedness; and that the provision of support does not replace the primary responsibility of states and territories for emergency response. Defence developed similar briefings for the 2021–22 HRWS Preparedness Program.

Committee representation

2.27 The HRWS preparedness chapter of the August 2020 DACC Manual also outlined the areas and/or Defence personnel responsible for Defence's representation at national, state and territory, and local standing emergency management committees.

2.28 Defence records do not support regular attendance at these committees and forums, as required by the DACC Manual since August 2020.⁵³ Defence provided the ANAO with some evidence and advice regarding its representation at relevant emergency management committees and forums, as follows.

- Defence informed the ANAO that at the national level, it attends the Australian Government Crisis and Recovery Committee and the National Coordination Mechanism.⁵⁴ Defence was unable to provide the ANAO with records to substantiate its attendance.
- Defence documentation indicates that Defence attended the National Crisis Exercising and Lessons Forum on one occasion in November 2022.⁵⁵ The National Crisis Exercising and Lessons Forum is scheduled to meet at least twice per year.
- For the period 1 January 2020 to 30 June 2023, Defence provided the ANAO with evidence of its attendance at the following.
 - One meeting of the ACT Joint Operations Coordination Group – in December 2022.⁵⁶
 - One meeting of the ACT Health Sector Emergency Management Committee – in July 2022.⁵⁷

52 The DACC Manual requirement to engage with stakeholders through NEMA's Preparedness Program was further stipulated through Warning Orders issued by CDF in July 2020, July 2021 and August 2022. The August 2022 Warning Order also outlined the dates that the briefings and meetings were scheduled to take place with each state and territory. These were: 24 August 2022 (Northern Territory); 30 August 2022 (Western Australia); 1 September 2022 (Tasmania); 2 September 2022 (Victoria); 13 September 2022 (Australian Capital Territory); 15 September 2022 (New South Wales); 27 September 2022 (Queensland); and 30 September 2022 (South Australia).

53 Defence advised the ANAO in July 2023 that it 'is not required to maintain a consolidated record of its attendance at these committees and forums'.

54 These two forums are coordinated by NEMA to support a whole-of-government response to disasters that are nationally significant, impact multiple jurisdictions or involve complex requests for assistance. See Department of the Prime Minister and Cabinet, *Australian Government Crisis Management Framework* [Internet], 15 November 2022, pp. 30–31, available from <https://www.pmc.gov.au/publications/australian-government-crisis-management-framework-agcmf> [accessed 31 March 2023].

55 The National Crisis Exercise and Lessons Forum provides a platform for Commonwealth, state and territory government entities with responsibility for crisis management to discuss national crisis exercise priorities.

56 The Joint Operations Coordination Group supports the planning and conduct of joint emergency operations in the ACT and meets quarterly.

57 The Health Sector Emergency Management Committee provides strategic oversight of ACT health sector capabilities and meets at least twice per year.

- Three meetings of the Victorian State Emergency Management Team – in October 2022, November 2022 and April 2023.⁵⁸
- One meeting of the NSW State Emergency Management Committee – in December 2021.⁵⁹
- Three meetings of the Territory Emergency Management Council – in March 2023.⁶⁰
- Nineteen meetings of the Zone Emergency Management Committees – between 2 February 2023 and 6 June 2023.⁶¹
- One meeting of the Southern Regional Emergency Management Committee and one meeting of the Northern Regional Emergency Management Committee – in February 2023.⁶²
- One meeting of the Response Capability Subcommittee – in May 2023.⁶³
- One meeting of the Brisbane District Disaster Management Group.⁶⁴

Communications plan

2.29 Defence has a HRWS Communication Plan, approved by the Head of Military Strategic Commitments Division (MSC) in August 2022. The plan identifies target audiences, key stakeholders, and the sensitivities and risks relating to its communication around DACC, which include:

- public perceptions of the role of the ADF in support of the whole-of-government response;
- unrealistic expectations of Defence capacity; and
- misalignment of messaging with other Australian Government agencies.

2.30 The Communication Plan notes that ‘Defence communication should focus on the role of Defence support as part of the co-ordinated national response’ and identifies key themes and messages for communication, which include the following.

- Defence is not the first responder to domestic natural disasters, and works proactively with state and territory governments to provide optimised and timely support when requested.
- Defence’s support to domestic natural disasters is most effective during the initial relief phase.

58 The role of the Victorian State Emergency Management Team is to manage the consequences of emergencies and develop mitigation and response strategies.

59 The NSW State Emergency Management Committee provides leadership, direction and advice for strategic and operational emergency management in NSW.

60 The Territory Emergency Management Council provides leadership and oversight of the Northern Territory’s emergency management arrangements.

61 Zone Emergency Management Committees have a risk assurance role and provide regional leadership in South Australia’s 11 Emergency Management Zones, and meet at least quarterly.

62 Regional Emergency Management Committees coordinate emergency management activities in the South, North and Northwest regions of Tasmania.

63 The Response Capability Subcommittee is set up to promote a collaborative and strategic dialogue to address emergency response capability gaps in Western Australia.

64 The Brisbane District Disaster Management Group advises the Brisbane District Disaster Coordinator on the availability of resources which may be needed for disaster response and meets quarterly.

- The prolonged support from Defence in responding to domestic crises is at the expense of its core duties and often at the expense of employment of Australian civilians.

Has Defence prepared its personnel to deliver DACC responsibilities?

While Defence relies on the DACC Manual and Policy as the primary mechanisms for conveying how DACC is conducted and managed, Defence has also developed awareness raising information for ADF personnel involved in delivering DACC support. For ADF personnel assigned to certain DACC 2 and DACC 3 tasks, e-learning modules and briefings have been developed to cover situational awareness, survivability, expected values and behaviours, guidance on dealing with members of the public and the media, legal considerations, and medical guidance.

2.31 The DACC Manual requires Defence to ensure a range of DACC training and awareness products are available and delivered across Defence Groups and Services. Defence advised the ANAO in February 2023 that:

The DACC Manual and Policy themselves are the primary awareness product for how DACC is conducted and managed.

2.32 Defence has also developed a DACC Fact Sheet and presentation to support awareness raising for ADF personnel regarding the conduct and management of DACC support, including: Defence's role in the overarching crisis management framework; roles and responsibilities within Defence; DACC categories; approval and coordination authorities; DACC cost recovery policy; decision-making considerations for providing DACC support; and the requirement to provide post-activity reporting.

Training for Defence personnel

2.33 Defence advised the ANAO in February 2023 that:

DACC tasks are not a specified requirement on the ADF with a training suite associated. DACC skills, knowledge, attributes and behaviour requirements will vary from event to event, and role to role. Defence is only assigned to an emergency DACC task upon request from responsible authorities. This means that DACC is not a singular task, nor creates a standalone training continuum. Specific task training (military skills, licences or qualifications) are likely to be leveraged from other requirements [sic] or training, not delivered for DACC specifically.

2.34 This approach is broadly consistent with the DACC Policy, which states that:

DACC support should be limited to that which can be accomplished within the standing core qualifications, skills and resources available to ADF elements at the time, which are then augmented by what reasonable additional mission training and resources can be provided within the available period.

2.35 Defence advised the ANAO in December 2022 that training is provided for ADF personnel force assigned⁶⁵ to DACC 2 and DACC 3 tasks under JTF629.⁶⁶ This training consists of three components.

⁶⁵ Force assignment is the assigning of forces to a commander under a state of command, an operational authority, an administrative authority or support arrangement for the purpose of carrying out a specified mission or task.

⁶⁶ JTF arrangements are discussed at paragraphs 3.3–3.6.

- Force Preparation Training – 39OSB Domestic Response Operations Force Preparation Course 2022-23⁶⁷, accessed through the Australian Defence Education Learning Environment (ADELE).⁶⁸ The training is comprised of three modules covering: situational awareness (cultural and legal considerations), survivability (first aid, environmental hazards and safety training), and administration and wellbeing (conditions of service and psychological preparation for deployment).⁶⁹
- Deployed Environment General Awareness Briefings. These cover: expected values and behaviours to be demonstrated by ADF personnel while providing support; guidance on dealing with members of the public and the media; legal considerations (such as the use of force and entering private property); and medical guidance, including identifying and managing key health risks while providing DACC support.
- Mission-specific training. Defence advised the ANAO that such training will vary depending on the contingency being responded to and may include instruction in sandbag construction, basic chainsaw operation, or manual handling techniques (for example, the handling of rubbish or damaged household items). This training will typically be delivered on site by state emergency services, police personnel or qualified ADF personnel.

2.36 Defence does not undertake centralised assurance activity to monitor the extent to which mandatory training is completed.

Has Defence gathered relevant information and planned effectively for DACC?

Defence planning for the delivery of DACC support is largely focused on annual preparations for the HRWS. Chief of the Defence Force (CDF) warning orders and Chief of Joint Operations (CJOPS) task orders for the HRWS over the past three years have outlined Defence's force posture and which of its assets were likely to be required. Defence's planning and advice to decision-makers is informed by the Bureau of Meteorology's Global Seasonal Outlook.

Defence has conducted and participated in table-top exercises simulating natural disaster scenarios for flooding, bushfires and cyclones, and for the call-out of Defence reserves. Through its review work, Defence has identified that it does not have a good awareness of reservist civilian qualifications. While the Minister for Defence was advised in June 2020 that qualifications would be captured, tracked and utilised, work to progress the collection of these

67 Defence advised the ANAO that this course was introduced in 2020 following a planning directive issued by Australian Army Headquarters. The directive required the development and delivery of force preparation training packages from August 2020, and notes that:

Domestic support requests are likely to be more frequent. Operation Bushfire Assist and Operation COVID-19 Assist have set expectations for how the ADF supports the national response to emergencies.

68 ADELE is a learning management system for the delivery of Defence's online and blended education and training.

69 Defence advised the ANAO that this course is required to be completed on the ADELE system prior to deployment on domestic operations and that completion of the course is recorded on Defence's personnel management system, PMKeyS. As part of the unit certification process prior to force assignment, Commanding Officers are required to verify that all personnel are compliant with all pre-deployment requirements.

details remained paused as at March 2023. Defence advised the ANAO in July 2023 that this work would not proceed.

While a number of Army Lessons Boards and Fleet Lessons Boards were conducted in 2021 and 2022 to identify areas for improvement after the HRWS, Defence was unable to provide the ANAO with documentation for any Defence-level or Air Force lessons boards. Further, Defence's recording and monitoring of lessons with enterprise-wide implications on its centralised lessons database, the Defence Lessons Repository, has been limited.

2.37 Defence's planning for the provision of DACC support is aligned with the HRWS. The DACC Manual requires that prior to 1 October each year, Defence is to ensure an appropriate level of HRWS preparation including a review of lessons from the previous HRWS and analysis of the HRWS meteorological forecast. These requirements are included in the HRWS preparedness chapter of the DACC Manual, which was added in August 2020.

HRWS forecast and Defence force posture

2.38 Each quarter, the Bureau of Meteorology (BoM) provides its Global Seasonal Outlook to Defence, to provide decision-makers with early awareness of emerging weather and climate risks around the globe. These arrangements are established in the HRWS chapter of the DACC Manual, which notes that the forecasts will inform planning considerations including posturing, resource allocations and personnel and equipment readiness. Prior to 2020, the DACC Manual did not include any requirements regarding BoM Forecasts. The December 2022 to February 2023 Global Seasonal Outlook observed that:

Australia is being exposed to the risk of more frequent and extreme natural hazards. As the frequency of major events like bushfires, flood and drought increases, so too does the likelihood of multiple events coinciding, or occurring before communities have time to recover from the previous hazard – putting increasing strain on emergency responders and local services, increased reliance on ADF for assistance, as well as short and long-term impacts on livelihoods of Australians. Reliance on the ADF has the potential to impact preparedness for security crisis.

2.39 Defence's 'force posture' is established through CDF Preparedness Directives.⁷⁰ These directives specify Defence's preparedness priorities and response times against key strategic tasks.⁷¹ In accordance with the preparedness directives, CDF 'warning orders' were issued ahead of the HRWS in 2020–21, 2021–22 and 2022–23 and outlined Defence's force posture to deal with the weather threats reported in the BoM's seasonal outlook. This included outlining the nature of DACC support likely to be requested and the types of Defence assets that may be required in the context of the seasonal outlook. The CDF warning orders were supported by CJOPS task orders which provided further detail on Defence's posture, including requiring Service Chiefs to prepare specific quantities of Defence assets and personnel and stipulating the required readiness of those assets and personnel in order to respond to anticipated task requests.

70 Defence defines 'force posture' as the positioning and preparedness of Defence capabilities and personnel.

71 Defence provides updates against the CDF Preparedness Directives through a quarterly Defence Preparedness Report dashboard and biannual Preparedness Assurance Report. These provide assessments of Defence's capacity to achieve strategic objectives based on considerations of personnel and Defence assets and may make recommendations to amend the CDF Preparedness Directives based on changes in the strategic environment.

High Risk Weather Season table-top exercise

2.40 As part of preparations for the 2022–23 HRWS, Defence participated in a table-top exercise run by NEMA in October 2022, which simulated natural disaster scenarios relating to flooding, bushfires and cyclones. The table-top exercise scenarios aligned with the BoM’s September 2022 to January 2023 Seasonal Outlook, which was included as part of the scenario documentation. The exercise aimed to address a recommendation made by the Royal Commission into National Natural Disaster Arrangements that:

Australian, state and territory governments should conduct multi-agency, national-level exercises, not limited to cross-border jurisdictions. These exercises should, at a minimum:

- (1) assess national capacity, inform capability development and coordination in response to, and recovery from, natural disasters, and
- (2) use scenarios that stress current capabilities.

Use of reserves for DACC

2.41 On 4 January 2020, the Governor-General ordered the compulsory call-out of over 2500 ADF reservists under section 28 of the *Defence Act 1903*⁷², to support Operation Bushfire Assist 2019–20.⁷³ This was the first time such a call-out had been ordered. The call-out was revoked by the Governor-General on 7 February 2020.

2.42 Following the conclusion of Operation Bushfire Assist 2019–20, Defence conducted an internal review which observed that, in relation to reservists’ civilian skillsets⁷⁴:

A detailed review of Reserves policies (as currently being undertaken by DPG [Defence People Group]) should consider greater flexibility around recognition of skills. Examples of skills that would have been useful include arborist, veterinarian, doctor, health worker, psychologist and engineer.

...

To enable Reserves to properly use civilian skills on deployment, an overall framework will need to be developed. This will have some challenges, as it has been pointed out that there is not even uniformity of skills recognition between different states. Considerations around work cover will

72 Section 28 of the *Defence Act 1903* states that a call out order may only be made in circumstances involving one or more of the following:

- (a) war or warlike operations;
- (b) a time of defence emergency;
- (c) defence preparation;
- (d) peacekeeping or peace enforcement;
- (e) assistance to Commonwealth, State, Territory or foreign government authorities and agencies in matters involving Australia’s national security or affecting Australian defence interests;
- (f) support to community activities of national or international significance;
- (g) civil aid, humanitarian assistance, medical or civil emergency or disaster relief.

73 Defence research conducted following the conclusion of Operation Bushfire Assist 2019–20 observed that ‘approximately 10 per cent of reservists subject to call out applied for exemptions. Many of them were already involved in the emergency response as civilians. Others were unavailable for a range of personal and employment reasons.’

74 Defence’s internal review of Operation Bushfire Assist 2019–20 is discussed further at paragraphs 4.24–4.28.

need to be investigated and thus Comcare will need to be involved. Ultimately a database documenting all these accredited skills will need to be created, which will be a large undertaking.

2.43 In response to these observations, Defence advised the Defence Minister in June 2020 that it would ‘examine options to capture, track and utilise the high pay off qualifications and skills of Defence personnel for natural disaster and emergency responses.’

2.44 In September 2021, Defence conducted a table-top activity to refine the procedures for a reserve call-out and inform associated policy and procedures ahead of the 2021–22 HRWS. Army Headquarters provided a summary of observations from the activity to MSC in September 2021 and noted that:

Army does not maintain good awareness of Army Reserve civilian qualifications. Those qualifications that are registered rely on the Reserve workforce volunteering the information. There is also no Defence policy requiring Reserve personnel to provide this information.

2.45 Defence advised the ANAO in March 2023 that work to capture and track relevant civilian skillsets held by reservists had been paused. Defence further advised in mid-July 2023 that the work would not proceed as it ‘would require significant resourcing and reserve personnel do not provide services in relation to civilian roles and skills when rendering Defence DACC support’.⁷⁵ As noted at paragraph 2.42, Defence’s internal review of Operation Bushfire Assist 2019–20 identified a range of civilian skills that would have been useful in providing DACC support.

Lessons boards

2.46 The DACC Manual requires that, at the end of the HRWS, there is to be a Defence-level lessons board, involving HQJOC and the Defence Services and Groups, to review observations, insights and lessons identified during DACC activities and inform reviews of policy, process, training and preparation for the next HRWS. The DACC Manual also stipulates that: lessons boards are to be conducted at headquarters and unit levels; formal lesson reviews are to occur when a DACC operation ceases; and that Defence may be required to provide input into whole-of-government lessons boards.⁷⁶ Prior to 2020, the DACC Manual only required the conduct of a HQJOC lessons board.⁷⁷ According to the DACC Manual:

Lessons boards should consider key themes arising from PARs [post-activity reports] and associated DACC documentation. Lessons reviews and boards could also consider key themes and trends for further analysis such as root cause analysis.

2.47 In accordance with the DACC Manual, at least 12 lessons boards should have been convened since 2020, including three Defence-level lessons boards, and three lessons boards for Army, Navy

75 In response to an ANAO enquiry, Defence confirmed that as at late July 2023, the Minister for Defence had not been made aware that this work would not proceed.

76 Defence was unable to provide the ANAO with documentation outlining input into whole-of-government lessons boards.

77 Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community* observed that HQJOC ran a lessons board following the end of the annual disaster season and that the Lessons Board process is a potentially valuable mechanism to drive improvement in delivery of emergency DACC, provided there is appropriate follow-up on the matters identified by the lessons board. The report also noted that Defence did not have an information system to track and monitor outcomes. (See paragraphs 4.43–4.44 of that report). Defence established a Defence Lessons Repository in February 2021, which is discussed at paragraphs 4.5–4.23 of this audit.

and Air Force Headquarters. Defence was unable to provide the ANAO with documentation for any Defence-level or Air Force lessons boards.

2.48 Defence advised the ANAO in July 2023 that an Army Lessons Board was not conducted in 2020 due to Operation Bushfire Assist 2019–20 and Operation COVID-19 Assist. The ANAO reviewed the documentation prepared for the two Army Lessons Boards in 2021 and 2022. The documentation identified ten and 12 lessons respectively, which included:

- the need to improve integrated communications with other government organisations;
- the need for Army to be prepared to support increasingly complex DACC operations;
- mitigation of potential hazards when responding to natural disasters; and
- ensuring that Defence responses to natural disasters are sustainable and fit-for-purpose.

2.49 Defence further advised the ANAO in July 2023 that arrangements for a Navy Lessons Board were established in October 2022. Prior to the establishment of the Navy Lessons Board, Navy lessons were managed through a biannual Fleet Lessons Board. Defence did not provide the ANAO with documentation for the Fleet Lessons Boards, instead advising the ANAO that a Fleet Lessons Board was not conducted in 2020 due to COVID-19, and that Fleet Lessons Boards conducted in 2021 and 2022 did not include any content related to DACC.⁷⁸

2.50 The ANAO also reviewed post-operation documentation for Operation Bushfire Assist 2019–20 and Operation Flood Assist 22–1, and observed that Defence had identified observations, lessons and recommendations across these operations. These observations and lessons ranged from those impacting specific business areas or Services and Groups, to those with enterprise-wide implications.⁷⁹ As discussed at paragraphs 4.12–4.23, Defence’s recording and monitoring of lessons with enterprise-wide implications on its centralised lessons database, the Defence Lessons Repository, has been limited.

Has Defence informed decision-makers of risks associated with the provision of DACC assistance?

Since 2020, Defence has provided the Australian Government and reviewers with advice regarding its assessment of the impact of DACC on Defence capability. The risks advised by Defence, which were acknowledged in the Australian Government’s response to the 2022 Defence Strategic Review, relate to force preparedness, readiness and combat effectiveness. Defence also advised the Defence Minister that amendments to the *Defence Act 1903* could address legal risks associated with the delivery of DACC support by ADF members, Defence personnel and foreign forces.

2.51 As discussed in paragraph 2.23, Defence provides the Defence Minister with operational advice, such as an October HRWS brief summarising the weather risks identified and the Defence service capabilities available to provide DACC support. As discussed in paragraph 3.94, Defence also

78 Defence provided the ANAO with minutes for one working group meeting for fleet lessons in August 2021 which included lessons and recommendations related to Operation Bushfire Assist 2019–20.

79 Examples of observations in the post-operation reporting with enterprise-wide implications include: the absence of a common situational awareness tool for the aggregation of information from Defence and whole-of-government elements of DACC responses; and difficulty in tracking and reporting personnel across all force elements.

provides the Defence Minister with briefings on the nature, extent and timing of support provided under DACC operations.

2.52 As discussed at paragraphs 2.53–2.61, Defence has also provided the Australian Government with advice on policy and legal issues relating to DACC. Further, since 2020, Defence has provided the Australian Government, the Parliament and reviewers with information and advice regarding its assessment of the impact of DACC on Defence capability.

2020 review activity

2.53 In February 2020 the Prime Minister requested that the Defence Minister consider potential legislative and non-legislative options to strengthen the Commonwealth’s ability to prepare for and respond to natural disasters and emergencies of a national scale.⁸⁰

2.54 In that context, in February 2020 Defence advised the Defence Minister that:

A change in relative priority regarding natural disaster and emergency response and an increased Defence involvement in emergency events has significant implications for Defence. It would require a shift towards a 12 month constant activity cycle which impacting [sic] the management of Defence capability and introducing longer term institutional costs, particularly for ADF personnel. Deeper analysis is required to understand the implications and is underway. Defence will return to you once the analysis is complete.

2.55 On the issue of potential changes to DACC arrangements, Defence’s advice to government recommended: against the establishment of a legislative framework for the use of the ADF for disaster relief; and for the continuation of the existing DACC policy framework, to allow ‘flexibility for the use of the ADF by the Government as it sees fits [sic] without a prescriptive legal framework’. Defence also recommended that the DACC Manual be ‘further enhanced and streamlined to facilitate more proactive ADF response to disaster relief’. In March 2020, the Defence Minister recommended this approach to the Prime Minister. The Prime Minister agreed to this approach in May 2020.

2.56 In July 2020, Defence provided further advice to the Defence Minister ahead of government consideration of options in August 2020 to strengthen the Commonwealth’s ability to prepare for, and respond to, natural disasters and emergencies of national significance. Among other things, Defence provided advice relating to: amendments to the *Defence Act 1903* to make the process for the call-out of reserve members more flexible; and providing ADF members, Defence personnel and foreign forces commensurate immunities to emergency services personnel when performing disaster preparedness, response and recovery duties.⁸¹ In its advice, Defence again noted that there

80 The legislative options for consideration included potential reforms to the *Defence Act 1903* in relation to: Defence Force Aid to the Civil Authority (discussed at paragraph 2.6 of this audit); and the provision of protections and immunities for ADF personnel mobilised as part of a domestic disaster response, including potential immunity from Commonwealth or state laws.

Non-legislative options for consideration included: an examination of the ADF’s current skill level in relation to augmenting disaster responses; a review of ADF assets to determine how they could be better adapted to disaster assistance; and consideration of ADF reserve force expansion and training to accommodate future severe natural disaster seasons.

81 Defence outlined that ‘DACC activities create inherent legal risk for the ADF and its members because there are currently no express exemptions or authorisations contained in Commonwealth legislation which exempt the ADF or its members from civil and criminal legal liability (e. g. for assault or trespass offences).’

remained a risk of over-reliance on Defence following the support provided in response to the 2019–20 bushfires and COVID-19.

2022 incoming government brief

2.57 In its 2022 incoming government brief, prepared in the context of the May 2022 federal election, Defence advised the incoming Minister for Defence that:

sustaining capability, adapting investment, and designing a force structure to meet our strategic challenges will require clear-eyed prioritisation to balance competing pressures, in particular, weighing the potential role of the Australian Defence Force (ADF) in responding to regional contingencies against government expectations of it in providing for homeland defence and assistance to the civil community.

COVID-19 transition planning

2.58 In October 2022, the Australian Government was provided with an update on the development of a 'Strategic Framework for Transitioning COVID-19 Responses'.⁸² Defence provided input to the update, noting challenges with the sustainability of Defence's role in providing support for domestic crises, and in particular, that the prolonged nature of recent support activities had impacts on Defence's capacity to achieve broader operations and retain staff.⁸³ Defence also noted that the response to COVID-19 had highlighted a need to strengthen the Commonwealth's approach to national resilience and crisis management.

Senate Select Committee on Australia's Disaster Resilience

2.59 As noted at paragraph 1.31, the Senate Select Committee on Australia's Disaster Resilience was established on 30 November 2022 to inquire into Australia's preparedness, response and recovery workforce models, as well as alternative models for disaster recovery.

2.60 In its February 2023 submission to the inquiry, Defence stated that:

The employment of ADF resources to conduct domestic disaster relief is increasingly in tension with the requirement to resource operations and activities to defend Australia and its national interests. The use of both full-time and part-time Defence personnel to support the Australian community since 2019 has been at an unprecedented scale, duration and frequency. ... While the ADF is proactively postured to support the response to domestic disaster relief, the unprecedented scale, duration and frequency of support is unsustainable without accepting significant impacts to ADF preparedness for its primary defence of Australia role.

...

The enduring requirement for Defence in responding to more frequent and intense natural disasters impacts its capacity to conduct specific training, exercises or deployments. ... The opportunity cost on training, exercises or deployments has a resultant impact on capability to effectively respond to defence of Australia contingencies.

82 The Strategic Framework for Transitioning COVID-19 Responses was agreed to by National Cabinet in December 2022 and provides guidance to agencies and ministers to transition COVID-19 measures to long-term sustainable arrangements.

83 There were 5639 voluntary and involuntary staff separations from Defence's permanent force in 2021–22. Average voluntary and involuntary staff separations from Defence's permanent force for the period 2017–18 to 2020–21 were 4526. Defence advised the ANAO in March 2023 that it has not conducted any DACC-specific analysis regarding staff separations, or its ability to recruit new personnel.

2.61 Defence also stated that it continued to work with the Department of Home Affairs, NEMA and other government agencies 'to explore alternate models and options for national civil contingency capabilities and capacities'. In its submission, Defence included some suggestions for reducing the impacts on capability it had outlined, including:

- the establishment of a scalable and deployable civil contingency workforce as an alternative to using the ADF to respond to national crises; and
- increasing the threshold required for the approval of DACC requests to reduce the operational tempo and disruptions to ADF training.

2023 Defence Strategic Review

2.62 The Australian Government released a public version of the Defence Strategic Review on 24 April 2023. The review stated that:

5.3. Defence is frequently required to make large contributions to domestic disaster relief efforts as well as support to the community, such as during the COVID-19 pandemic. However, Defence is not structured or appropriately equipped to act as a domestic disaster recovery agency concurrently with its core function, in any sustainable way.

5.4. State and local governments, in partnership with the Commonwealth, must have in place the necessary plans, resources and capabilities to deal with all but the most extreme domestic disaster operations.

5.5. Defence must be the force of last resort for domestic aid to the civil community. This is critical given the urgent geostrategic risks that the nation faces and the need for the ADF to be in a position to respond to regional contingencies.⁸⁴

2.63 The review recommended that: 'Defence should be the force of last resort for domestic aid to the civil community, except in extreme circumstances.'⁸⁵

2.64 The Australian Government agreed in-principle to the recommendation, stating that:

The Government acknowledges that the ADF's role in providing assistance to the civil community following natural disasters comes at a cost to force preparedness, readiness and combat effectiveness. The Government will work in partnership with states and territories to further develop national resilience response mechanisms.

The Government will further develop and consider those recommendations that it has agreed to in-principle as part of the National Defence Strategy to be delivered in 2024.⁸⁶

84 Australian Government, *National Defence: Defence Strategic Review 2023* [Internet], 23 April 2023, p. 41, available from <https://www.defence.gov.au/about/reviews-inquiries/defence-strategic-review> [accessed 14 June 2023].

85 *ibid.*, p. 109.

86 *ibid.*, p. 110.

3. Managing the delivery of DACC

Areas examined

This chapter examines whether the Department of Defence (Defence) has established fit-for-purpose arrangements to manage the delivery of emergency Defence Assistance to the Civil Community (DACC).

Conclusion

While fit-for-purpose arrangements have been established to coordinate and deliver DACC, Defence's implementation of these arrangements has been partly effective. Shortcomings identified in the implementation of policy requirements include the completion of risk assessments, cost recovery tasks and monitoring and reporting activities.

Areas for improvement

The ANAO made three recommendations aimed at Defence implementing arrangements to improve: its consideration and advice on cost recovery and cost waivers; and reporting and data quality for DACC activity.

The ANAO also identified opportunities for Defence to clarify elements of the DACC Manual relating to: indemnity and insurance requirements; and requirements for registering and recording DACC activities.

3.1 DACC is not conducted under any specific Commonwealth legislation. Policies and procedures are set out in the *Defence Assistance to the Civil Community Policy* (DACC Policy) and *Defence Assistance to the Civil Community Manual* (DACC Manual) issued by Defence. These policies and procedures operate in the context of relevant legislation, such as the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) which governs the use and management of resources by Commonwealth entities, including Defence, and the *Work Health and Safety Act 2011* (WHS Act).

3.2 Effective planning and administrative arrangements for DACC activity will include fit-for-purpose arrangements for coordination and delivery, the consideration and application of relevant policy and legislative requirements, and appropriate monitoring and reporting on risks, cost, workforce and community impacts.

Has Defence established clear arrangements to coordinate and provide emergency DACC?

Defence has long-standing and fit-for-purpose arrangements to coordinate and provide emergency DACC support. These include Joint Task Force (JTF) arrangements that can be activated by the Chief of the Defence Force (CDF) or relevant approving authority, for commanding domestic operations such as responses to natural disasters. To facilitate DACC support, Defence also: establishes an Emergency Support Force each year in each state and territory in anticipation of requests for assistance during the High Risk Weather Season (HRWS); and provides ADF Liaison Officers within state and territory emergency management agencies to assist in the coordination of DACC support.

Joint Task Forces

3.3 The DACC Manual provides that when the scale or expected duration of emergency DACC support is anticipated to be extensive, the Chief of the Defence Force (CDF) or relevant approving authority can decide to form a Joint Task Force (JTF). A JTF is an organisational structure established for the purpose of carrying out a specific task or mission. Defence establishes JTFs by reassigning personnel from Defence Services and Groups to the command of a 'theatre commander' or a JTF Commander. A JTF consists of a JTF headquarters and assigned forces, which are usually organised as Joint Task Groups (JTGs). When providing DACC support across multiple jurisdictions, JTFs may be structured with JTGs in each state or territory.

3.4 Following the commencement of Operation Bushfire Assist 2019–20 in December 2019, Defence established three JTFs: in Victoria (JTF646); New South Wales (NSW) and the Australian Capital Territory (ACT) (JTF1110); and South Australia (SA) and Tasmania (JTF1111). In January 2020, the CDF approved overarching DACC 2 support, and delegated approval authority for specific DACC requests to JTF commanders. In April 2020, Defence advised the Royal Commission into National Natural Disaster Arrangements that:

With the establishment of the JTF in New South Wales Victoria and South Australia state authorities submitted requests for support to Defence directly through their supporting JTF headquarters. This streamlined process suited the dynamic situation and was authorised through EMA⁸⁷ and by the delegated authority that the CDF had given to the JTF Commanders and the Emergency ADF National Support Coordinator. The JTFs were therefore enabled to quickly respond to requests for assistance at the local level.⁸⁸

3.5 On 27 March 2020, Defence established JTF629 under Operation COVID-19 Assist to support the ADF's contribution to the whole-of-government response to the COVID-19 pandemic. The JTF was supported by JTGs in each state and territory, which coordinated with civilian agencies to provide regional command and coordination of Defence contributions in support of relevant state and territory authorities.

3.6 JTF629 has been retained by CDF as a contingency capability for commanding domestic operations, including responses to natural disasters. In May 2022, Defence's Chief of Joint Operations (CJOPS) issued a Directive to the Commander of JTF629 outlining ongoing responsibilities for responding to natural disasters.

Emergency Support Force

3.7 As part of the standing JTF arrangements (JTF629), each year from 1 October to 30 April, Defence establishes an Emergency Support Force of approximately 130 Australian Defence Force (ADF) personnel in each state and territory in anticipation of requests for assistance during the High Risk Weather Season (HRWS).

3.8 The Emergency Support Forces include capabilities aligned with the requirements of the jurisdiction, such as high clearance transport vehicles or engineering equipment.

87 ANAO note: EMA refers to Emergency Management Australia. EMA's functions were consolidated into NEMA in September 2022.

88 ANAO note: Defence advised the ANAO in July 2023 that under JTF629 arrangements, CDF provides direction on the scope and remit of JTF Commanders. The 2022 DACC Manual includes provisions allowing JTF Commanders to approve and complete DACC 1 requests within the scope of an existing DACC 2 or DACC 3 task.

Liaison officers

3.9 The DACC Manual states that ADF Liaison Officers are to assist in the coordination of DACC support. An ADF Liaison Officer is a member of the Joint Operations Support Staff (JOSS). When activated by CDF or through the Director of Operations and Training Area Management (DOTAM), the ADF Liaison Officer role is situated within a state or territory emergency management agency or organisation to facilitate DACC support. They also provide advice to Defence's Military Strategic Commitments Division (MSC) and CJOPS on potential emergency requests for assistance and act as the working-level Defence representative within the state or territory emergency management agency.

3.10 In April 2020, Defence advised the Royal Commission into National Natural Disaster Arrangements that:

To assure that communication between the ADF and the relevant state and territory authorities is efficient and effective Defence has standing liaison teams in each state and territory. These teams titled Joint Operations Support Staff (JOSS) conduct regular liaison between Defence and civil agencies on a variety of convergent issues and represent Defence on all civilian state and territory level emergency management committees.

During civil emergencies civil emergency management authorities may request ADF liaison officers to establish initial liaison capability with Defence and to provide advice on DACC support.

Holistically regional JOSS teams ensure that the demands for information and the subsequent monitoring and reporting of activities are provided to key decision maker planners and commanders of government and non government agencies.

3.11 The extent to which ADF Liaison Officers arrangements have been applied to DACC tasks is discussed at paragraphs 3.22–3.25.

Has Defence considered and applied relevant legislative and policy requirements in the provision of emergency assistance?

Shortcomings in the application of policy requirements were identified across each of the seven case studies reviewed by the ANAO. Defence did not consistently comply with the DACC Manual in the following respects.

- The initiation and approval requirements for two DACC tasks. In one case Defence sought to avoid triggering the requirement, in the Secretary's Accountable Authority Instructions, to obtain the Defence Minister's approval to waive the recovery of DACC costs. This approach raises both compliance and ethical issues regarding Defence's management of public resources.
- Estimating the costs for five DACC tasks or recording the actual costs associated with the DACC support provided by Defence.
- WHS and risk management requirements — while high-level risk assessments were conducted at the Joint Task Force and Joint Task Group levels, Defence could not demonstrate that risk assessments required at the DACC task-level had been completed.

Defence has not consistently applied the cost recovery requirements outlined in the DACC Manual and Defence's Cost Recovery Policy. While Defence has sought Ministerial approval for

cost recovery waivers for some DACC 3 tasks, advice to the Minister outlining the reasons for those waivers has not always been consistent with the intent of those policies.

3.12 The DACC Policy and DACC Manual set out Defence's policy and procedural requirements for the provision of DACC support, including: request initiation and approval; command, control and coordination arrangements; cost recording and recovery; and monitoring and reporting. The DACC Manual also outlines procedures in accordance with the WHS Act.

3.13 To examine Defence's application of relevant requirements, the ANAO selected the last DACC 1, DACC 2 and DACC 3 tasks in each state and territory recorded in the DACC database for 2021–22 as at 30 November 2022. In instances where there was no applicable DACC 1, DACC 2 or DACC 3 task that met this criterion, the ANAO did not select any further tasks for examination. The resulting eight DACC tasks examined by the ANAO are set out in Table 3.1.

Table 3.1 DACC tasks reviewed by ANAO — summary

DACC task number	Summary of task	DACC Category	Dates	State
3834010821	Provision of personnel to support the NSW Public Health Emergency Operations Center and contract tracing efforts. ^a	DACC 2	2 August 2021 – 10 September 2021	NSW
4063170522	Provision of personnel in the Lockyer Valley to gather information, undertake damage assessments and re-establish access for affected communities.	DACC 1	17 May 2022 – 18 May 2022	QLD
4052290422	Provision of support for clean-up and recovery tasks in the Lismore region following the conclusion of Operation Flood Assist 2022–1.	DACC 1	30 April 2022 – 1 May 2022	NSW
4041130422	Provision of personnel to the Queensland Reconstruction Authority (QRA) to support the development, coordination and execution of recovery following flooding in Queensland.	DACC 3	8 March 2022 – 30 June 2022	QLD
4031040422	Provision of personnel to assist with filling sandbags, loading vehicles, and delivering sandbags to at risk areas in the Carnarvon region.	DACC 1	2 April 2022 – 2 April 2022	WA
4018050322	Provision of personnel to the QRA to support planning, collection and analysis of impact data to assist with the transition to recovery.	DACC 2	7 March 2022 – 14 April 2022	QLD
3975020222	Provision of support to evacuate stranded civilians from Coober Pedy to Adelaide, following severe weather resulting from ex-Tropical Cyclone Tiffany.	DACC 2	2 February 2022 – 4 February 2022	SA
3960240122	Provision of personnel to assist with door knocking, sandbagging, damage assessments and logistics in Woomera.	DACC 1	22 January 2022 – 22 January 2022	SA

Note a: This task was recorded as a DACC 2 task in the DACC database. ANAO analysis of the CDF Task Order for this task indicated that it was provided under DACC 5 arrangements. This task was therefore not examined any further.

Source: ANAO analysis of Defence records and the DACC database.

3.14 For the eight DACC tasks summarised in Table 3.1, the ANAO reviewed the following activities against requirements in the DACC Manual:

- request initiation and approval;
- command, control and coordination arrangements;
- recording of costs and cost recovery; and
- WHS and risk management.

Request initiation and approval

3.15 The DACC Manual sets out the process for requesting DACC support and the approvals required for each category of support. This process is summarised in Table 3.2 below.

Table 3.2 DACC request and approval process – DACC Manual

DACC Category	Request and approval process ^a
DACC 1	Request initiation DACC 1 requests are usually made at the local level directly to a Senior ADF Officer, Base Manager, or Unit Commander. Requests for DACC 1 are not required to be made in writing.^b Approval A Senior ADF Officer, Base Manager, or Unit Commander may approve DACC 1 support, where authorisation from a higher authority is not required, if they are satisfied the following conditions are met. a) Deliberate and decisive action is necessary to protect human life, prevent and/or alleviate suffering, prevent extensive loss of animal life or prevent widespread loss and damage to property. b) Civilian resources are inadequate, unavailable or cannot be mobilised in time. c) The requested support is consistent with the principles of DACC (as detailed in the DACC Policy). d) Assistance can be provided from within their resources. The approving authority is to seek advice from the regional JOSS in making this determination if time permits.
DACC 2 and DACC 3	Request initiation Emergency Management Australia (now the National Emergency Management Agency) formally request Defence assistance via a task request through Military Strategic Commitments Division (MSC). Once a potential request becomes known or a formal signed request is received, MSC and/or JOSS are to liaise directly with Headquarters Joint Operations Command (HQJOC) and/or Defence Groups and Services to commence scoping of the task and associated resources. MSC assumes strategic coordination and seeks CDF approval. Approval CDF, or another officer as delegated through a CDF Order, is the approving authority for DACC support. MSC will staff requests to CDF as required.

Note a: These requirements are taken from the 2021 version of the DACC Manual, as that is the version of the DACC Manual that was applicable at the time of the selected DACC tasks examined by the ANAO and listed in Table 3.1.

Note b: Requests for DACC 1 support are recorded by Defence on an 'AE830 webform'.

Source: Summary of 2021 DACC Manual content.

3.16 For the four DACC 1 tasks reviewed by the ANAO (listed in Table 3.1), an AE830 webform was completed for each request as required, and approved by the Senior ADF Officer, Base Manager or Unit Commander of the relevant unit providing the support. The webforms provided details of the request including the emergency circumstances that the approving authority was required to be satisfied of in order to approve the support.

3.17 As outlined in Table 3.2, where time permits for DACC 1 tasks, the approving authority is required to seek advice from the regional JOSS when deciding whether to approve a request for support. For the NSW DACC 1 task examined by the ANAO, Defence was unable to provide evidence of such advice being sought within the three day period between the receipt of the request and the date on which the support was approved.

3.18 For the two DACC 2 tasks reviewed by the ANAO, requests were raised by EMA (now NEMA) through MSC and, in accordance with the DACC Manual, were subsequently approved by CDF after the Australian Government Disaster Response Plan (COMDISPLAN) had been activated.

3.19 The DACC 3 task reviewed by the ANAO is discussed in Case study 1 (see below). The ANAO identified issues of compliance with Defence's Accountable Authority Instruction 6 (AAI6), which states that: 'You must ensure that a request to not charge, where full cost exceeds \$500,000 is submitted to the Minister for Defence.' Defence sought to avoid triggering the requirement to obtain the Defence Minister's approval to waive the recovery of Defence costs, estimated at over a million dollars, from the Queensland Government. As discussed in Case study 1, on 1 April 2022 Defence personnel seconded to the Queensland Reconstruction Authority (QRA) were advised as follows by Defence (MSC):

Please work with [name removed by ANAO] to get the projected costs under \$500k so it doesn't need to go to the Minister for approval.

Options for this are:

- Fewer staff
- Shorter duration for some or all of these staff.

Please ensure these changes are reflected in the RFA once sorted and before submission.

3.20 On 6 April 2022, following receipt of an estimated costing of over one million dollars from Defence personnel seconded to the QRA, Defence (MSC) advised as follows:

If you proceed with the costing as it stands, this will need to go to MINDEF [Minister for Defence] for approval. As we are about to enter a caretaker period, we may not get an answer until June. We would like to avoid this.

The fastest way of gaining approval is if the support requested by QRA and reflected in the RFA [request for assistance] comes in under \$500k. Alternatively, Defence will amend the period of support so that it can be authorised by CDF, but this is not ideal.⁸⁹

3.21 The approach adopted by Defence raises both compliance and ethical issues. The approach was not consistent with AAI6, which provides that Defence personnel must ensure that a request

89 ANAO note: Funding for the initial support provided by Defence in March 2022 was allocated from the budget of the Office of the Secretary and CDF. The approval to waive the recovery of Defence's costs from the Queensland Government was sought in April 2022 to 'convert to a more enduring arrangement of funding from elsewhere.'

to not charge for DACC, where the full cost exceeds \$500,000, is submitted to the Minister for Defence. The Secretary's Accountable Authority Instructions are issued pursuant to section 20A of the PGPA Act and deliberate non-compliance with their requirements is inconsistent with the general duties of officials, set out in section 26 of the PGPA Act, to exercise powers, perform functions and discharge duties honestly, in good faith and for a proper purpose.⁹⁰ Further, section 8 of the PGPA Act provides that the proper use or management of public resources means efficient, effective, economical and ethical use and management. Deliberate non-compliance raises the issue of whether public resources have been managed in an ethical manner.

Case study 1. Provision of DACC 3 support to the Queensland Reconstruction Authority

In February and March 2022, South-East Queensland (QLD) experienced record-breaking rainfall and subsequent flooding that resulted in the loss of 13 lives and the evacuation of 331 people. The social, financial and economic cost to QLD was estimated at \$7.7 billion.

In response to the flooding, EMA activated the COMDISPLAN on 25 February 2022.

Defence initially provided DACC 1 and 2 support under Operation Flood Assist 22–1, established on 28 February 2022 to coordinate and deliver ADF support to flood-affected communities across South-East QLD and NSW.

An ADF Major General was seconded for six months from 7 March 2022 to the QLD Premier's Department as the State Recovery Coordinator for the South-East QLD flooding event to support the development, coordination and execution of the recovery effort. This arrangement was given effect by a CDF directive on 11 March 2022.

The directive included an outline of the coordination and reporting arrangements, such as: consulting with the Commander of JTF629^a; weekly status reporting to CDF^b; and the submission of a post-activity report within 30 days of the conclusion of the secondment. The directive also stated that activities, working accommodation, communications, travel, and other specific requirements were to be funded by the QLD Government.

On 31 March 2022, MSC advised Defence personnel supporting the State Recovery Coordinator that the secondment and provision of other supporting staff from Defence was best captured under DACC 3 funding arrangements. A formal request for assistance, with a supporting cost recovery calculator, was therefore to be submitted.

On 1 April 2022 Defence personnel seconded to the Queensland Reconstruction Authority (QRA) were advised as follows by Defence (MSC):

Please work with [name removed by ANAO] to get the projected costs under \$500k so it doesn't need to go to the Minister for approval.

90 In addition, Australian Public Service (APS) employees must have regard to the following.

- Section 14 of the Australian Public Service Commissioner's Directions 2022 (dated 31 January 2022) provides that upholding the 'ethical' value in subsection 10(2) of the *Public Service Act 1999* requires the following: 'complying with all relevant laws' and 'acting in a way that is right and proper, as well as technically and legally correct or preferable'.
- Section 32 of the PGPA Act, which states that to avoid doubt, the finance law is an Australian law for the purposes of subsection 13(4) of the *Public Service Act 1999*. If the Public Service Act applies to an official of a PGPA entity, the official will be required under subsection 13(4) of the Public Service Act to comply with applicable Australian laws, which include the finance law.

Options for this are:

- Fewer staff
- Shorter duration for some or all of these staff.

Please ensure these changes are reflected in the RFA once sorted and before submission.

On 6 April 2022 the completed cost recovery calculator was submitted to JOSS and MSC by the Defence personnel seconded to the QRA.^c It was estimated that a cost of \$1,008,362 would be incurred by Defence between 8 March and 7 September 2022. This involved providing the State Recovery Coordinator and eight support staff for a period of 183 days. As this value was greater than \$500,000, the Defence Minister's approval was required for Defence to waive the recovery of those costs.

On 6 April 2022, following receipt of the cost estimate, Defence (MSC) advised its staff seconded to QRA that:

If you proceed with the costing as it stands, this will need to go to MINDEF [Defence Minister] for approval. As we are about to enter caretaker period, we may not get an answer until June. We would like to avoid this.

The fastest way of gaining approval is if the support requested by QRA and reflected in the RFA [request for assistance] comes in under \$500k. Alternatively, Defence will amend the period of support so that it can be authorised by the CDF, but this is not ideal.

On 7 April 2022, QRA submitted an amended cost calculator with an estimated cost of \$440,321 for the period 8 March to 30 June 2022. This was based on providing the State Recovery Coordinator for the entirety of the amended period (115 days), with the eight support staff provided for partial periods (six for 80 days and two for 48 days). In submitting the amended cost recovery calculator, QRA advised MSC that:

The intention is once caretaker government is over to submit a full cost calculator to cover the entire period of the operation from 08 Mar to 7 Sep 22.^d

On 7 April 2022, a backdated formal request for Australian Government Non-Financial Assistance was submitted to the EMA by QRA, for the provision of a 'State Recovery Coordinator and up to eight staff members from 08 Mar to 30 Jun 22.'

On 12 April 2022, CDF issued a Task Order for the provision of eight staff to support QRA between 8 March and 30 June 2022 under DACC 3 arrangements (separate to Operation Flood Assist 22–1). Neither the Task Order nor the CDF Directive specified command and control arrangements for the eight staff. The Task Order noted that costs would not be recovered for this support.

In response to ANAO queries regarding situation reporting for the DACC 3 task in February 2023, Defence advised that the task was conducted under Operation Flood Assist 22–1^e and provided the ANAO with records associated with this operation. The records provided to the ANAO did not identify any situation reports related to this DACC 3 task.

Defence provided one Operation Summary in relation to Operation Flood Assist 22–1 which outlined the ADF personnel and assets assigned across affected regions as at 11 March 2022.

Defence was unable to provide any evidence of post-activity reporting for this task that met the DACC Manual requirements.^f

- Note a: The required frequency of consultation with the JTF Commander was not specified in the CDF directive.
- Note b: Defence was unable to provide the ANAO with documentation of this weekly reporting.
- Note c: The QRA supports the State Recovery Coordinator and is the lead agency responsible for disaster recovery and resilience policy in QLD.
- Note d: In June 2022, Defence recommended that the Defence Minister approve an extension of support to QRA and waive the cumulative total cost of \$599,436 for the DACC 3 support. The Minister agreed to this advice in July 2022. See paragraph 3.39 of this audit.
- Note e: The CDF Execute Order for Operation Flood Assist 22–1 established command and control and reporting arrangements for DACC tasks conducted under the operation. The CDF Task Order for the DACC 3 task states that ADF personnel seconded to QRA were not supporting Operation Flood Assist 22–1. Defence confirmed to the ANAO in July 2023 that the DACC 3 task was not conducted under Operation Flood Assist 22–1.
- Note f: In response to an ANAO request for this post-activity reporting, Defence advised in July 2023 that 'Status updates and reporting were passed through daily synchronisation meetings, and overall issues were reported to CDF at a Strategic Command Group [SCG] meeting.' Defence provided the ANAO with an example of an undated 'SCG report'. While drawing on some experiences from the South-East QLD event, the ANAO's review of the report found that it did not relate specifically to the DACC task or the operation in QLD. Rather, it gave a general overview on how Defence responds to emergencies. The DACC Manual requires task-level reporting against specific post-activity reporting fields, as discussed in paragraph 3.82.

Command, control and coordination arrangements

3.22 The DACC Manual sets out the respective command, control and coordination arrangements to be established for each category of DACC once a request for support has been approved. These arrangements are summarised in Table 3.3 below.

Table 3.3 Command, control and coordination arrangements by DACC category

DACC Category	DACC Manual requirements
DACC 1	- Command and control of DACC 1 will be initiated using the relevant Defence Service/Group chain of command of the unit receiving the request. - The approving authority is to inform HQJOC and MSC of any commitment to DACC 1 support within 24 hours through submission of Webform AE830.^a - DACC 1 activities are coordinated by the approving authority in consultation with the regional JOSS and with civilian authorities at the incident site. - HQJOC and MSC are to have visibility of the initiation, extension and closure of any DACC 1 support across Defence. - HQJOC, in consultation with the regional JOSS, is to assess, recommend and coordinate any necessary transition to another DACC category. - The regional JOSS will liaise with state/territory authorities as appropriate to support the approving authority and inform any consideration of transition to other DACC categories.
DACC 2	Command and control of DACC 2 will be managed through HQJOC. Based upon the DACC 2 approval by CDF, MSC will issue an Order on behalf of CDF initiating these command arrangements. This may include direction to form a JTF or appoint a DACC Commander.

DACC Category	DACC Manual requirements
DACC 3	- Command and control of DACC 3 will normally be exercised through CJOPS. - Based upon the DACC 3 approval by CDF, MSC will issue an order on behalf of CDF initiating command arrangements. This will include any direction to form a JTF or appoint a DACC Commander. - In the event that a DACC 3 task transitions from a DACC 2 task under an extant JTF, MSC will formalise the transition to DACC 3. - HQJOC will assume coordination and may activate Concept Plan Charlemagne.^b HQJOC will advise and coordinate subsequent support in consultation with the JTF or DACC Commander, JOSS and the Approving Authority. - JOSS will liaise with the JTF or DACC Commander. CDF may direct CJOPS to assume control of ADF Liaison Officers based on the circumstances of the situation.

Note a: The AE830 webform is the mechanism by which requests for DACC 1 support are documented and approved by Defence.

Note b: As discussed at footnote 46, Concept Plan Charlemagne was the predecessor to Concept Plan Coalesce.

Note: These requirements are taken from the 2021 version of the DACC Manual, as that was the applicable version at the time of the selected DACC tasks examined by the ANAO and listed in Table 3.1.

Source: Summary of 2021 DACC Manual content.

3.23 For all four of the DACC 1 tasks reviewed by the ANAO, the approving authority notified MSC of the commitment to DACC 1 support within 24 hours of support commencing. For the NSW and Western Australia (WA) DACC 1 tasks, Defence records did not reflect that ongoing consultation with HQJOC occurred throughout the provision of support. Defence was unable to provide evidence of JOSS liaison with relevant local, state or territory authorities for any of the four DACC 1 tasks. Defence's engagement with HQJOC and JOSS for the WA DACC 1 task is discussed in Case study 2.

Case study 2. Provision of DACC 1 support to the Carnarvon region

On 1 April 2022, the WA State Emergency Service requested Defence assistance for the flooding event in Carnarvon and surrounding areas. Defence support was approved under DACC 1 arrangements and commenced on 1 April 2022. This included assisting with filling and delivering sandbags, loading vehicles, and clearing water from flooded properties. The duration of the support was less than 24 hours and concluded on 2 April 2022.

This task was not coordinated in consultation with HQJOC or the regional JOSS, despite this being a requirement in the DACC Manual for DACC 1 tasks (refer to Table 3.3). Defence advised the ANAO that the 'Unit was able to self-coordinate basic tasks at the local level, not requiring higher coordinations'.

The DACC Manual also requires HQJOC and MSC to have visibility of the initiation, extension or closure of DACC 1 support. Defence advised the ANAO in March 2022 that this requirement was not applicable in this case. Defence further advised in July 2023 that 'additional support and coverage was not required to support the event'. Defence's conduct of this DACC task did not comply with the command, control and coordination requirements of the DACC Manual.

3.24 For the two DACC 2 tasks reviewed by the ANAO, Defence initiated command, control and coordination arrangements through CDF Task Orders and supporting CJOPS Task Orders. JOSS liaison with state authorities was undertaken for both DACC 2 tasks. Defence was unable to provide

the ANAO with evidence that Concept Plan Charlemagne⁹¹ was activated for either of these tasks.⁹² JTF arrangements were not established for the SA DACC 2 task, but were established for the QLD DACC 2 task discussed further in Case study 3.

Case study 3. Provision of DACC 2 support to the Queensland Reconstruction Authority

On 28 February 2022, CDF issued an order to establish Operation Flood Assist 2022–1 in response to flooding in South-East QLD. The CDF’s order was supported by a CJOPS Task Order which established command, control and coordination arrangements, and twice daily reporting requirements for the Operation under JTF629 (discussed in paragraphs 3.5–3.6 of this audit).

On 4 March 2022, a formal request for Australian Government Non-Financial Assistance was submitted to EMA (now NEMA) by QRA, for ADF support for the planning, collection and analysis of impact data to assist with the transition to recovery. On 5 March 2022, the original CDF order was amended to deploy three planners to support QRA from 7 March 2022 until 4 April 2022.

Defence was unable to provide the ANAO with evidence of situation reporting for this task. Defence advised the ANAO that the event was incorporated into Operation Flood Assist 2022–1.

Defence was unable to provide the ANAO with evidence of post-activity reporting being conducted for this task.

3.25 Command, control and coordination arrangements were established for the DACC 3 task reviewed by the ANAO, as discussed in Case Study 1 (see above).

Recording of costs

3.26 The DACC Manual requires that all DACC support is to have a cost recovery calculator completed. The manual provides a template for Defence to calculate the costs associated with the use of its resources including personnel, travel, vehicles, and Defence facilities.

3.27 ANAO analysis of the DACC database indicates that only 103 (14 per cent) of the 748 DACC 1–3 tasks recorded as completed as at 30 June 2022, had cost estimates recorded. Of these 103 tasks, 62 tasks had the total cost recorded as nil.⁹³

91 Concept Plan Charlemagne was the predecessor to Concept Plan Coalesce, as discussed at footnote 46.

92 For DACC 2 tasks the 2022 DACC Manual states that ‘CJOPS will consider activating CONPLAN COALESCE’. Concept Plan Coalesce states that it is ‘to be activated following a Government of Australia request to support national, state or territory civil emergency management authorities, as directed by the Approving Authority’. Defence advised the ANAO in July 2023 that activation of Concept Plan Coalesce is not mandatory for DACC 2 and DACC 3 tasks.

93 Defence advised the ANAO in July 2023 that: ‘The DACC Database is NOT the official cost recording tool for Defence. Actual costs for DACC 2 and 3, particularly those that are part of ADF operations are not provided to JOSS.’ [emphasis in original]. The ANAO notes that for DACC 1, 2 and 3 tasks, the DACC Manual states that: ‘The regional JOSS is to ensure that all details of the DACC ... task are recorded in the DACC database’.

3.28 For five of the seven DACC tasks reviewed by the ANAO (listed in Table 3.1 above), Defence was unable to provide evidence of completed cost recovery calculators. For the two tasks with completed calculators, the calculators had not been signed.⁹⁴

3.29 The Director Operations and Training Area Management (DOTAM) advised the ANAO in January 2023 that:

The prescribed finance system in Defence is the Resource and Output Management and Accounting Network (ROMAN). As such it is not mandatory for costs to be entered in to the DACC database.

JOSS would be able to provide the estimated cost of a DACC task based off the completion of the Cost Recovery Estimate, however the tracking of the actual expenditure of funds is reliant upon the unit providing the support recording their expenditures and submitting a PAR with accurate records. Given the vast majority of units are failing to submit a PAR (let alone accurately record costs associated with the support / as most DACC tasks are cost-waived) it becomes near impossible for JOSS to record the Total DACC task cost unless it is based off the Cost Recovery Estimate (which will vary compared to the actual cost expended).

3.30 The Defence Finance Group advised the ANAO in March 2023 that:

There is no linkage between DACC activities and the finance system. A DACC activity may not, depending upon the circumstances, be recorded in the finance system as a DACC activity. To illustrate with an example, consider the RAAF flying helicopters from Qld to WA to provide support to flooded townships and flying them back again. The flying hours may be recorded against training budget, fuel against RAAF fuel budget etc. with the activity not being recognised in the finance system as DACC but the costs will be recorded against RAAF cost centres.

3.31 This advice is at odds with the Defence policy requirement that:

Costs incurred to provide DACC, regardless whether a cost recovery was sought or not, must be recorded in the financial system.

3.32 The ANAO has previously observed issues with Defence's recording of costs associated with DACC support, in the following audit reports.

- In Auditor-General Report No.41 1999–2000 *Commonwealth Emergency Management Arrangements* the ANAO observed the following.
 - Defence did not collect and quantify the cost of all DACC assistance as operational commanders did not always provide the required reports to HQAST [Headquarters Australian Theatre]⁹⁵ on task completion.
 - The inadequacies of the DACC information base had implications for the management of this function, including support for effective policy generation, Defence's ability to charge for services provided, and Defence's ability to plan and manage the allocation of resources to DACC tasks.

94 The two DACC tasks with completed but unsigned cost recovery calculators were QLD DACC 3 (total cost of \$440,321) and SA DACC 2 (total cost of \$51,150). The cost recovery calculator requires that: 'Charges that exceed \$50,000 will need to be reviewed by the appropriate Assistant Secretary in Financial Performance and Management'; and that the reviewer confirm they are satisfied the costs recorded are complete and correct.

95 ANAO comment: Headquarters Australian Theatre is now Headquarters Joint Operations Command (HQJOC).

- Defence should enforce the provision of required DACC reports and monitor the costs associated with the provision of DACC. Enhanced management information would facilitate decision-making relating to DACC, in particular in relation to the cost effectiveness of DACC provision and in determining the impact of DACC activities on operations and training.⁹⁶
- In Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community*, the ANAO observed that Defence did not have an understanding of the overall costs of its DACC activities because it had not recorded costs for many DACC tasks.⁹⁷

3.33 Notwithstanding these previous ANAO audits, Defence’s recording of DACC costs, and its understanding of the total costs associated with providing DACC support, remains limited. Defence has continued to place a low priority on tracking the costs associated with DACC tasks.

Cost recovery

3.34 The Australian Government’s overarching cost recovery policy is that, where appropriate, non-government recipients of specific government activities should be charged some or all of the costs of those activities. The cost recovery policy promotes consistent, transparent and accountable charging for government activities and supports the proper use of public resources. Cost recovery can:

- promote equity, whereby the recipients of a government activity, rather than the general public, bear its costs;
- influence demand for government activities;
- improve the efficiency, productivity and responsiveness of government activities and accountability for those activities; and
- increase cost consciousness for all stakeholders by raising awareness of how much a government activity costs.⁹⁸

3.35 Defence’s Cost Recovery Policy and its Accountable Authority Instruction 6 (AAI6) are generally consistent with the Australian Government cost recovery policy.

- Defence’s Cost Recovery Policy states that Defence does not have a catalogue of activities that it charges for, however, in accordance with the Commonwealth Charging Framework, Defence is to cost recover for all activities where possible; and where a delegate agrees that it is not appropriate to recover costs, this decision needs to be considered in line with this policy.
- Defence’s AAI6 states that approval from the Defence Minister is required when there is a request to not charge for Defence support and the full cost of that support exceeds \$500,000. A request for approval from the Minister must include resource implication

96 Auditor-General Report No.41 1999–2000 *Commonwealth Emergency Management Arrangements*, paragraphs 4.28–4.29.

97 Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community*, paragraph 4.26.

98 Department of Finance, ‘Australian Government Cost Recovery Guidelines’, Resource Management Guide 304 [Internet], available from <https://www.finance.gov.au/publications/resource-management-guides/australian-government-cost-recovery-guidelines-rmg-304> [accessed 18 June 2023].

comments or advice provided by the Chief Finance Officer (CFO), or an official authorised by the CFO.

3.36 These policies and the DACC Manual are not fully aligned. The DACC Manual indicates the following.

- Cost recovery is not undertaken for DACC Categories 1 and 2, unless the requester agrees to pay costs prior to the provision of Defence support.
- While ‘DACC 3 activities are normally provided on basis of full recovery of direct costs’ — with the requesting organisation to agree in advance to pay these costs — Defence may waive the requirement for cost recovery where the delegate agrees that there are justifiable circumstances to do so.

3.37 Twelve DACC 3 events were recorded as complete in the DACC database since 2013–14. Two of these events have an associated cost recovery amount of ‘nil’ recorded and two have a total cost recorded. For seven events, Defence provided cost recovery waivers approved by the Defence Minister.⁹⁹ For one event, Defence provided only a completed cost recovery calculator. Appendix 3 provides further detail of Defence’s management of the 12 events.

3.38 One of the cost waivers covered support provided under Operation Bushfire Assist 2019–20, which incorporates five separate DACC 3 tasks in the DACC database. This waiver did not outline the actual cost to be waived.¹⁰⁰ Defence advised the Defence Minister in March 2020 that:

If Defence accepts long term recovery and rebuilding work, there is a possibility this will preclude local business and contractors from bidding for the work. The ADF will work to minimise the risk of continued ADF recovery operations taking business from local contractors and other commercial entities through close engagement with state authorities during the vetting of tasking requests.

Applying cost recovery to DACC 3 support requests for bushfire recovery could lead to questions as to why contractors were not paid for the work.

3.39 In relation to the waiver for support to the QRA – which had requested a cost of \$599,436 be waived — Defence advised the Defence Minister that it ‘typically waives the cost of DACC support unless there is a need to promote equitable access to Commonwealth resources’. This

99 The cost recovery waivers related to DACC support provided in response to Tropical Cyclone Marcia in 2015, Operation Bushfire Assist 2019–20, and support provided to the QRA, discussed in Case study 1.

100 Defence advised the ANAO in April 2023, in respect to the document provided to the Defence Minister regarding Operation Bushfire Assist 2019–20, that it:

is not a cost recovery waiver but forms a notice to the Defence Minister that DACC 3 associated costs under the banner of the named operation Operation BUSHFIRE ASSIST 19-20, could exceed \$100,000. By 2021, the total net additional costs to Defence of Operation BUSHFIRE ASSIST 19-20 had been identified as \$87.9 Million across all types of support. ... The Minister agreed to waive DACC 3 costs for Operation BUSHFIRE ASSIST 19-20 for a month ... and required reassessment after this time. DACC tasks ... were all prior to this period elapsing, and therefore reassessment, and further Ministerial advice regarding these tasks was not required.

The Australian Government provided \$87.9 million to Defence in 2019–20 for the net additional costs of ADF deployments associated with domestic bushfire assistance under Operation Bushfire Assist 2019–20.

advice was at odds with the policy set out in both the DACC Manual and Defence's Cost Recovery Policy.¹⁰¹

3.40 Under the PGPA Act, Commonwealth entities have an obligation to meet high standards of governance, performance and accountability in the use of public resources. While it is a decision for government to waive cost recovery, it is important that the departmental advice around such decisions is complete and based on considerations regarding the efficient, effective, economical and ethical use of Commonwealth resources. Further, noting the impacts of DACC support on Defence's primary purpose (discussed at paragraph 2.60), appropriate cost recovery arrangements can act as a mechanism to manage the demand for Australian Government support.

Recommendation no. 1

3.41 The Department of Defence implement arrangements to ensure that costs associated with providing DACC support are accurately tracked and recorded, in line with the requirements of the DACC Manual.

Department of Defence response: *Agreed.*

3.42 *Defence notes that cost attribution practices mean the finance system does not currently record all costs against specific emergency DACC events, or other organisational costs incurred. All spend is recorded in the financial system, regardless of which activity created the expense. Defence will review the consistency of cost attribution of the DACC activities within the limits of the Financial Management System in conjunction with the requirements of the DACC Manual.*

Recommendation no. 2

3.43 The Department of Defence ensure that its advice to the Minister for Defence in respect to waiving cost recovery for DACC 3 tasks is: aligned with Australian Government and Defence cost recovery policies; appropriately addresses the efficient and effective use of Commonwealth resources; and outlines the financial and resource impacts associated with not recovering costs.

Department of Defence response: *Agreed.*

3.44 *Defence will review DACC 3 task cost waiver processes in the provision of emergency support to the community as part of the review of the current DACC Manual.*

WHS and risk management

3.45 As discussed at paragraph 2.34, the DACC Policy states that DACC support should be limited to that which can be accomplished within the standing core qualifications, skills and resources

101 Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community* found that Defence had not consistently recovered or waived costs in accordance with the requirements of the DACC Manual and suggested that Defence review and clarify its cost recovery policy for emergency DACC and develop practical thresholds for the application of cost recovery in terms of the estimated value and type of recovery assistance provided (see paragraph 2.54 of that report). The DACC Manual has not been amended to include practical thresholds for the application of cost recovery.

available to ADF elements at the time. This serves to restrict Defence personnel to tasks for which they are appropriately trained, reducing the risk of injury.

3.46 The DACC Manual requires that before DACC support is approved, the approving authority must be satisfied that all reasonably foreseeable risks have been identified and appropriately addressed including mission, reputational, financial, legal and safety risks. The DACC Manual also states that:

Where there is sufficient time before approval, a formal risk assessment must be undertaken in accordance with AS ISO 31000:2018 'Risk Management—Guidelines'. This will assist the decision maker in assessing the risks associated with approval of DACC support and determining additional controls to either eliminate the risk, or where this is not possible, to reduce risk as far as is reasonably practicable. If there is not sufficient time prior to approval, a formal risk assessment must be completed as soon as practicable after approval is given and before the commencement of support.

3.47 Defence has developed a HRWS Quick Risk Assessment Card template to allow for the conduct of risk assessments at the DACC task-level for tasks under JTG 629.3.¹⁰² For three of the seven DACC tasks examined by the ANAO as part of this audit, Defence provided evidence of high-level risk assessments conducted at the JTF, JTG, and unit-level. While these risk assessments identified risks broadly relevant to the nature of DACC tasks¹⁰³, Defence was unable to provide evidence of risk assessments being conducted in response to specific DACC tasks as required by the DACC Manual.¹⁰⁴

3.48 This is consistent with the findings in Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community*:

The ANAO sought to obtain examples of formal risk assessments and evidence that the assessment results and controls had been registered for specific emergency DACC tasks, as required by the DACC Manual. Defence did not provide any evidence that met the DACC Manual requirements, and informed the ANAO that 'risk management is inherent to the military planning process' and that 'unit commanders will conduct hazard and risk identification, and register at unit-level. While the ANAO acknowledges broader military planning processes, Defence did not provide evidence

102 JTG 629.3 is the Queensland Joint Task Group. Defence advised the ANAO in July 2023 that it was 'unaware of the use of similar products by other JTF/JTG elements'.

103 For example, the JTG risk register identified risks relating to exposure to extreme weather conditions and exposure to flooded roads.

104 Defence advised the ANAO in March 2023 that two WHS incidents were reported on Defence's WHS Information Management System, Sentinel, in relation to the QLD DACC 1 task. These incidents related to a minor injury received during movement of freight, and exposure to hazardous waste, including asbestos, during flood clean-up tasks. Defence further advised the ANAO that there were no Very Serious, Serious or Dangerous incidents during the support task. The ANAO notes that section 37 of the WHS Act provides that a dangerous incident includes exposure to 'an uncontrolled escape, spillage or leakage of a substance'. Defence was unable to provide evidence to the ANAO that the incident was reported to Comcare.

Defence also advised the ANAO that there were no WHS events reported to Defence, or notifiable incidents reported to Comcare, for the remaining six examined DACC tasks in Table 3.1. WHS incidents that have occurred during a specific DACC task are not readily identifiable in Sentinel as Defence does not record DACC task identification numbers in that system. Using key DACC task details, including support dates, locations, business units and key words from case study documentation provided by Defence, the ANAO reviewed Sentinel data for 2021–22 and did not identify any WHS events that related to the six case studies. Defence advised the ANAO in March 2023 that it has not conducted any DACC-specific analysis on WHS incidents.

of unit-level registration of hazards and risks for any of the emergency DACC tasks specified by the ANAO.¹⁰⁵

3.49 In that audit report the ANAO observed that there would be benefit in Defence reviewing the need for formal risk assessments for all DACC tasks and clearly documenting in the DACC Manual the measures necessary to meet its obligations under the WHS Act when providing DACC support. The DACC Manual requirements and Defence's approach to conducting risk assessments have remained largely unchanged.

Indemnity and insurance

3.50 Defence does not require state and territory DACC recipients to indemnify the Australian Government or hold insurance for the provision of DACC 1 and DACC 2 support. However, the DACC Manual states that a risk assessment should be conducted and a record of decisions retained.

3.51 For DACC 3 support, the DACC Manual states that:

the DACC recipient shall be solely responsible for personal injury, public risk and property loss or damage and that non-Commonwealth DACC recipients shall indemnify the Commonwealth against all liability arising out of the assistance, except for liability caused by, or arising out of, any act or omission by the Commonwealth, its officers, employees or agents in providing assistance.

3.52 The DACC Manual also states that 'DACC 3 recipients must provide Defence with a written undertaking that they will enter into the indemnity and provide evidence of appropriate insurance cover prior to the event.'

3.53 The DACC Manual provides templates for memorandum of understanding (MoU) and deed arrangements, and states that the deed template is to be used for all support to state and territory governments.¹⁰⁶ However, the DACC Manual also states that: the MoU is the applicable document for DACC 3 arrangements, despite the recipients of DACC 3 support likely being state and territory governments due to the nature and scope of DACC 3 support; and that neither the MoU or the deed is required for DACC 1 support.

3.54 The deed template includes a clause requiring that the:

Recipient must release and indemnify the Commonwealth ... from and against all claims ... arising from or relating to the death of or injury to any person ... or loss of or damage to property ... in connection with the provision of the Assistance.

3.55 On 28 April 2022 an MoU was formalised between Defence and the QRA in relation to the support provided under the DACC 3 arrangements discussed in ANAO Case study 1 (see above). The MoU did not include any clauses indemnifying the Commonwealth for liabilities resulting from the assistance, and instead stated that:

The parties acknowledge the principle that where responsibility for managing and settling any third party claims or costs arising out of or in connection with performance of this MOU and the provision of the Assistance by Defence, should be borne by the party that is best placed to manage that claim.

105 Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community*, paragraph 2.49.

106 The DACC Manual states that an MoU is not a legally binding arrangement and can only be used with other Commonwealth government bodies, unless approved otherwise.

3.56 The DACC Manual states that a risk assessment should be conducted and a record of decisions retained, if the insurance and indemnity requirements for DACC 3 support are not pursued.

3.57 For the seven DACC tasks reviewed by the ANAO, Defence was unable to provide evidence of risk assessments conducted at the DACC task-level. ANAO review of JTF, JTG and unit-level risk documentation indicates that insurance and indemnity requirements were also not considered as part of the risk assessments.

3.58 Defence's approach to the conduct of risk assessments at the DACC task-level is not consistent with the requirements of the DACC Manual, discussed at paragraph 3.46.

Opportunity for improvement

3.59 There is an opportunity for Defence to clarify indemnity and insurance requirements in the DACC Manual.

Has Defence appropriately monitored and reported on risks, cost, workforce and community impacts during DACC delivery?

Defence personnel do not consistently report on DACC activities as required, weakening Defence's capacity to monitor DACC delivery. Further, information held in the DACC database is unreliable, in large part because key details of DACC tasks have been recorded incorrectly, or not recorded at all. ANAO review indicates the following.

- The completion of post-activity reports (PARs) has been limited, with 744 (99.5 per cent) of the 748 DACC 1–3 tasks identified as completed since 2013–14 not having a PAR lodgement date recorded.
- For the seven DACC tasks selected for detailed review by the ANAO, situation reporting and PARs had been completed for five of the tasks (71 per cent). For three of these five tasks, the situation reports were either provided late or not provided to all required recipients in accordance with DACC Manual requirements.

Between June 2014 and December 2022, the DACC Manual required the preparation of a biannual or annual report for the Chief of the Defence Force (CDF) and Defence Secretary on the level of DACC support provided. This reporting relied on task-level data submitted through PARs. While this reporting was intended to improve compliance with PAR requirements, it last took place in December 2015 and was removed from the DACC Manual released in December 2022. Defence continues to provide other types of reporting to CDF and the Defence Minister, however the current reporting regime does not include task-level information.

3.60 The DACC Manual outlines the high-level monitoring and reporting requirements for each DACC category, which includes situation reports during the course of the operation, post-task reporting following the conclusion of operations, and maintenance of the DACC database.

DACC database

3.61 Specific information and details for individual DACC tasks are required to be recorded in Defence's national DACC database. The database is managed and maintained by the Director

Operations and Training Area Management (DOTAM) within the Defence Security and Estate Group (SEG). The DACC Manual states that the database ‘is the Defence tool for registering and recording all DACC activities.’ In contrast, the DACC Manual also states, in a separate section, that: ‘All DACC tasks, with the exception of civil explosive ordnance disposal and civilian search and rescue are to be reported to the relevant JOSS office for registration and inclusion in the DACC database.’ There is scope for Defence to clarify its requirements.

Opportunity for improvement

3.62 There is an opportunity for Defence to clarify requirements in the DACC Manual for registering and recording DACC activities.

3.63 The DACC Manual sets out that the regional JOSS offices are responsible for entering information related to DACC activities into the database. The DACC Manual also states the following.

- The JOSS will register the request and issue a registration number. This number will be used in all future correspondence.
- The Authorising Authority of the DACC support is responsible for ensuring that the relevant JOSS has received notification of the approval (for DACC 1) or a copy of the request (for other DACC categories).
- Other DACC documentation required includes: cost estimates, situation reports (SITREPs), PARs and legal documents, including MoUs and deeds.

3.64 The database includes fields to record key details for DACC tasks including: the date the request was received; task start and end dates; the name of the requesting organisation; DACC category¹⁰⁷ and class¹⁰⁸; task description; approving authority; and cost details.

3.65 The database contained 2828 individual DACC tasks that had been recorded as either ‘completed’, ‘approved’ or ‘conducted’ for the period 27 May 2013 to 30 June 2022.¹⁰⁹ Of these, 748 were categorised as emergency support tasks (DACC categories 1-3) and 1905 were categorised as non-emergency support tasks (DACC categories 4-6).¹¹⁰

Data quality issues

3.66 The ANAO’s analysis of the DACC database identified data quality issues, which indicates that there are weaknesses in the processes established to ensure that appropriate (complete and accurate) data is recorded by Defence personnel.

3.67 A key issue was that not all data fields have been consistently populated. Table 3.4 outlines key fields in the DACC database and the extent to which data has been recorded against those fields for the 748 DACC emergency support tasks.

107 DACC activities are categorised as DACC 1–6 depending on the nature of support provided. See Box 1.

108 DACC activities are classed as either ‘emergency’ (DACC 1–3) or ‘non-emergency’ (DACC 4–6). See Box 1.

109 The ANAO was not in a position to confirm the accuracy or completeness of the DACC database. For example, as discussed at paragraph 1.10, DACC 1 tasks are not required to be made in writing. Therefore verbal requests made for DACC 1 support that are subsequently rejected may not be included in the database.

110 The remaining 175 tasks were categorised as ‘Civil use of Defence Estate’ (63 tasks), ‘High Profile Public Event’ (58 tasks), ‘Defence Estate Civil Use Policy’ (51 tasks), and ‘ceremonial’ (three tasks).

Table 3.4 Completeness of DACC database for emergency support tasks

DACC database field	Tasks with entries in DACC database
Date task request received	748 (100%) ^a
DACC Class / Activity Type	576 (77%) ^b
DACC Category	748 (100%)
Task Description	748 (100%) ^c
Task Start and End dates	748 (100%) ^d
Approving Authority Position	292 (39%)
Date PAR lodged	4 (0.01%) ^e
Total DACC Task Cost	103 (14%) ^f
Total cost to be recovered	94 (13%) ^f

Note a: Of these tasks, 103 had request dates after the start date. The form used to report the provision of DACC 1 support includes a field for recording the date a DACC 1 request was received, which can precede the date the task was reported.

Note b: Of these tasks, 184 had a 'DACC Class/Activity Type' recorded as 'non-emergency' despite having a 'DACC Category' recorded as either DACC 1, DACC 2 or DACC 3.

Note c: The ANAO identified instances where the task description in the database did not fit the definitions of emergency DACC support, including the use of Defence assets for displays at sporting events, and the provision of training to the Australian Border Force. In response to the issues identified in Note b and Note c, Defence advised the ANAO in March 2023 that 'Due to the high number of entries with the exact, same error, it seems likely that the errors were largely caused by a problem with the migration of the National DACC Register to a new SharePoint platform in Dec 22. Since then DOTAM HQ has received reports of similar issues with other entries, which they insist were correct before the migration but wrong after it.'

Note d: Of these tasks, 13 had recorded start dates as occurring after end dates. Defence advised the ANAO that this was likely due to user input errors.

Note e: PARs are required to be submitted following the conclusion of DACC tasks. Defence's post-activity reporting is discussed at paragraphs 3.81–3.89 of this audit.

Note f: Defence's cost recording and cost recovery arrangements are discussed at paragraphs 3.26–3.44 of this audit.

Source: ANAO analysis of Defence data.

Elapsed time between receipt of request and task start date

3.68 ANAO analysis of the 'date request received' and 'task start date' fields indicated that the average length of time between the request received and start date is 60 days. However, the task descriptions for requests categorised as DACC 1–3 often did not accord with the associated DACC category.

3.69 The DACC tasks with the longest duration between the request receipt date and start date were:

- support for the Commemoration of the ANZAC Centenary in April 2014 (646 days); and
- four tasks to provide security support for the QLD April 2018 Commonwealth Games (585 days).

3.70 These five tasks were recorded as DACC 1 events, which involve emergency assistance being provided at a local level and are to be short term in nature (no more than 48 hours). These task descriptions and the long duration between the request and approval dates suggest that these events were not emergencies and were therefore recorded incorrectly.

Duration of DACC tasks

3.71 ANAO analysis of the 'task start date' and 'task end date' fields indicates that the average duration of DACC 1–3 tasks was 15 days. The three DACC tasks with the longest duration were as follows.

- South Australian Department of Planning, Transport and Infrastructure's use of Defence estate at Woomera from 20 February 2014 to 20 February 2017 (1096 days).
- Use of Defence estate by the Catholic Diocese of Port Pirie from 1 April 2014 to 31 March 2017 (1095 days).¹¹¹
- Use of Defence estate to provide postal services for Woomera 1 from July 2014 to 1 July 2016 (731 days).

3.72 These three tasks were recorded in the DACC database as DACC 1 tasks. However their descriptions did not accord with the emergency characteristics of DACC categories 1–3.¹¹² The DACC Manual states that:

where the assistance provided is simply access to Defence ranges, training areas or other use of Defence facilities, the support is to be provided in accordance with the Defence Estate Civil Use Policy. For other Defence assistance outside of Civil Use Policy, such as support to training requirements on and off base, DACC 5 is to be considered.

Operation Bushfire Assist and Operation Flood Assist tasks

3.73 ANAO analysis of tasks recorded as taking place under Operation Bushfire Assist 2019–20, or the iterations of Operation Flood Assist, indicated the following.

- Average duration between the receipt of requests and commencement of support was one day.
- Average task duration was 16 days.
- The three tasks with the longest durations under these operations were:
 - DACC 3 flood recovery support for the QRA from 8 March 2022 to 30 June 2022 (114 days)¹¹³;
 - DACC 2 non-aviation support for the NSW bushfires from 3 January 2020 to 1 March 2020 (58 days); and
 - a DACC 2 task entry delegating approval of new DACC requests to JTF Commanders from 3 January 2020 to 1 March 2020 (58 days).¹¹⁴

111 The Catholic Diocese of Port Pirie and the South Australian Department of Planning, Transport and Infrastructure own and maintain buildings situated on Commonwealth land.

112 Defence advised the ANAO in July 2023 that: 'There appear to be a number of entries, including these three tasks, where the actual category of DACC defaulted to DACC 1 during the migration of the DACC Database from a previous version of SharePoint to 2019. A post-migration audit will be conducted later this year.'

113 This DACC task was selected as part of the ANAO's case study analysis as outlined in Table 3.1.

114 Defence's use of JTFs is discussed at paragraphs 3.3–3.6.

Quality assurance

3.74 The ANAO sought Defence advice on quality assurance processes and training for personnel responsible for entering data into the DACC database. Defence advised the ANAO in January 2023 that these processes are largely supported by the DACC Policy and DACC Manual.

3.75 In respect to education and training for personnel, Defence advised the ANAO in January 2023 that:

- a session on the DACC database is included in the annual JOSS Induction and Professional Development Courses (JIPDC – delivered by DOTAM HQ); and
- [t]he DACC database is also frequently discussed at Manager Joint Operations Support Staff (MJOSS) conferences conducted at least annually.¹¹⁵

3.76 In respect to quality assurance, Defence advised the ANAO that the accuracy of the data entered into the DACC database is the responsibility of the entering officer and that 'in many cases, there is no secondary oversight (or cross-referencing) conducted by another person to ensure that data inputted reflects the correct data.'¹¹⁶ Defence further advised the ANAO in January 2023 that the 'DOTAM HQ Domestic Support will be in position during 2023 to undertake regular checks of the DACC Database to ensure that entries are accurate and correct' and that it 'will also issue a national SOP on the management of DACC requests for all JOSS to use and follow.'

3.77 The DACC database was first activated on 16 December 2013, during the ANAO's 2013–14 audit of DACC arrangements.¹¹⁷ That audit report included a recommendation that Defence review the minimum information necessary to be reported for each emergency DACC task and take steps to strengthen the priority afforded by Defence personnel to meeting those reporting requirements. The ANAO noted that without doing so, there would continue to be shortcomings in Defence records relating to emergency DACC. This most recent audit indicates that there remains scope for improvement in Defence's record-keeping practices and its management of the DACC database.

Situation reporting

3.78 The DACC Manual states that situation reports are required to be provided to HQJOC, MSC, the relevant chain of command, and the relevant JOSS manager during all DACC tasks, including those undertaken by JTFs. For DACC 1 tasks, these reports are to be provided every 24 hours. For DACC 2 and DACC 3 support, the submission time for reports is stipulated through orders and directives to the relevant JTF or DACC Commander. The DACC Manual states that timely and accurate reporting to MSC enables ongoing advice to CDF, the Defence Minister and NEMA as necessary.

115 ANAO note: in relation to the JIPDC and MJOSS conferences, Defence was unable to provide the ANAO with documentation to confirm that the DACC database was discussed. In relation to the MJOSS conferences, Defence advised the ANAO that: 'There were no formal DACC Database presentations. It was a discussion item and not minuted.'

116 Defence also advised that informal support and assurance has been provided through DOTAM HQ Domestic Support: having 'had a number of conversation[s] with various JOSS individuals about the DACC database and how to properly use it'; and sending 'e-mails to the MJOSS [Manager Joint Operations Support Staff], asking them [to] undertake Quality and Assurance checks of data in the DACC database.'

117 Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community*, paragraph 4.11.

3.79 Defence provided evidence of situation reports for five of the seven emergency DACC tasks reviewed by the ANAO (listed in Table 3.1). While situation reporting had been completed for the four DACC 1 tasks, Defence was unable to provide the ANAO with evidence that the reports had been provided to MSC or HQJOC for the QLD DACC 1 and WA DACC 1 tasks. For the NSW DACC 1 task, the situation report was provided to MSC and JOSS, but was not sent within the 24 hour timeframe and was not provided to HQJOC.

3.80 Defence provided evidence that situation reporting had been conducted in line with the requirements of the CJOPS Task Order for the SA DACC 2 task. Defence was unable to provide the ANAO with any situation reporting for the QLD DACC 2 task (which was discussed in ANAO Case study 3). Defence was also unable to provide the ANAO with evidence of task-level situation reporting taking place for the QLD DACC 3 task (which was discussed in ANAO Case study 1).

Post-Activity Reporting (PARs)

3.81 The DACC Manual states that to ensure appropriate record-keeping, PARs are to be completed for all DACC activities and submitted to the relevant regional JOSS office within 28 days of the cessation of the DACC support.¹¹⁸

3.82 Some potential ambiguity exists within the DACC Manual in respect of the required format of PARs. While it states that the specific format of PARs will be as determined by the approving officer or their delegate, it also sets out that PARs need to confirm particular information, including the:

- supported organisation;
- nature of the support provided;
- location(s) and timeframe(s) in which support was provided;
- DACC category applied;
- number of observations, insights and lessons (OILs) submitted on the Defence Lessons Repository;
- Defence resources employed; and
- financial factors, including cost estimate, cost recovery and any cost waivers.

3.83 The DACC Manual states that due to the nature of DACC 1 tasks, there is potential for Defence support to be completed before notification of the event is submitted. The DACC 1 Task Notification (webform AE830) is the appropriate mechanism through which relevant authorities of DACC 1 support are to be informed and is to be submitted by the approving authority at the first available opportunity.¹¹⁹

118 Mandatory post-activity reporting was introduced to the DACC Manual in 2014 in response to part of the recommendation from Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community* (see paragraphs 4.31–4.37). The 2017 edition of the DACC Manual stated that PARs were ‘not a mandatory requirement’. The 2020, 2021 and 2022 DACC Manual editions state that ‘PARs are to be completed for all DACC activities’.

119 The AE830 webform is the mechanism by which requests for DACC 1 support are documented and approved by Defence.

3.84 Of the 748 DACC 1–3 tasks recorded in the database as completed since 2013–14, 744 (99.5 per cent) did not have a PAR lodgement date recorded. For the seven DACC tasks reviewed by the ANAO (listed in Table 3.1), Defence provided evidence of PARs for five.¹²⁰

3.85 Defence (DOTAM) advised the ANAO in January 2023 that the completion of PARs is the responsibility of units providing support and, although requested by the JOSS, the PARs are rarely provided. Defence further noted that this ‘highlights that units are not aware of this DACC Manual requirement or see it as an administrative impediment that serves no purpose once the support has been provided.’

3.86 Defence further advised the ANAO in March 2023 that:

The latest version of the DACC Manual recognises an AE830 as a PAR for a DACC 1 task (refer Annex 10A, para 29). DACC 2 and 3 tasks are generally done under the auspices of a domestic ADF operation, which have their own post operation reporting requirements.

3.87 In respect to this advice, the ANAO notes the following.

- While the DACC Manual states that the AE830 webform meets the requirements of a PAR, the webform does not include all the required fields identified in the DACC Manual, including those used to record: the number of observations, insights and lessons (OILs) submitted on the Defence Lessons Repository; or cost recovery details and any cost waivers (the fields are discussed in paragraph 3.82).
- Of the 103 DACC 2 and DACC 3 tasks recorded as complete in the DACC database since 2013–14, 34 did not have an associated ADF Operation recorded. Of these 34 tasks, none had a recorded PAR lodgement date.

3.88 The ANAO observed that Post-Operation Reporting took place as follows: for Operation Bushfire Assist 2019–20, in March and April 2020; for Operation Flood Assist 2022– 1, in June 2022; and for Operation Flood Assist 2022–2 and 2023–1, in April 2023. While the Post-Operation Reporting for these operations included identified lessons and detailed analysis of support delivered, they did not include task-level reporting against the required fields identified in the DACC Manual (the fields are discussed in paragraph 3.82).

3.89 By including task-level PAR requirements in the DACC Manual, Defence has identified that it considers PARs to be an important element of accountability and governance in the provision of DACC support. Non-completion of PARs limits Defence’s ability to monitor and report on the outcomes, costs, and costs recovered at the task-level.¹²¹

Annual report to Chief of the Defence Force

3.90 Prior to its review in December 2022, the DACC Manual required MSC to prepare an annual report for CDF and the Defence Secretary outlining the DACC support provided in the previous

120 This includes three DACC 1 tasks for which the AE830 form served as the PAR, and the South Australia DACC 2 task. The PAR for the South Australia DACC 2 task met the content requirements outlined in paragraph 3.82. However, it was completed by the ADF Liaison Officer and not the DACC Commander, and Defence records do not record whether it was submitted to HQJOC and MSC as required.

121 As discussed in paragraph 4.31, Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community* included a recommendation that Defence review the minimum information necessary to be reported for each emergency DACC task and take steps to strengthen the priority afforded by Defence personnel to meeting those reporting requirements. The ANAO noted that without doing so, there would continue to be shortcomings in Defence records relating to emergency DACC.

financial year. The manual also outlined that this involved MSC seeking a DACC database report from DOTAM in June each year for all DACC support provided in the preceding 12 months.

3.91 The annual report was intended to provide a consolidated summary of all DACC support, with an emphasis placed on reporting in respect to support provided as part of any disaster response. In addition, the report was to outline Defence preparedness for the next High Risk Weather Season (HRWS).

3.92 This requirement was originally incorporated into the DACC Manual in June 2014¹²² in response to Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community*.¹²³ This reporting requirement was removed in the most recent update to the DACC Manual in December 2022. Defence advised the ANAO in January 2023 that:

The original reference to a report to CDF annually was redundant with each major activity being reported separately for instance, for High Profile Public Event Decision Briefs or DACC 2 summaries. The last time this was reported holistically to CDF was 2015.¹²⁴ ... Therefore, directing an undesired and duplicative additional report in [a] new ... DACC Manual was deemed unnecessary, and the reference removed. Multiple other forms of reporting to CDF, and the Minister still exist as required for specific delegations, and formal reporting chains. There are 82 repetitions of “report” in the DACC manual referring to these different forms of normalised reporting for DACC.

3.93 The reports provided to CDF and the Defence Secretary in June and December 2015 included aggregated details about: the number of DACC tasks completed by DACC category; compliance with PAR requirements by DACC category and Service Group; measures being taken to improve compliance with PAR requirements; and the cost of DACC support by DACC category. The December 2015 report provided to CDF and the Secretary observed that:

Since the introduction of biannual DACC reporting, the capturing and consolidation of PAR data in the ... DACC database has improved. DOTAM ... continues working to further improve the completeness, effectiveness and accuracy of the DACC database which will better enable the Services and Groups to ensure through the chain of command that PAR [post-activity reports] are completed.

3.94 Defence provided the ANAO with evidence of other forms of reporting to CDF and the Defence Minister, such as through formal submissions and briefings. These submissions and briefings tended to provide information on the nature, extent and timing of support provided under DACC operations. The information provided was not based on task-level data from PARs and did not provide aggregated analysis of DACC support by category, the cost of the DACC support provided, the extent of costs recovered, or the extent of compliance with PAR requirements. This was the type of aggregated information to be included in the biannual (later annual) management reporting to CDF.

122 The original requirement introduced into the DACC Manual in June 2014 was for bi-annual reporting. In the August 2020 edition of the DACC Manual the requirement was changed to annual reporting.

123 Defence’s progress in implementing the recommendation from this audit report is discussed in further detail at paragraphs 4.31–4.37.

124 ANAO note: Defence advised the Defence Minister in July 2020 that ‘Military Strategic Commitments will continue to prepare an annual report for CDF and the Secretary, outlining all DACC support for that year’. Defence confirmed, in advice to the ANAO in March 2023, that a DACC annual report ‘has not been developed since 2015’.

Recommendation no. 3

3.95 The Department of Defence improve its administrative arrangements for DACC to ensure that:

- (a) post-activity reports are completed with all relevant information and submitted according to the requirements of the DACC Manual;
- (b) data entered into the DACC database is complete and accurate, and supports reporting to the Chief of the Defence Force (CDF), Secretary of Defence and Minister for Defence; and
- (c) the CDF, Secretary and Minister are provided with sufficient and appropriate information on the aggregated costs of DACC support.

Department of Defence response: *Agreed.*

3.96 *Defence notes that measures to improve administrative arrangements are already in place and subject to continuous improvement. The DACC Manual is being updated to describe that post activity reports are required on a where applicable basis.*

3.97 *DACC database is a data repository and one of multiple sources used to support reporting. Routine quality assurance checks have already been implemented.*

3.98 *As per recommendation 1, Defence cost attribution practices mean the finance system does not currently record all costs against specific emergency DACC events, or other organisational costs incurred. All spend is recorded in the financial system, regardless of which activity created the expense. Defence will review the consistency of cost attribution of DACC activities within the limits of the Financial Management Information System, in conjunction with the requirements of the DACC Manual.*

ANAO comment

3.99 In the absence of relevant supporting evidence, the ANAO could not provide assurance over the measures to improve administrative arrangements referred to in paragraph 3.96 or whether routine quality assurance checks have been implemented as stated in paragraph 3.97. As noted at paragraph 3.84, of the 748 DACC 1–3 tasks recorded in the DACC database as completed since 2013–14, 744 (99.5 per cent) did not have a post-activity report lodgement date recorded. For the seven DACC tasks reviewed by the ANAO (listed in Table 3.1), Defence provided evidence of post-activity reporting for five. Further, as noted at paragraph 3.66, the ANAO's analysis of the DACC database identified data quality issues, indicating weaknesses in the processes established to ensure that appropriate data is recorded by Defence personnel.

4. Assessing and learning from DACC activity

Areas examined

This chapter examines the Department of Defence's (Defence) arrangements for assessing and learning from emergency Defence Assistance to the Civil Community (DACC) activities and reviews.

Conclusion

Defence has established fit-for-purpose arrangements to identify lessons learned from DACC activities, and has included relevant requirements in its guidance and directives. Defence has, however, made limited use of these arrangements and has not complied with all requirements. Defence has partly addressed the findings and recommendations of internal and external reviews of DACC arrangements.

Areas for improvement

The ANAO made one recommendation aimed at ensuring that DACC observations, insights and lessons are recorded in accordance with requirements.

The ANAO also identified an opportunity for improvement relating to Defence improving consistency by reviewing the lesson recording requirements of the DACC Manual and Defence lessons management policies to ensure their alignment.

4.1 Effective planning and administrative arrangements for DACC activity will include fit-for-purpose arrangements to identify lessons learned, appropriate consideration of the findings of internal and external reviews, and timely implementation of agreed recommendations from such reviews.

Has Defence established fit-for-purpose arrangements to identify lessons learned?

Defence has established fit-for-purpose arrangements to identify lessons learned from DACC activities and has included relevant requirements in the DACC Manual and a joint lessons directive issued by the Chief of Joint Operations (CJOPS). However, it has made limited use of the arrangements and has not complied with all requirements.

The Defence Lessons Program (DLP) and Defence Lessons Handbook provide policy, guidance and support for lessons management in Defence. A Defence Lessons Repository (DLR) has also been established for collating observations, insights and lessons (OILs) from Defence activities. However, Defence's limited use of the DLR for DACC purposes does not align with the requirements of the DACC Manual or CJOPS Joint Lessons Directive 48/2022.

In the context of 2828 individual tasks recorded in the DACC database as delivered between 27 May 2013 and 30 June 2022, the Defence Lessons Repository included 185 observations, 20 insights and one lesson related to DACC activities recorded since 2013–14.

Gathering and recording lessons

Defence Lessons Program

4.2 In Auditor-General Report No.1 2011–12 *The Australian Defence Force's Mechanisms for Learning from Operational Activities*, the ANAO observed that the effectiveness of deployed Australian Defence Force (ADF) personnel depends, in part, upon the ADF's ability to learn from experience to improve its operational performance.¹²⁵ Defence agreed to the five recommendations made in the report, including that:

to support an ADF-wide approach to learning from operations and exercises, the ADF establish a clear role and scope for future operational knowledge management repositories, and develop a clear plan for capturing and migrating relevant existing information.

4.3 In December 2014, the Chief of the Defence Force (CDF) and the Defence Secretary issued Joint Directive 49/2014, *Establishment of a Defence Lessons Program*. The Joint Directive directed the Vice Chief of the Defence Force (VCDF) to establish and lead a Defence Lessons Program to 'encompass governance, administration, doctrine, training, IT systems support and a central lessons repository'.

4.4 The DLP provides policy, guidance and support for lesson management in Defence and includes a Defence Lessons Handbook which: 'offers some key points and considerations for conducting lesson related activities in alignment with higher direction' and 'acknowledges the range of lesson management policies, process and resources that may be required within Defence'.¹²⁶

Defence Lessons Repository

4.5 In February 2021 Defence implemented the Defence Lessons Repository (DLR)¹²⁷ for collating 'observations, insights and lessons' (OILs) from Defence activities.¹²⁸

4.6 Defence's DACC Manual states that:

5.14. Observations, insights and lessons (OILs) on DACC requests are to be collected and maintained across the Groups and Services at all levels in accordance with the Defence Lessons Handbook. When a Joint Task Force (JTF) headquarters is established or activated, a dedicated lessons management function is to be included and resourced within this headquarters from initiation.

5.15. Formal lesson reviews are to occur when a DACC operation ceases with the outcomes of the lesson review included in the Defence Lessons Repository. Areas for focus in the analysis are based on the Commander's area of interest but could include the ongoing appropriateness of DACC

125 Auditor-General Report No.1 2011–12 *The Australian Defence Force's Mechanisms for Learning from Operational Activities*, paragraph 4.

126 The DLP indicates that it does not dictate methods and process as it assumes users will apply their judgement to determine what parts of the handbook are relevant to their circumstances.

127 Prior to implementation of the DLR, Defence used various iterations of lessons repositories including the: Defence Lessons Management and Records Tool; Interim Defence Lessons Repository System; and Joint Lessons Learned Information System Australian Defence Organisation.

128 Defence defines an observation as 'a description of something that has been witnessed, experienced or discovered.' Observations can be analysed to develop insights which are 'an understanding of a single observation or a number of related observations.' Insights can then be analysed to become identified lessons which are conclusions 'based on a complete understanding of an insight, which includes recommendations for an action body and corrective action to resolve the root cause of the observation.'

Policy, procedures and plans (including standing Defence emergency assistance and regional support plans).

4.7 Defence was unable to provide the ANAO with evidence that a dedicated lessons management function had been established for any JTF.

4.8 The DACC Manual also states that, as part of DACC Post Activity Reporting (PAR) requirements, all 'OILs are to be entered into the DLR in accordance with the Defence Lessons Handbook throughout the DACC activity'.¹²⁹

4.9 In the context of 2828 individual DACC tasks recorded as 'completed', 'approved' or 'conducted' from 27 May 2013 to 30 June 2022, the DLR includes 185 observations, 20 insights and one lesson related to DACC activities recorded since 2013–14.¹³⁰ Defence advised the ANAO in March 2023 that:

Joint Operations Command manages the Joint Lessons management Process, which includes after action reviews from Joint Operational activities, including DACC. Only lessons with a whole-of-Defence implication are recorded in the Defence Lessons Repository. Joint lessons from individual DACC activities within the remit of the Chief of Joint Operations are managed at the Joint Operations Command Level.¹³¹

4.10 This advice is supported by Chief of Joint Operations (CJOPS) Joint Lessons Directive 48/2022, which states that 'enterprise level actions are to be managed with the ADF/ADO [Australian Defence Organisation] Defence Lessons Repository'. However, these arrangements are not consistent with the requirements of the DACC Manual discussed at paragraph 4.6 of this audit report.

Opportunity for improvement

4.11 There is an opportunity for Defence to improve consistency by reviewing the lesson recording requirements of the DACC Manual and Defence lessons management policies to ensure their alignment.

Lessons boards and reviews

4.12 As discussed at paragraphs 2.46–2.47, the DACC Manual requires that at the end of the High Risk Weather Season (HRWS), there are to be lessons boards conducted reviewing all DACC OILs identified to inform reviews of policy, process, training and preparation for the next HRWS, as well as lesson reviews when a DACC operation ceases.

129 The Defence Lessons Handbook does not discuss the use of the DLR.

As discussed at paragraph 3.87 of this audit, for DACC 1 support, the AE830 webform meets the requirements of a PAR, however it does not include any fields to record observations, insights or lessons.

130 Defence advised the ANAO in July 2023 that: 'The DLR is not the only place that Defence Lessons reside. Army Lessons (AL) has maintained a database of Observations, Insights and Lessons (OIL's) on a standalone server since 2004. The introduction of the Defence Lessons Repository (DLR) in 2021 and subsequent review of its functionality by AL determined that DLR was not as functional as the AL database and it was agreed that AL would continue to use the AL database as it OIL's repository until such time as the DLR was fit for purpose.'

131 ANAO note: Lessons within the remit of Joint Operations Command are recorded through a Joint Collaborative Portal. ANAO review of the portal identified 5 observations related to emergency DACC. These observations included the need for improved tracking of personnel, clerical support and coordination between business areas. Two of the observations were recorded in March 2022, and three were recorded in November 2022. Actions taken to address these observations were not recorded on the portal.

4.13 The ANAO reviewed the Army Lessons Boards conducted in 2021 and 2022 as well as post-operation documentation for Operation Bushfire Assist 2019–20 (JTF1110 and JTF1111) and Operation Flood Assist 22–1 (JTG629.3). The ANAO observed that Defence had identified enterprise-wide observations, lessons and recommendations across these operations related to the provision of DACC support.¹³²

4.14 ANAO review of post-activity reporting (PARs) for Operation Bushfire Assist 2019–20 and Operation Flood Assist 22–1 did not identify any instances where enterprise-wide lessons identified had been recorded on the DLR. Further, none of the lessons identified in the lessons boards had been recorded on the DLR.

4.15 Defence's limited use of the DLR does not align with the requirements of the DACC Manual or CJOPS Joint Lessons Directive 48/2022. This indicates a need to clarify the policy requirements for recording DACC OILs. It also indicates there is room for improvement regarding the recording of OILs with enterprise-wide implications, identified through DACC lessons boards and PARs. Improved compliance with PAR requirements (discussed at paragraphs 3.81–3.89) would further support the recording of DACC OILs.

Implementing lessons

4.16 In Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community* the ANAO observed that Defence did not have an information system to track and monitor the outcomes of lessons boards.¹³³

4.17 The DLR includes fields to record lesson details, as well as recommendations to address the lesson and the estimated difficulty and duration for implementing the recommendation.

4.18 The one DACC lesson recorded in the DLR had an associated recommendation.¹³⁴ However, no implementation update had been provided against the recommendation. Defence advised the ANAO in March 2023 that:

The decision on whether to implement a recommendation and the tracking and monitoring of the implementation of that recommendation is undertaken by the Group or Service that contributed that lesson. This process occurs through Group or Service Lessons Boards and through the Joint Capability Coordination Committee [JCCC] (for military lessons). The classification and nature of the lesson and associated recommendation will determine whether the defence lessons Repository is used for monitoring and tracking implementation.

4.19 Defence subsequently advised the ANAO in July 2023 that:

Lessons and Recommendations related to the provision of DACC Support are primarily addressed through mechanisms such as JOC [Joint Operations Command] Joint Planning Group for High Risk Weather Season (HRWS) ... JOC has no record of lessons for DACC being tabled via the JCCC, rather

¹³² Some examples of enterprise-wide lessons identified are outlined in paragraph 2.48 and footnote 79 of this audit.

¹³³ Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community*, paragraphs 17 and 30.

¹³⁴ The lesson related to the availability of loan vehicles for DACC support. The recommendation recorded against this lesson was that 'loan vehicle availability should be clearly communicated to HQ Force Command (FORCOMD) prior to commencement of High Risk Weather Season (HRWS).' Defence was unable to provide evidence that this recommendation had been implemented.

this committee is used to communicate lessons relating to other Operations, Actions and Activities.

4.20 Defence was unable to provide the ANAO with evidence of DACC lessons and recommendations being monitored through the JOC Planning Group.

Recommendation no. 4

4.21 The Department of Defence implement arrangements to ensure that relevant observations, insights and lessons identified through post-operation and post-activity DACC reporting are recorded on the Defence Lessons Repository in accordance with Defence policies.

Department of Defence response: *Agreed.*

4.22 *Defence notes the mechanisms to input data into the Defence Lessons Repository exist however the lessons are not categorised by, or directly associated with the specific DACC event. This process supports capture of lessons rather than the auditing of specific events. Defence will review the requirements to ensure coherence between lessons capture practices, policy and the DACC Manual guidance.*

4.23 *Defence also notes that lessons are not identified for every DACC activity, and respective lesson boards will respond appropriately to lessons within their remit.*

Has Defence addressed findings and recommendations from internal and external reviews of emergency DACC?

Defence has partly addressed the findings and recommendations of internal and external reviews of DACC arrangements.

- In October 2021 Defence closed out the ten recommendations of an internal review requested by the Australian Government following Operation Bushfire Assist 2019–20. At the time of closure, updates against four of the recommendations noted that implementation activity was still underway. Work relating to a recommendation to track reservist civilian skillsets was subsequently discontinued by Defence.
- An agreed Auditor-General recommendation to review DACC reporting requirements and improve compliance was partly implemented. Defence conducted a review of the DACC Manual in 2014 to consider the minimum reporting requirements necessary to discharge Defence accountability and transparency obligations. However, the steps taken to strengthen the priority afforded by Defence units to meeting reporting requirements — through the introduction of biannual and later annual reporting to CDF and the Defence Secretary — were short-lived. The last instance of such reporting was in 2015 and the requirement was removed in 2022.
- Defence implemented the three recommendations relating to DACC made in the report of the 2020 Royal Commission into National Natural Disaster Arrangements.

Internal review of Operation Bushfire Assist 2019–20

4.24 On 24 January 2020, Defence commenced an internal review of support provided as part of Operation Bushfire Assist 2019–20, to 'develop Defence-level lessons and recommendations to

optimise Defence support to future crisis events'. The review made ten recommendations covering: policy and legal frameworks¹³⁵; media and communications procedures; command and coordination arrangements; management and administration of personnel; supporting IT systems; and arrangements for managing relevant supplies and offers of foreign military assistance.

4.25 A subsequent internal review, completed in October 2020, assessed Defence's implementation of the ten recommendations from the internal review. The review found that five recommendations were either partially implemented or had potential risks to implementation by the agreed completion date, and two recommendations were either not implemented or had significant risks to implementation by the agreed date. The review noted that:

Where the Department has not yet implemented recommendations from the Strategic Review, or is not well progressed to implement recommendations within the agreed timeframes, there is a risk that it may not be effectively prepared to respond to future national crisis events, and the upcoming or future High Risk Weather Seasons. Where required improvements have been identified and not actioned, there is an increased reputational risk to the Department.

4.26 The review also found that there were:

deficiencies in the overarching governance framework and structure supporting management of the recommendations. These deficiencies have impacted the efficacy of actions undertaken in response to recommendations from the Strategic Review and, if not addressed, mean the Department is not well placed to ensure that that [sic] the remaining recommendations are implemented or that lessons from similar future activities are learned (including how the [sic] Defence approaches lessons from the COVID-19 ASSIST Taskforce). This finding is consistent with previous findings made by the Australian National Audit Office (ANAO) and Audit Branch in relation to the implementation of lessons. The fact that these issues have been raised before and have not been addressed is of concern for the Department.

4.27 The review made three recommendations aimed at: improving governance structures for the allocation and implementation of future recommendations; improving the integration of Defence's Joint Lessons Directorate, which is responsible for the Defence Lessons Program, into the governance and oversight of recommendations which are not confined to a single Group or Service; and improving ongoing assurance of the implementation of recommendations to assist in identifying and escalating implementation risks in a more timely manner.

4.28 In October 2021, the Military Strategic Commitments Division (MSC) provided an update to the Secretary of Defence and CDF on progress in implementing the recommendations from the initial internal review and proposed to close all ten recommendations. The Secretary and CDF approved the closure of the recommendations. At the time of closure, updates against four of the ten recommendations noted that relevant activity to implement the recommendations was still underway.¹³⁶

135 This included a review of the DACC Policy following correspondence between the Prime Minister and Defence Minister in February 2020, requesting that the Minister consider options for enabling the ADF to take a more proactive approach in responding to natural disasters.

136 This includes recommendation 5(a) which stated that Defence would 'examine options to capture, track and utilise the high pay off qualifications and skills of Defence personnel for natural disaster and emergency responses.' As noted at paragraph 2.45, work to track reservist civilian skillsets was subsequently discontinued by Defence.

Implementation of external review recommendations

4.29 The ANAO examined Defence's implementation of the recommendation made in the last ANAO performance audit of DACC¹³⁷, and recommendations relating to DACC made in the report of the 2020 Royal Commission into National Natural Disaster Arrangements.¹³⁸

4.30 Table 4.1 below sets out the thresholds applied for the implementation status of each recommendation.

Table 4.1 ANAO categorisation of implementation status

Category	Explanation
Not implemented	There is no supporting evidence that the agreed action has been undertaken or the action taken does not address the intent of the recommendation as agreed.
Partly implemented	The action taken was less extensive than the recommendation agreed, as: • it fell well short of the intent of the recommendation as agreed; or • processes were initiated or implemented but outcomes not achieved.
Largely implemented	The action taken was less extensive than the recommendation agreed, as: • it fell short of the intent of the recommendation as agreed; or • processes were initiated or implemented and there is evidence there was also action taken to achieve the outcome.
Implemented	There is supporting evidence that the agreed action has been undertaken and the action met the intent of the recommendation as agreed.

Source: ANAO analysis.

ANAO performance audit – April 2014

4.31 Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community* included one recommendation, which was agreed by Defence:

To promote the efficient and effective use of Australian Government resources in the administration of emergency assistance to the civil community, the ANAO recommends that Defence:

- review the minimum information necessary to be reported for each emergency DACC task to discharge accountability obligations, identify costs, undertake cost recovery where appropriate, maintain records for future use and learn from emergency DACC activities; and
- take steps to strengthen the priority afforded by Defence units to meeting these reporting requirements.

4.32 In making the recommendation, the ANAO had observed that:

4.14 Emergency DACC has largely been focused on response, with a lesser priority given to records management and reporting. ...

137 Auditor-General Report No.24 2013–14 *Emergency Defence Assistance to the Civil Community* [Internet], 16 April 2014, available from <https://www.anao.gov.au/work/performance-audit/emergency-defence-assistance-to-the-civil-community> [accessed 3 May 2023].

138 Information on the Royal Commission is available from <https://naturaldisaster.royalcommission.gov.au/> [accessed 19 June 2023].

4.15 For many years Defence has had detailed reporting requirements for DACC tasks, and for many years these requirements have not been met on a consistent basis. This raises questions for Defence about the balance between the benefits for DACC planning and public accountability of capturing more comprehensive information, and the risks in not capturing certain task information. Against this background, Defence should review reporting requirements to ensure they represent the minimum information necessary to: identify the nature and cost of emergency DACC tasks, undertake any cost recovery, discharge accountability obligations, maintain reasonable records for future use and learn from emergency DACC activities. Defence should also take steps to strengthen the priority afforded by Defence commanders and personnel to meeting those reporting requirements.

4.16 Defence's development of a national DACC database is a positive development (see paragraph 4.11). However, if Defence does not also take steps to strengthen the priority afforded by Defence commanders and personnel to meeting the reporting requirements that are determined to be appropriate, there will continue to be shortcomings in Defence records relating to emergency DACC.

4.33 In July 2014, the Vice Chief of the Defence Force (VCDF) submitted an Audit Closure Report to Defence's Audit and Fraud Control Division seeking approval to close the recommendation, noting that:

Military Strategic Commitments (MSC) has responded to this recommendation working with Navy, Army, Air Force, HQJOC, CFO and DSRG to review the minimum information requirements of the DACC Manual and to develop a compliance regime to ensure that DACC Manual reporting requirements are adhered to by Services and Groups.

The review found that the current information requirements contained in the DACC Manual are the minimum necessary to discharge Defence accountability and transparency obligations to Government. Further, a compliance regime has been developed and incorporated into the DACC Manual whereby MSC will prepare an [sic] biannual report for CDF and SEC [Defence Secretary], in turn available to MINDEF [Defence Minister] as required, in April and October each year for ... DACC support provided to the civil community in the preceding six months. In order to prepare this report, it will be critical [that] the Services and Groups meet the reporting requirements contained in the revised DACC Manual.

4.34 A requirement was introduced into the DACC Manual in June 2014 for bi-annual reporting to CDF and the Defence Secretary. Defence's Audit and Fraud Control Division approved closure of the audit recommendation in August 2014.

4.35 In the August 2020 edition of the DACC Manual, the requirement was changed to annual reporting to CDF and the Defence Secretary. As discussed at paragraphs 3.92–3.93, the last time such reporting was provided to CDF and the Defence Secretary was December 2015. The December 2015 report observed that since the introduction of the biannual reporting requirement, the capturing and consolidation of PAR data in the DACC database had improved.

4.36 The requirement for annual reporting to CDF and the Defence Secretary was removed in the most recent update to the DACC Manual in December 2022. As discussed at paragraph 3.92, Defence advised the ANAO in January 2023 that the reference in the DACC Manual to the annual report was considered 'redundant' and 'duplicative' and was therefore 'deemed unnecessary' for inclusion in the 2022 DACC Manual.

4.37 The ANAO has assessed the recommendation as partly implemented. Defence conducted a review of the DACC Manual in 2014 to consider the minimum reporting requirements necessary to discharge Defence accountability and transparency obligations to government. However, the steps taken to strengthen the priority afforded by Defence units to meeting reporting requirements — through the introduction of biannual and later annual reporting to CDF and the Defence Secretary — were short-lived. The last instance of such reporting was in 2015 and the requirement was removed in 2022. Further, the limited completion of post-activity reporting undermines Defence's ability to monitor and report, at the task-level, on outcomes, activity costs, and costs recovered.

Royal Commission into National Natural Disaster Arrangements – October 2020

4.38 The Royal Commission into National Natural Disaster Arrangements was established on 20 February 2020 to examine national natural disaster coordination arrangements in the aftermath of the 2019–20 bushfires (see paragraphs 1.28–1.30). It reported on 20 October 2020 and made 80 recommendations, three of which related to DACC support.

4.39 In November 2020, the Australian Government provided its response to the recommendations, which included support for the three DACC related recommendations.

4.40 In September 2021, the Department of the Prime Minister and Cabinet provided the Australian Government with an update on implementation of the Royal Commission recommendations, advising that Commonwealth actions to address the three recommendations were complete.

4.41 The three recommendations, and the ANAO's assessment of Defence's implementation, are outlined in Appendix 4 of this audit. The three recommendations were assessed as implemented.

Grant Hehir
Auditor-General

Canberra ACT
15 September 2023

Appendices

Appendix 1 Department of Defence's response



Australian Government

Defence

PO Box 7900 CANBERRA BC ACT 2610

EC23-003300

Mr Grant Hehir
Auditor-General
PO BOX 707
CANBERRA ACT 2601

Dear Mr Hehir

Australian National Audit Office (ANAO) Section 19 Proposed Report – Defence's Assistance to the Civil Community

Thank you for the opportunity to comment on the Proposed Report for the ANAO performance audit Defence Assistance to the Civil Community (DACC).

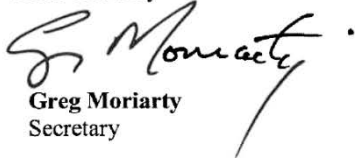
Defence is committed to strengthening policies and practices to optimise support and assistance for emergency operations provided to the civil community. The outcomes and implications of the ANAO report will be key considerations in future reviews of the DACC Manual and associated policies.

While Defence accepts the key findings of the report, Defence does not agree with the statement made by the ANAO that the approach adopted by Defence regarding the initiation and approval requirement for a DACC 3 tasking “raises both compliance and ethical issues regarding Defence’s management of public resources”. We expect that Defence members act ethically at all times and do not consider the evidence relied upon by the ANAO supports this statement.^a

Attached to this letter are Defence’s proposed amendments, editorials and comments (**Annex A**), Defence’s response to requests for information (**Annex B**), Defence’s response to proposed recommendations (**Annex C**); and Defence’s summary response (**Annex D**). These constitute Defence’s formal response to the Section 19 proposed report.

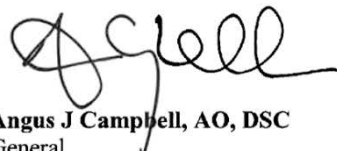
Our point of contact is the ANAO Liaison Officer who can be contacted via email at: anao.lo@defence.gov.au.

Yours sincerely



Greg Moriarty
Secretary

31 August 2023



Angus J Campbell, AO, DSC
General
Chief of the Defence Force

31 August 2023

ANAO comments on Defence's response regarding compliance and ethical issues

- (a) The evidence relied upon by the ANAO is detailed in paragraphs 3.19 and 3.20 and Case study 1 of this audit report. Where ANAO findings or a conclusion are made as to whether the use or management of public resources by the entity has been ethical, it is a matter for an accountable authority to assess whether the audit findings in the particular case reflect the broader posture of the entity or relate to the conduct of individual personnel.¹³⁹

139 Auditor-General Report No.5 2022-23 [Digital Transformation Agency's Procurement of ICT-Related Services](#), Appendix 3; and Auditor-General Report No.31 2022-23 [Administration of the Community Health and Hospitals Program](#), Appendix 4.

Appendix 2 Improvements observed by the ANAO

1. The existence of independent external audit, and the accompanying potential for scrutiny improves performance. Improvements in administrative and management practices usually occur: in anticipation of ANAO audit activity; during an audit engagement; as interim findings are made; and/or after the audit has been completed and formal findings are communicated.
2. The Joint Committee of Public Accounts and Audit (JCPAA) has encouraged the ANAO to consider ways in which the ANAO could capture and describe some of these impacts. The ANAO's 2023–24 Corporate Plan states that the ANAO's annual performance statements will provide a narrative that will consider, amongst other matters, analysis of key improvements made by entities during a performance audit process based on information included in tabled performance audit reports.
3. Performance audits involve close engagement between the ANAO and the audited entity as well as other stakeholders involved in the program or activity being audited. Throughout the audit engagement, the ANAO outlines to the entity the preliminary audit findings, conclusions and potential audit recommendations. This ensures that final recommendations are appropriately targeted and encourages entities to take early remedial action on any identified matters during the course of an audit. Remedial actions entities may take during the audit include:
 - strengthening governance arrangements;
 - introducing or revising policies, strategies, guidelines or administrative processes; and
 - initiating reviews or investigations.
4. In this context, the below actions were observed by the ANAO during the course of the audit.
 - As noted at paragraph 2.13, the DACC Manual was reviewed in December 2022 to reflect the establishment of the National Emergency Management Agency (NEMA) in September 2022 and changes to Defence's Accountable Authority Instructions.
 - As noted at paragraph 2.18, Concept Plan Coalesce, which details the operational framework and arrangements for the provision of DACC 2 and DACC 3 support, was issued in November 2022, replacing Concept Plan Charlemagne.
 - As noted at paragraph 3.76, Defence advised the ANAO that in 2023, it will be in a position to undertake regular checks of the DACC Database to ensure that entries are accurate and correct. It will also issue a national SOP on the management of DACC requests for all JOSS offices to use and follow.

Appendix 3 DACC 3 cost recovery waivers

Table A.1 DACC 3 cost recovery waivers

DACC Task Name (per DACC database)	Operation (per DACC database)	Date of support (per DACC database)	Cost of support	Costs recorded in the DACC database	Cost waiver records	Cost recovery calculator
TC Marcia	–	23 February 2015 – 2 March 2015	\$4,944,804 <i>total cost</i> \$1,545,501 <i>net additional cost</i>	No total cost or cost recovery recorded.	Yes	Not provided
Overarching Task Request	Operation Bushfire Assist	7 January 2020 – 1 February 2020	\$68.4 million <i>net additional cost</i>	No total cost or cost recovery recorded.	Yes	Not provided
Task Request COMDISPLAN 009 (Extension of 008)	Operation Bushfire Assist	1 February 2020 – 1 March 2020				
Overarching Task Request (COMDISPLAN 008)	Operation Bushfire Assist	9 January 2020 – 29 February 2020				
Overarching Task Request (COMDISPLAN 008)	Operation Bushfire Assist	7 January 2020 – 1 February 2020				
NSW Bushfire Recovery - JRTF Tasks	Operation Bushfire Assist	4 March 2020 – 16 March 2020				
TC Seroja - Ground SPT	–	14 April 2021 – 24 April 2021	Unknown	No total cost or cost recovery recorded.	Not provided ^a	Not provided
TC Seroja - Air SPT	–	12 April 2021 – 24 April 2021				
TC Seroja Air Lift	–	19 April 2021 – 19 April 2021				
Emergency Management Victoria Request ADF Support Severe Weather Event 09 Jun 21	–	19 June 2021 – 30 July 2021	Unknown	Cost recovery recorded as nil. No total cost recorded.	Not provided ^a	Not provided

DACC Task Name (per DACC database)	Operation (per DACC database)	Date of support (per DACC database)	Cost of support	Costs recorded in the DACC database	Cost waiver records	Cost recovery calculator
Emergency Management Victoria Request ADF Support Severe Weather Event 09 June 21	–	17 June 2021 – 9 July 2021	\$83,502 <i>total cost</i>	Total cost and cost recovery recorded.	Not provided	Not provided
Support to QRA	Operation Flood Assist 22-1	8 March 2022 – 30 June 2022	\$440,321 <i>total cost</i>	Total cost recorded. Cost recovery not recorded.	Yes	Yes

Note a: The CDF Task Order for this task states that 'Defence will not cost recover for the support provided under this task request'.

Source: ANAO analysis.

Appendix 4 Implementation of Royal Commission recommendations

Table A.2 Implementation of Royal Commission recommendations

Recommendation	Government response (November 2020)	ANAO assessment
Recommendation 7.1 – State and territory governments should take steps to ensure that there is better interaction, planning and ongoing understanding of Australian Defence Force capabilities and processes by state and territory fire and emergency service agencies and local governments.	The Commonwealth Government supports this recommendation. The Australian Department of Defence has already reviewed the Defence Assistance to Civil Community (DACC) Framework and has established operational architectures in the jurisdictions to enhance interaction, participate in planning and provide greater awareness of ADF capabilities.	ANAO assessment: Implemented. Following a review of the DACC Manual in August 2020, Defence introduced a requirement to engage with and support NEMA in their annual HRWS Preparedness Program. To support NEMA's HRWS Preparedness Program, Defence has developed briefings outlining Defence's intent, capabilities, considerations and tasking process in relation to DACC support (see paragraphs 2.23–2.26).
Recommendation 7.2 – The Australian Government should review the content of the Defence Assistance to the Civil Community manual to ensure consistency of language and application with a revised COMDISPLAN.	The Commonwealth Government supports this recommendation. The Australian Department of Defence in conjunction with Emergency Management Australia has already undertaken a comprehensive review of the Defence Assistance to Civil Community (DACC) manual and has publicly released the manual for the first time. The Department of Defence and Emergency Management Australia will continue to work together to further refine the manual.	ANAO assessment: Implemented. In December 2020, COMDISPLAN underwent an administrative review to amend the thresholds for activation following observations made by the Royal Commission.^a The DACC Manual was reviewed in consultation with EMA (now NEMA) and publicly released in August 2020. The Manual was also subsequently reviewed in September 2021 and December 2022 (see paragraph 2.13). The language in the 2020, 2021 and 2022 versions of the DACC Manual align with the revised COMDISPLAN.
Recommendation 7.3 – The Australian Government should afford appropriate legal protections from civil and criminal liability to Australian Defence Force members when conducting activities under an authorisation to prepare for, respond to, and recover from natural disasters.	The Commonwealth Government supports this recommendation. The Defence Legislation Amendment Bill 2020 has been introduced into Parliament. Once passed, the Bill will address protections and immunities for Defence personnel and streamline the process for call-out of the reserve for natural disaster responses.	ANAO assessment: Implemented. <i>The Defence Act 1903</i> was amended in December 2020 to provide immunities to Defence personnel while they are supporting emergency responses to natural disasters.^b

Note a: In response to concerns raised through the Royal Commission regarding a lack of clarity and internal inconsistency in the thresholds for activating COMDISPLAN, the Royal Commission recommended that 'The Australian Government should revise the COMDISPLAN thresholds to provide that a request for Australian Government assistance, including Defence assistance, is able to be made by a state or territory government when:

- (1) it has exhausted, or is 'likely to exhaust', all government, community and commercial resources
- (2) it cannot mobilise its own resources (or community and commercial resources) in time, or
- (3) the Australian Government has a capability that the state or territory does not have.'

The current COMDISPLAN reflects these revised thresholds.

Note b: Immunities provided to Defence personnel are outlined in section 123AA of the *Defence Act 1903*. The immunities provided in the amendments to the *Defence Act 1903* only apply to DACC assistance if that assistance is provided under a written direction from the Defence Minister. The Defence Minister may issue a direction for Defence assistance if they are satisfied of either or both of the following:

- (a) the nature or scale of the natural disaster or other emergency makes it necessary, for the benefit of the nation, for the Commonwealth, through use of the ADF's or Department's special capabilities or available resources, to provide the assistance;
- (b) the assistance is necessary for the protection of Commonwealth agencies, Commonwealth personnel or Commonwealth property.

Defence advised the Defence Minister in August 2020 that it will continue to rely on other measures to mitigate the risk where immunity under the *Defence Act 1903* does not apply, including through the use of Memorandums of Understanding. Defence's use of Memorandums of Understanding is discussed at paragraphs 3.50–3.59.

Other amendments to the *Defence Act 1903* included: removing the requirement that the Governor-General act on the advice of the Executive Council when calling out the ADF Reserve and instead requiring the Governor-General to act on the advice of the Defence Minister, who will be required to consult the Prime Minister before advising the Governor-General; removing the requirement for reservists to render Continuous Full-Time Service, to provide the CDF with flexibility to determine how and when reserve units are required to serve; and amendments to superannuation schemes for ADF members to ensure that reserve members who are subject to a call out order receive the same superannuation benefits as reserve members who provide service voluntarily.

Source: ANAO assessment.