Tuesday 20th May 2025

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Tēnā koutou,

Canterbury Civil Defence Emergency Management Group and Canterbury Mayoral Forum submission:
Strengthening New Zealand's emergency management legislation

The Canterbury Civil Defence Emergency Management Group Joint Committee (CDEM) and the Canterbury Mayoral Forum (CMF) thank you for the opportunity to make a joint submission on strengthening New Zealand's emergency management legislation.

Given the common membership and shared interests of both the CDEM Group and CMF we make this joint submission taking a regional strategic perspective in the interests of a shared voice for Canterbury.

The Canterbury CDEM Group is composed of 9 territorial authorities and the Canterbury Regional Council. The CMF includes the same councils, plus Waitaki District Council.

Our region has experienced a disproportionately high and diverse number of declared and undeclared emergencies since the Group was formed under the 2002 legislation.

Several factors are combining to make a review of the Act very timely, including changes in the planetary physical environment; improved hazard understanding; increasing dependency on technology and critical infrastructure; greater economic and social vulnerability; and increasing geopolitical uncertainty.

We would like to recognise and celebrate the ongoing work that has gone into improving the system over the last twenty-plus years, and the wide range of events that we have responded to and recovered from. Our growth and events have formed the basis of the perspectives in our submission.

We welcome the discussion document and the opportunity to help shape the upcoming emergency management legislation. We encourage further engagement with us on our feedback. The key themes of our submission include:

- We believe greater change is required to deliver the desired public outcomes. The discussion document does not appear transformational enough for the demands of the emergency management system for the next 25 years (to 2050).
- Clear roles and responsibilities need to be at the forefront of all emergency management thinking and improvements. This must be focused on which part of the system is best placed to deliver the desired outcomes. The current CDEM sector is not good at identifying where it is best delivered – locally, by Group, or by NEMA. We also need to ensure that the wider public

sector, communities, businesses, and individuals better understand their role and responsibilities.

- We recognize that there are challenges facing both Iwi Māori and the public sector to work as agreed in Te Tiriti. The discussion document contains positive steps, but further enablement for competency, capacity, and resourcing is necessary to enable full partnership.

- Improvements to risk reduction are limited. There is minimal improvement to enable greater collective management of risk, and much of the risk management activities take place in others Acts.

- The ability to transfer natural hazard risk with private and public insurance has been greatly challenged since the Canterbury earthquake sequence and further compounded by recent severe weather events. The continued trends of insurance withdrawals and increased premiums will grow over the lifetime of the new act. The discussion document is near silent on this challenge to a key tool for managing natural hazard risk.

- There is no uplift in recovery arrangements. They remain poorly defined, and existing arrangements are rarely adhered to. If greater accountability is a goal, substantial change in recovery roles and responsibilities is needed, supported by greater legislative enablement.

- The discussion document does little to advance "*New Zealand as a disaster resilient nation that manages risks and builds resilience*" and deliver upon the wider goals and objectives of the National Disaster Resilience Strategy. It is mostly silent upon the role of the bill in improving New Zealand's disaster resilience, and what the entire public sector is legally responsible for.
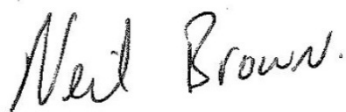
A significant increase in the competencies required for the emergency management system is clearly signalled. We support greater consistency, standards, and equity of emergency management delivery across the country, yet there is no apparent strategy to deliver the training and development uplift.

We are concerned with the potential increase in local government investment required to fully deliver the breadth of proposals in the discussion document, let alone deliver transformational emergency management. Without mechanisms to address local government inequality, we will struggle to deliver desired and equitable outcomes to New Zealand communities.

Before closing, *we need to reinforce the financial challenge associated with the signposted changes*. The consultation foreshadows a step-change in local government resourcing requirements of emergency management. The proposals may already be unaffordable for many local authorities, and we are concerned that this will leave us with unreachable expectations. This is before we even attempt to understand community emergency management expectations, and our desire to see increased investment in risk reduction, recovery (such as road damage cost recovery), and disaster resilience through to 2050.

Despite these challenges, we are very supportive of the need for greater disaster resilience and enabling the emergency management system to take Aotearoa New Zealand through the next 25 years.

Nā māua noa, nā

Neil Brown
Chair of Joint Committee, Canterbury
CDEM Group
Mayor of Ashburton District

Nigel Bowen
Chair of Canterbury Mayoral Forum
Mayor of Timaru District

Submission template: Strengthening New Zealand's emergency management legislation

The National Emergency Management Agency (NEMA) is seeking feedback on options to strengthen New Zealand's emergency management legislation.

The deadline for submissions is **5pm, Tuesday 20 May 2025**.

You can find the full discussion document and more information about the legislative reform process on NEMA's website. Your feedback will inform decisions about the proposals. We appreciate your time and effort to respond to this consultation.

Emergency Management Bill consultation

How to make a submission

To make a submission, you will need to:

Fill out your name, email address and organisation on the next page. If you are submitting on behalf of an organisation, please ensure you have the authority to represent its views.

Fill out your responses to the questions in this document. You can choose to answer some or all of the questions. Where possible, please provide evidence to support your views. For example, references to independent research, facts and figures, or your experiences.

If your submission has any confidential information:

  a. Please state this in the email accompanying your submission, setting out clearly which parts you consider should be withheld, and the grounds under the Official Information Act 1982 (Official Information Act) that you believe apply. NEMA will take this into account and will consult with submitters when responding to requests under the Official Information Act.

  b. Indicate this in your submission. Any confidential information should be clearly marked within the text of your submission (preferably as Microsoft Word comments).

  c. Note that submissions are subject to the Official Information Act and may, therefore, need to be released in full or in part. The Privacy Act 2020 also applies.

Once you have completed this form, you can send it by:

  d. email (as a Microsoft Word document) to EmergencyManagementBill@nema.govt.nz

     OR

  e. post to:

Policy Unit
National Emergency Management Agency
PO Box 5010, Wellington 6140

Submitter information

Any information you provide will be stored securely.

Your name, email address, and organisation

Name:	Gavin Treadgold Emergency Management Advisor
Email address:	Gavin.Treadgold@cdemcanterbury.govt.nz
Organisation: (if applicable)	On behalf of the: Canterbury Civil Defence Emergency Management Group and Canterbury Mayoral Forum

☐ The Privacy Act 2020 applies to submissions. Please tick the box if you **do not** want your name or other personal information to be included in any information about submissions that NEMA may publish.

☐ NEMA may publish submissions or a summary of submissions to its website, civildefence.govt.nz. If you **do not** want your submission or a summary of your submission to be published, please tick the box and type an explanation below:

> I do not want my submission published on NEMA's website because…

Does your submission contain confidential information?

☐ I would like my submission (or parts of my submission) to be kept confidential and have stated my reasons and the grounds under section 9 of the Official Information Act that I believe apply, for consideration by NEMA.

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Use of information

Submissions will be used to inform NEMA's policy development process and will inform advice to Ministers. Your submission (including identifying information) may also be shared with other government agencies working on policies related to emergency management. NEMA may contact submitters directly if we need clarification on their submission or would like further information from them.

Preface: Canterbury's emergency management context

Our submission reflects an amalgamation of Canterbury Civil Defence Emergency Management (CDEM) Group perspectives.

It has primarily been informed by three online workshops held with Canterbury emergency managers from Group members and the Group Emergency Management Office between Monday 28th April and Wednesday 30th April.

The Coordinating Executive Group reviewed, discussed, and provided feedback on Monday 5th May. It was then discussed in an online workshop with the Joint Committee on Monday 12th May.

From an Iwi Māori perspective, we have engaged and incorporated feedback from Te Rūnanga o Ngāi Tahu and the Environment Canterbury Tuia team.

It has ultimately been agreed and endorsed by the Canterbury CDEM Group Joint Committee and the Canterbury Mayoral Forum.

Our Group and area

The Group covers nine territorial authorities – Kaikōura, Hurunui, Waimakariri, Selwyn, Christchurch, Ashburton, Timaru, Mackenzie, Waimate, and the Canterbury Regional Council. The Group area spans nine Ngāi Tahu Papatipu Rūnanga. The Group has the largest geographical hazard footprint in New Zealand of over forty thousand square kilometers – larger than Auckland, Waikato, and Wellington CDEM Groups combined. Canterbury is exposed to nearly every hazard directly, except volcanic eruption to which we are indirectly exposed.
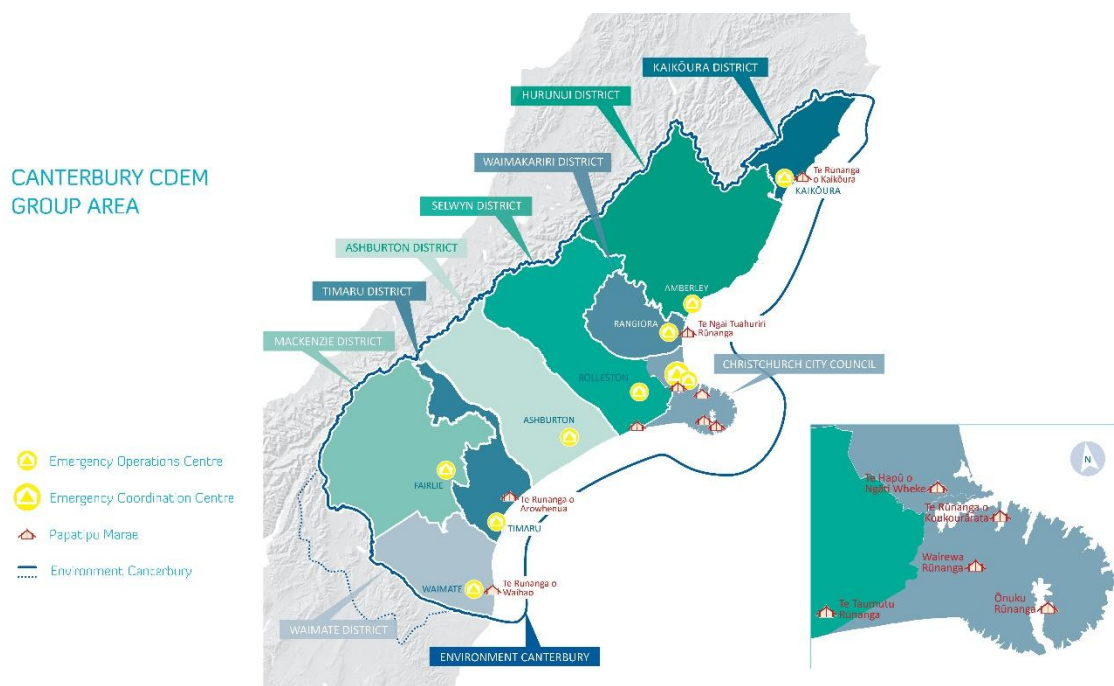

Our people

Our Group supports and protects the second highest Group population in New Zealand.

Between June 2003 and June 2023, New Zealand's population has increased by 1.2 million (4.027 to 5.223 million). The Canterbury Mayoral Forum's Wellbeing overview 2022[1] showed that in June 2021, the Canterbury region had an estimated population of 649,800 with just over 50% of the South Island population living in Canterbury. Of Canterbury's population, 82% were in greater Christchurch (Waimakariri, Christchurch, Selwyn). By 2048, Canterbury's medium population projection is expected to reach 780,500[2].

Tourism in the Canterbury region represented 10.3% of regional GDP in 2019. Hurunui, Kaikōura, and Mackenzie districts have a higher dependence and job numbers linked to tourism. More broadly, Canterbury also has a significant transient population, including people passing through the region.

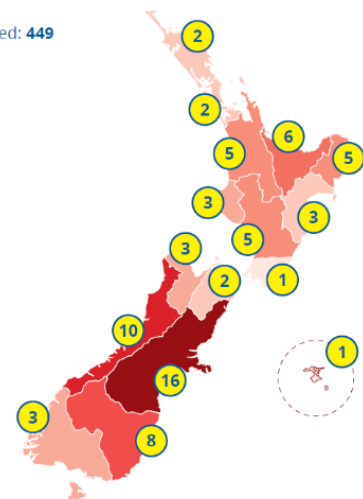**CDEM Groups by Area and Population (2020)**
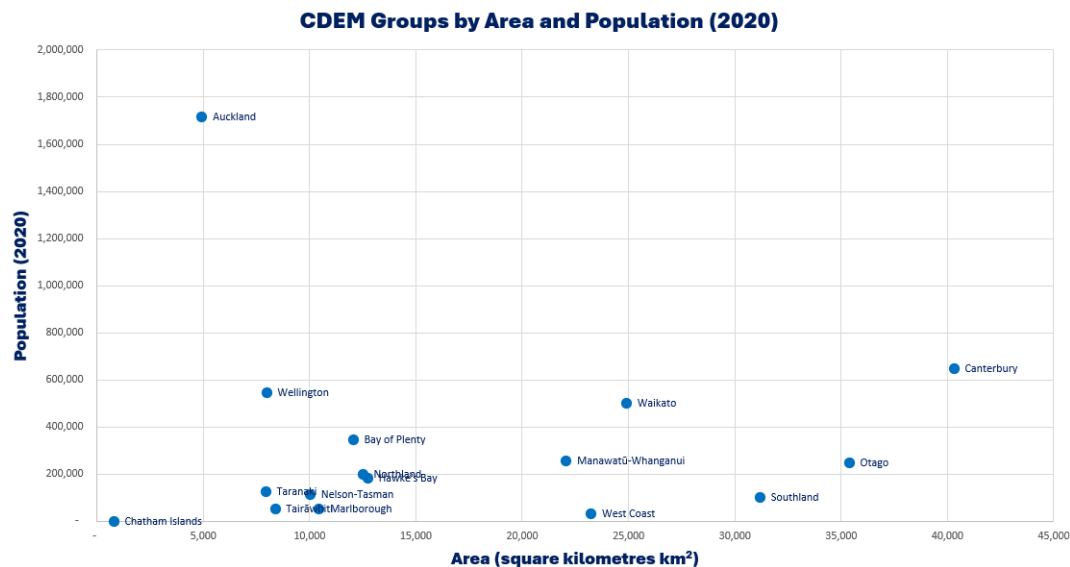
Our emergencies

As highlighted in the briefing to the incoming Minister of Emergency Management and Recovery in 2023, Canterbury has featured disproportionately during the ten-year period from 2014-2023, and this ignores a larger number of incidents and emergencies that did not reach the threshold for a declaration but still involved an active Canterbury Group response. Over this period Canterbury has provided personnel support to nearly every other CDEM Group in New Zealand, and the NEMA National Coordination Centre.

Canterbury has unfortunately been a significant contributor to the increasing number of *State of Emergency days* between 2006 and 2023.
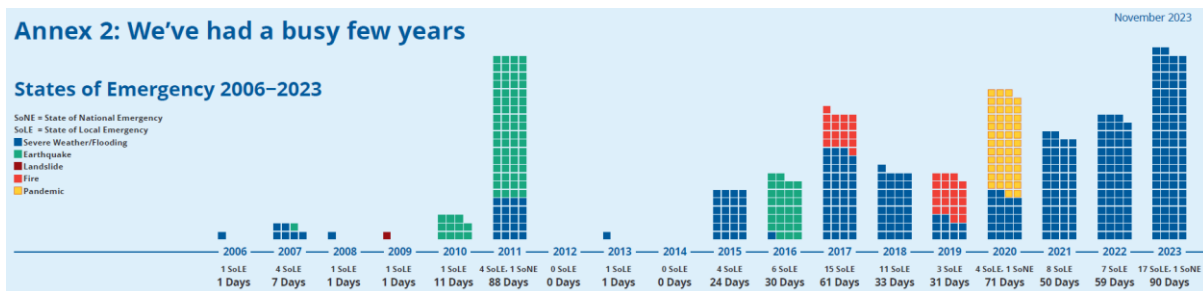

Spread of declared emergencies across New Zealand from 2014−2023
States of Emergency: **75 Local, 2 National**
Total days declared: **449**

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[1] https://www.canterburymayors.org.nz/resources/canterbury-wellbeing-overview/
[2] https://www.ecan.govt.nz/your-region/living-here/regional-leadership/population/projections/

Annex 2: We've had a busy few years

November 2023

States of Emergency 2006–2023

SoNE = State of National Emergency
SoLE = State of Local Emergency
■ Severe Weather/Flooding
■ Earthquake
■ Landslide
■ Fire
■ Pandemic

Year	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
	1 SoLE	4 SoLE	1 SoLE	1 SoLE	1 SoLE	4 SoLE, 1 SoNE	0 SoLE	1 SoLE	0 SoLE	4 SoLE	6 SoLE	15 SoLE	11 SoLE	3 SoLE	4 SoLE, 1 SoNE	8 SoLE	7 SoLE	17 SoLE, 1 SoNE
	1 Days	7 Days	1 Days	1 Days	11 Days	88 Days	0 Days	1 Days	0 Days	24 Days	30 Days	61 Days	33 Days	31 Days	71 Days	50 Days	59 Days	90 Days

The trend continued in 2024 with sixty-one SOE days in New Zealand. This also significantly underreports the true level of activity due to non-SOE heightened monitoring and lower-level response.

The emergency management bill and the next twenty-five years

The November 2023 Briefing to the Incoming Minister highlights[3] the probability of a natural hazard event that may generate >$10 billion in expected damage costs in New Zealand.

- 12% in the current Government's term (2023-2026)
- 23% in the current and next Government's terms (2023-2029)
- 97% in the next fifty years

Of acute awareness to the Te Waipounamu CDEM Groups, the scientific research informing Project Alpine Fault Magnitude 8 (AF8) indicates a 75% probability of an Alpine Fault earthquake occurring in the next fifty years. If it does occur there is an 82% probability that it will be magnitude 8 or greater.

During a 25-year lifetime of the new legislation, we could reasonably expect:

- A one in two chance of Aotearoa New Zealand experiencing at least one event causing >$10 billion in expected damage from a limited number of well-defined hazard scenarios.
- A one in three chance of an Alpine Fault magnitude 8 earthquake.
- Significant growth in the number of emergency days (declared and undeclared), particularly driven by hydrometeorological hazards.
- Growth in the number of earth system planetary boundary[4] breaches – six of nine boundaries have already been passed in 2023. These may result in novel incidents and events that we are not currently aware of, or planning for, but the emergency management system will be responsible for managing consequences.
- Growth in geopolitical and resource conflict, and other threats. The three decades between the fall of the USSR and COVID-19, in hindsight, have been a very benign geopolitical period. Post COVID-19, we have seen a rapid deterioration in the global geopolitical environment and an increase in conflict. In Europe we have already seen significant refocusing of Civil Defence organisations and societal resilience activities adjusting towards readiness activities for widespread conflict. The threat of cyberattacks and challenges associated with Artificial Intelligence are likely to be significant.

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[3] Annex 3: New Zaland's riskscape (p20)
[4] https://www.stockholmresilience.org/research/planetary-boundaries.html

Consultation questions

These questions relate to the issues and options raised in the discussion document *Strengthening New Zealand's emergency management legislation*. You can find the full discussion document on NEMA's website.

You do not need to answer all questions.

Objectives for reform

The Government's proposed objectives for reform are to:

- strengthen community and iwi Māori participation in emergency management

- provide for clear responsibilities and accountabilities at the national, regional, and local levels

- enable a higher minimum standard of emergency management

- minimise disruption to essential services

- ensure agencies have the right powers available when an emergency happens.

Refer to pages 8–9 of the discussion document to answer the question in this section.

1. Have we identified the right objectives for reform?

☒ Yes   ☒ No   ☐ Not sure / no preference

Please explain your views.

We are broadly comfortable with the objectives that have been proposed. We do not believe they are visionary enough to cover New Zealand's resilience and emergency management legislation with a potential lifetime of twenty-five years.

We think that *Objective 3 – enable a higher minimum standard of emergency management* is not strong enough.

We feel that significant gaps still exist in risk reduction, developing resilience, and recovery.

Recovery needs greater focus for reform

There is very little indicated change in recovery. This is disappointing as it needs to be transformational. Recovery, like risk reduction, has been severely neglected within CDEM readiness for decades. The functions of CDEM Groups and Recovery Managers (at all levels) in relation to recovery are seldom performed. Instead, CDEM focus is squarely on response and alternative arrangements, such as the creation of new recovery organisations and appointment of new recovery managers.

During nationally significant events, successive Governments have chosen to replace the arrangements in the Act with other bespoke arrangements. There is a similar pattern locally. The stated function that Group Recovery Managers "*must direct...*" does not happen in practice and is often disregarded by officials. Except for the use of the 5B powers, the arrangements in the Act do little to enable effective recovery. Leadership in recovery comes through negotiation and delegations from councils rather than the authority of the Act. This is quite different from Controllers, where there appears to be a much greater acceptance and adherence to the functions outlined in the Act.

This extends to the national level where the work recently done by the Cyclone Recovery Unit (CRU) on recovery settings includes alternative options for recovery management at the national level. While most of the work being undertaken by CRU to clarify recovery questions is welcomed, the demonstrated preference of DPMC and successive Governments to create new and bespoke arrangements for recovery from nationally significant events, rather than creating fit-for-purpose enduring agencies, demonstrates the short-comings of the Act and the need for substantial change.

A demonstrated consequence of creating new agencies for each event has been delays in establishing recovery and completing recovery activities as staff are recruited and come up to speed with what is required. Often the staff recruited come with little or no previous recovery experience and the first months are chaotic. This delay negatively impacts communities as the agencies establish themselves and re-learn how to do recovery well. National recovery management often do not have any existing relationships with local or group recovery managers, who according to the Act are tasked with directing resources and material made available. This further undermines the effectiveness of the national agencies to contribute to the delivery of positive community recovery outcomes.

If the Act is not going to be followed in practice, as demonstrated over many events and at all levels, then transformational change is required. It is suggested that either recovery arrangements are established outside of emergency management, such as a separate agency focused on recovery, or recovery provisions in the proposed bill are strengthened and clarified so that the sector is required to give effect to recovery. This includes strengthening the existing provisions of s17(1), especially clauses (a) to (d) which all have a significant recovery component.

One suggestion is to recognise that the initial version of the bill may not reflect transformative change for recovery. This could be resolved by signalling that a later amendment to the act, following robust engagement with local government, will result in a recovery amendment to the EM bill that strengthens recovery in legislation.

Objective 1: Strengthening community and iwi Māori participation

Issue 1: Meeting the diverse needs of people and communities

We have identified options to ensure the emergency management system better meets the diverse needs of communities, with a particular focus on those who may be disproportionately affected during an emergency.

Refer to pages 10–13 of the discussion document to answer the questions in this section.

2. Do you agree with how we have described this problem?

☒ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

We agree with the problem statement.

The challenge for emergency management is implementing the necessary system changes to enable system improvements. A significant uplift in capacity and capability is required to achieve this. The uplift required to strengthen community and Iwi Māori participation primarily needs to occur at the local authority level where they have the best connection to local communities.

The act should consider the role and responsibilities of local government community development in delivering improved community resilience outcomes – particularly for the

disproportionately affected. Greater investment in community development to support community resilience and emergency management has high returns on investment.

3. Are there other reasons that may cause some people and groups to be disproportionately affected by emergencies?

Please explain your views.

- **Decreasing resilience of society** – the widespread impacts of cost-of-living, the cost of providing public sector services, the state of aging critical infrastructure, access to and cost of insurance, increasing fragility of national and global supply chains, and environmental degradation (such as the loss of wetlands and channelling of rivers) is increasing the number of those disproportionately affected.
- **Cost of critical infrastructure** – many communities do not have critical infrastructure delivered to the same standard as urban areas. This is often due to the cost of delivering network service where the investment in infrastructure would significantly outweigh any revenue generated from the community. If infrastructure is provided, it may have less capacity and be less resilient than other communities.
- **Public service delivery** – there is significant inequity in the provision of both central and local government services to communities. This can lead to communities, districts, and even CDEM Groups not having an in-area presence of some central government agencies. This can result in inequitable delivery of central government services during response and recovery when the community needs central government support the most.
- **Lack of public education** – some disproportionately affected communities may not receive either the level of public education, or in an appropriate form, to enable them to understand their natural hazard risk and the resilience and readiness actions they can undertake.
- **Lack of trust** – the growing worldwide trends of lack of trust in the public sector and servants, and dis- and misinformation, will challenge the ability to provide support to communities. At an extreme, they may attempt to disrupt emergency management collaborating with other people and groups that do desire support.
- **Migration and language** – international and domestic migration creates a challenge with incoming migrants to a community not understanding the local hazardscape. This can be compounded by inconsistent approaches to hazardscape messaging and education. New migrants to New Zealand can struggle with a new language and culture.
- **Lifestyle blocks** – the continued trend of the public moving to lifestyle blocks, where they may have less understanding of the impact of nature on the land – particularly if they have moved from an urban lifestyle. Severe weather events have disproportionately affected lifestyle blocks.
- **Faith-based groups** – they increasingly burden themselves financially and emotionally. While they bring significant benefits to response via faith-based response teams and the like, these groups are struggling under societal change – particularly the trend towards a more secular country.

4. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 1 options summary: Option 1 (status quo) won't deliver the uplift required. We prefer a mix of Options 2, 3, 4, plus additional actions. Local government is best placed to

deliver outcomes for diverse communities but will need national investment and a national framework to deliver equitable outcomes to diverse communities across the country.

The scale of the problem means we need to go beyond the identified options – as they are mostly focused on local government doing the work. While we agree that local government is best placed to work with communities, Option 4 needs to be stronger and should include the development of a national framework to assess community vulnerability. There is significant community and individual information held by central government agencies, and a framework would need to enable greater information sharing with local government.

Due to the scale of work for local government, the ability to self-fund more work assessing and engaging local communities will have significant ongoing costs for local government.

Some of these costs will be for professional development of emergency management personnel to develop knowledge and competency in working with and supporting the disproportionately affected during business-as-usual and recovery. Professional development such as cultural competency and disability awareness is also needed for the wide range of emergency management volunteers.

The wide range of organisations and types of disaffected involved will require new structures locally, regionally, and nationally to effectively and efficiently engage with these groups.

We expect that increased requirements to engage with organisations representing disproportionately affected will stretch their capacity to engage with us. Many of these organisations, often voluntary, will also be working on many non-emergency management related issues.

NEMA must show some leadership in this space, and work on developing national arrangement with representative national organisations of the disproportionately affected. While local engagement is essential, this can only be delivered effectively and efficiently using a consistent national framework clearly identifying roles, responsibilities, and relationships.

5. What would planning look like (at the local and national levels) if it was better informed by the needs of groups that may be disproportionately affected by emergencies?

Please explain your views.

A challenge raised during workshops by one of our emergency managers states:

"What would our system look like if the needs of all were an integral part of the system?"

There are three key forms of assessment that emergency management generally needs to understand:

1. **Risk assessment** – what events can occur, where may they occur, and what are the impacts likely to be. The emergency management system is moderately good at hazard and consequence assessment, even if we do not have a national framework to provide an integrated approach from national risk assessment, regional, and down to local and community-based risk assessments.

2. **Lifelines vulnerability assessment** – the understanding of the impact of risks upon lifelines (critical infrastructure) is well understood. Lifelines vulnerability assessment is probably our most mature form of assessment with robust methodologies to understand lifelines vulnerabilities at local, regional, and the national scale.

3. **Community vulnerability assessment** – this is perhaps the most challenging form of assessment. Emergency management does not currently do this well as there isn't a clearly defined framework to assess community vulnerability consistently across New Zealand. This is the form of assessment required, down to detailed local and community

levels needed to inform understanding the disproportionately affected. Without this, the emergency management system is operating blind when it comes to community needs. This will also require significant investment to enable local government to undertake community vulnerability assessment as a foundation activity of community development.

This suggests that we need a strong national framework for community vulnerability assessment that provides strong direction on how our understanding of risk and lifelines vulnerabilities are then overlaid with communities to understand how vulnerable our communities are and identify the disproportionately affect groups in each community.

Planning should include how the disproportionately affected will be supported and included across the four Rs. This is not a Group plan issue, rather it is how we integrate it into emergency management planning at the nation, Group, and local levels.

The solutions should be tailored, fit-for-purposed, and codesigned. Communities need to be resourced before, during, and after events.

This could be enabled by requiring Community Resilience Plans, or similar, to be developed. These may include communicating local natural hazard risk, identification of disproportionately affected, and response arrangements. These could also include elements of local adaption planning for climate change. While desirable, these would come with significant resourcing implications.

6. Are there any other options that should be considered?

Please explain your views.

- **Census and other data** - Possible inclusion of key resilience questions in the Census that can then be combined with existing census social-economic data. A national viewer of Census information should be made publicly available so that community groups can benefit from the data. There may be other data sources that could be explored that can provide quantitative and qualitative information about the disproportionately affected.

- **Resourcing the community** – There are existing models and frameworks that have been proven to work, such as the welfare network-of-networks approach used during COVID-19, as well as local welfare committees. These existing models are hindered by a lack of resourcing for participation of community organisations. While structures are relatively easy to establish, the challenge is resourcing parties to them to maintain engagement over the long-term.

- **Advisory committees** – We note that Fire and Emergency NZ is in the process of establishing local advisory committees through New Zealand. A similar approach could be applied to community representation, including disproportionately affected, and be enabled by a national framework. This would require significant resourcing to enable, and it is possible that certain perspectives may still not be heard through this structure. A national level advisory committee is also necessary under this model. These could also be enabled for engagement during response and recovery.

- **Resilience fund community resourcing** – there is the potential to expand the Resilience Fund to become a more community focused fund that provides resourcing for community resilience activities. This may enable greater capacity and capability of community organisations that support disproportionately affected before, during, and after events.

Issue 2: Strengthening and enabling iwi Māori participation in emergency management

We have identified options to recognise the contributions made by iwi Māori in emergency management, to the benefit of all people in New Zealand.

Refer to pages 13–16 of the discussion document to answer the questions in this section.

7. Do you agree with how we have described this problem?

☒ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

We broadly agree with the problem statement but feel that three paragraphs do not cover the complexity and nuances of working with mana whenua.

We also note the inclusion of the taonga Māori issue with broader cultural heritage and animal welfare in Issue 10. We feel it is inappropriate to bundle taonga Māori with other issues, particularly animal welfare. We would suggest in future that all Iwi Māori points are given the respect they deserve for true Te Tiriti partnership and are treated as Iwi Māori issues.

We note that the existing act does little to enable Iwi and Māori participation in the emergency management system. We also raise a concern that some of the current government's Māori policy positions have resulted in a change of Iwi policy and engagement with the Canterbury Group.

8. Have we accurately captured the roles that iwi Māori play before, during and after emergencies?

☐ Yes ☐ No ☒ Not sure / no preference

Please explain your views.

While some of the Iwi Māori roles have been captured, it is difficult for us to state whether they have been captured accurately in one A4 page.

9. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 2 options summary: Option 1 (status quo) and Option 2 (non-legislative) have not delivered consistent uplift. We prefer a mix of Options 3, 4, and 5 to provide a more consistent national uplift of emergency management-Iwi Māori working partnerships.

Our preferences were focused on Options 3, 4, and 5. The existing status quo (Option 1) and non-legislative approaches (Option 2) used to date have not delivered consistent strengthening and enabling of Iwi Māori partnership in emergency management.

Option 4 is currently phrased to "*engage with*" but we suggest a more participatory and partnership-based phrasing that is in line with Te Tiriti. We highlight that we engaged and worked with Ngāi Tahu on the 2022 update to the Canterbury CDEM Group Plan. This included a joint Foreword that was co-signed by the Ngāi Tahu Kai Mataara and the Chair of the Joint Committee.

In the Ngāi Tahu takiwā, we have additional prescriptions provided by the Te Rūnanga o Ngai Tahu Act (1996) and the Ngāi Tahu Claims Settlement Act (1998).

In February 2019, it was agreed that Te Rūnanga o Ngāi Tahu would be invited to an observer role on our Joint Committee. As the word observer does not exist in Māori, it was agreed that the role would be titled Kai Mataara – 'watcher, to listen and be alert'. The Kai Mataara is treated as a full voting member during meetings.

We support the need for a statutory appointment to enable Ngāi Tahu as a full member of Joint Committee. We additionally support a similar statutory appointment of Ngāi Tahu to the Coordinating Executive Group. Importantly, these are recommended to be established specifically for mana whenua to properly acknowledge and upload their rangatiratanga.

We will ultimately need to ensure that mana whenua representation effectively reflects the breadth of the takiwā.

We note that our suggestions reinforce existing arrangements in Waitaha Canterbury, including existing mana whenua relationships with local government.

Resourcing will be necessary to support both partners – Iwi Māori and emergency management – to build collective capacity and enable greater Iwi Māori participation in the emergency management system.

10. How should iwi Māori be recognised in the emergency management system?

Please explain your views.

We believe in a partnership-based approach in line with Te Tiriti. This requires resourcing for both partners (Iwi and public sector) to enable sustainable and long-term contributions to the partnership.

In Waitaha Canterbury, we have additional Ngāi Tahu legislation as part of the settlement process that shapes our relationship with, and recognition of, Iwi Māori.

We also note that there are aspects of the Te Tiriti partnership that need to be resolved outside of the emergency management system. Until some outstanding issues are resolved, it will be challenging to involve and partner with Iwi Māori. This is beyond the scope of the emergency management system to fix.

11. What should be the relationship between Civil Defence Emergency Management (CDEM) Groups and iwi Māori?

Please explain your views.

It is hard to describe a single relationship between Iwi Māori and a Group, without understanding the full framework for what partnership between Iwi Māori and emergency management looks like. Once a national framework for the partnership is produced, it will define what the Group relationships should be. This is covered in more detail in question 13.

We are supportive of the pilots currently running in Otago and Southland where rūnanga facilitator roles have been established to support and enable mana whenua involvement in the emergency management system. The Group supports this approach, and we continue to explore a similar model to support us on our journey with Waitaha mana whenua.

12. What should be the relationship between Coordinating Executive Groups and iwi Māori?

Please explain your views.

Iwi should be included so they can participate fully with Coordinating Executive Groups.

In the case of the Canterbury, West Coast, Otago, and Southland CDEM Groups, enabling mana whenua engagement in emergency management is given clarity by the Te Rūnanga o Ngāi Tahu Act (1996).

We recognise however that there are significant challenges with enabling this across New Zealand given the number and capacity of Iwi. This is an important element that requires resolution in the Iwi Māori partnership framework we suggest in question 13.

13. What would be the most effective way for iwi Māori experiences and mātauranga in emergency management to be provided to the Director?

Please explain your views.

The previous bill proposed a national advisory group to engage with Māori leaders on emergency management. We note that there are existing platforms such as the Iwi Chairs Forum but also recognise that the Iwi Chairs do not provide full representation of all Iwi. National engagement with Iwi Māori will be best determined by Iwi Māori themselves.

We note that national Māori entities must not become substitute bodies for engagement with mana whenua.

We feel that a robust Te Tiriti partnership framework for resilience and emergency management needs to be developed to inform how we partner. This needs to cover Rūnanga, Iwi, mana whenua, potentially the National Iwi Chairs forum, as well as the local, regional, and national levels of emergency management.

The development of a bicultural approach within emergency management, as an active and deliberate activity, is desirable. We note that the distributed nature of emergency management across many organisations will make consistent partnership more challenging initially.

Potentially the creation of Deputy Chief Executive responsible for partnership within NEMA would set the appropriate significance. The DCE could then be advised by a standing advisory group that contains a mix of national representation and perspectives. This advisory group could provide a wide range of representation, advice, support integration of Māori concepts, and provide strategic influence.

14. Are there any other options that should be considered?

Please explain your views.

The next Coordinated Incident Management System (CIMS) update should include more detail and clarity on the role of Iwi Māori in response. Similar work should be undertaken to reflect the Te Tiriti partnership in recovery.

The framework we previously raised in question 13 will need resourcing to enable Iwi Māori involvement in the partnership, resourcing to support the growth in expectations of emergency management, and some strengthening of legislation to ensure the Director acts upon the advice received.

We also raise the well-highlighted role of Papatipu Rūnanga Marae as potential Civil Defence Centres in an emergency, and their capability and experience to support community response, community information, and community logistics. The increasing desire from both partners to enable marae for response and recovery comes with the need for a greater understanding of marae risk, increased risk reduction and resilience. This role for marae in community resilience again raises a collective challenge for the system appropriate levels of enablement, support, and funding. Resilience and readiness funding for marae may be improved by expanding the scale of, and access to, the Resilience Fund. Marae response costs are expected to be discussed further in signposted financial support consultation on section 33 of the Guide to the National CDEM Plan.

Issue 3: Strengthening and enabling community participation in emergency management

We have identified options to improve communities' ability to participate in emergency management. This includes making it easier for individuals, businesses, and other community organisations to offer resources to the "official" emergency response.

Refer to pages 16–18 of the discussion document to answer the questions in this section.

15. Do you agree with how we have described this problem?

☒ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

> We agree with the problem statement being linked to response, and to a lesser extent recovery. There is little coverage though given to the role of community in risk reduction and resilience activities. That is, this issue is strongly focused on readiness and response but appears to neglect a more robust approach to the four Rs.
>
> This is compounded further by communities ultimately carrying the residual risk, which can often be higher that an "acceptable level of risk". This residual risk can be carried both directly by households and businesses, but also indirectly through their local government rates.
>
> Communities must be more involved in risk reduction and resilience conversations and decision-making around risk and acceptable residual risk.

16. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

> **Issue 3 options summary: We did not identify a preferred option. We felt the options did not explore a broader role for communities across the four Rs, or how communities are enabled to develop true resilience. A common national framework to enable community participation across the four Rs is essential to enable national consistency and uplift, as is funding.**
>
> We did not identify a preferred option, as the options available felt rather limited. As indicated above with the scope of the problem statement, we do not believe the proposed options go far enough to enable a robust four Rs approach to the role of the community and community groups in emergency management. They do not enable a "whole of community" response and do not address all the problems.
>
> Additionally, we are concerned that Option 2 is strongly focused on the *narrow* activity of public education, rather than on a broader and deeper role of community resilience building. Public education is a useful tool, but it does not build capacity and capability to respond to and recover from events. Public education is primarily a one-way activity and does not strengthen how the community can connect back into the emergency management system.
>
> It is worth noting that the emergency management system is not the holder of all knowledge. Many individuals and communities hold significant and relevant knowledge about their communities and hazards. There is significant overlap with the community development role of local government.
>
> However, like many activities highlighted as desirable in the consultation, the number of community organisations that need to be engaged at a local and/or Group level could be very challenging.

The scale of engagement involvement is significantly limited by resourcing and funding within the emergency management system. Few emergency managers are trained or have a competency in community development. If emergency management is required to undertake more community development activities, this will increase the cost as either new roles, or additional professional development will be necessary. Suggestions were made about hosting community development/engagement roles within Group offices that could support territorial authorities – this would have significant ongoing resourcing costs to implement to an effective scale.

Concerns were also raised about the expectation of community groups and organisations having access to funding for readiness, response and recovery activities. The current fiscal challenges in the public sector suggest that there will not be any significant funding sources from central or local government for several years. Community funding expectations must be carefully managed.

One of the risks of enabling community participation in emergency management, is that it will increase emergency management inequality, not reduce it. Wealthier and more service-minded communities will build stronger communities and capacity. Communities with greater day-to-day challenges may not and they will remain fragile. Inequality will increase in this situation. Any solution needs to identify how community participation is going to improve emergency management for those communities that need it the most.

Option 3 is also very limited in scope. There is no apparent thinking to suggest how the community becomes part of the response. The emphasis is on Group planning to identify how the community will contribute resources to the response is desirable. However, the unspoken challenge is who in emergency management will reimburse them for use of their resources.

Finally, this is like many other public sector systems that engage with the community – we need to engage similarly and avoid stretching organisations with increasing public sector engagement demands.

17. Are there any other options that should be considered?

Please explain your views.

Part of the challenge is identifying during readiness, what pre-existing organisations and networks are available, their capacity and capabilities, and how they could be incorporated into the emergency management system.

As raised in the previous issue, the complexity associated engaging with community groups across the four Rs requires a national framework for consistent application and enabling of community involvement in emergency management.

The framework needs to identify and clarify the different roles of the community in emergency management. It needs to confirm that community development is a fundamental activity of local government and emergency management. The framework should outline how the community can interact with the emergency management system, and this should include the development of a guideline for community response. This may include defining a common definition and expectations of *community-led emergency hubs* while maintaining some degree of flexibility for local implementation and delivery.

A framework needs to clearly identify and recognise the different levels of community participation in emergency management – particularly the difference between spontaneous volunteers, and organised groups that are trained and accredited under existing frameworks. New Zealand Response Teams are one example that operate under an existing, well-defined framework.

Community liaison and Volunteer coordination roles in response (as part of CIMS) and recovery should be developed. These need to be included in the framework above. These roles could

potentially be expanded to the four Rs, however this comes with significant resource and funding implications for all Groups.

As raised in question 6, the Resilience Fund could be refocused to provide community groups funding for resilience activities rather than the local government emergency management system.

There may need to be some form of accreditation scheme for community organisations that participate in resilience-building, response, and/or recovery activities.

Issue 4: Recognising that people, businesses and communities are often the first to respond in an emergency

We have identified options to address barriers that may stop people, businesses, and communities from acting during an emergency.

Refer to pages 18–19 of the discussion document to answer the questions in this section.

18. Do you agree with how we have described this problem?

☒ Yes   ☐ No   ☐ Not sure / no preference

Please explain your views.

We note that this is a very important issue for communities that are remote and likely to be isolated – such as alpine communities may experience following the Alpine Fault earthquake.

19. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 4 options summary: We had mixed opinions on the options. We generally support greater liability protections – particularly for those being directed in their activities. We have some concerns about self-led actions impacting operational or insured assets. We recognise the need for appropriate response and recovery cost reimbursement, but we are cautious at how this may be enabled and what the financial risk may be for local government.

There are potential benefits to all three options. We believe that striking the right balance is necessary.

We are working to the assumption that the work carried out is self-led and not under the direction of a local, Group, or National controller.

If we are encouraging and enabling communities to support themselves, then legislative protection is required.

The types of activities that self-led community response can undertake need to be clearly defined in advance. As important, is also defining activities that they cannot take. These may need to be identified for specific hazards and worked through with the lead hazard agency.

Clear thresholds for enabling self-led community response must be identified, otherwise we risk unintended consequences that could go as far as individuals utilising an emergency to undertake unconsented works or negatively impacting neighbouring land.

Greater protections for those working with the mandate of controllers is needed. This needs to cover undeclared emergencies and should extend to a wide range of existing volunteers that have been trained and accredited for activities such as rescue and community support. The

liability protection needs to cover trained and accredited personnel operating anywhere in New Zealand.

We are concerned about the potential compensation for costs (Option 3). If reimbursement from central or local government is enabled, this could lead to significant challenges for fiscal management including budget blowouts. The quality of emergency procurement would be further reduced. This has the potential to lead to reputational damage, relationship damage, and/or escalating/unrecoverable costs – particularly for local government. Could a Constable's actions result in local government picking up the response cost, rather than New Zealand Police?

Finally, we feel that clarity between different response roles and protections is needed. For example, the protections for controllers, registered response teams, trained responders, and general community members should be different. The difference is necessary due to the training and assurance activities – those personnel with more training, assessed competencies, and are regularly assured should have greater protection.

We also note that there is existing guidance on Emergency procurement[5]. This is related to, but also different from enabling compensation for labour costs (option 3). This suggests a wider national framework on response and recovery compensation is needed. We note there is existing consultation on financial support taking place in parallel that we have been providing feedback on.

20. Are there any other options that should be considered?

Please explain your views.

We have previously raised the idea of a guideline or reference guide for community response. This could be focused on key response principles and activities and inform what the public may and may not be capable to doing, and whether they will have any liability protection. The development of clear guidance could help identify cases for liability protection.

The Insurance Council of NZ must be engaged in this discussion, as community response could impact insured assets.

There is the potential for the solution to be very complex – however simple solutions will work best for communities and community members.

As indicated in the previous question, greater training, assessment, and assurance of competency should bring greater liability protections for a Person Conducting a Business or Undertaking (PCBU).

Response team volunteers often work with other emergency services such as NZ Police and Fire and Emergency NZ. Any solution for response team and team member liability protection must support volunteer response activity when teams are made available to, and directed and tasked by, other response agencies.

Other problems relating to this objective

21. Should we consider any other problems relating to community and iwi Māori participation?

Please explain your views.

No further comments from the Group.

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[5] https://www.procurement.govt.nz/guides/emergency-procurement/

Objective 2: Providing for clear responsibilities and accountabilities at the national, regional, and local levels

Issue 5: Clearer direction and control during an emergency

We have identified options to make it clearer who is in charge of the operational response to an emergency.

Refer to pages 20–25 of the discussion document to answer the questions in this section.

22. Do you agree with how we have described this problem?

☒ Yes   ☐ No   ☐ Not sure / no preference

Please explain your views.

No further comments from the Group.

23. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 5 options summary: Our preferred option is for emergency management to be the Control Agency (Option 3) with the Hazard Agency being responsible for the hazard. The status quo (Option 1) is not preferred. Unified control (Option 4) would be preferred if lead agencies had similarly high levels of maturity operating CIMS, but they do not. Hazard Agencies (Option 2) is not preferred as these agencies often do not have broader consequence management experience that the emergency management system has.

Option 1 is not preferred.

Option 4 would be the ideal if New Zealand response agencies had greater maturity and could operate effectively using the existing CIMS unified control model. Currently, we do not believe Option 4 is a viable option due to the wide variance of multi-agency incident management system maturity across the emergency management system.

Option 2 is unlikely to deliver effective outcomes. We often see leaders from other agencies too focused on the operational aspects they are familiar with, while avoiding the broader consequence management that the emergency management system is designed to respond to. The best example of this is in other agencies struggling to deliver effect community support through the CIMS welfare function.

Option 3 creates a clear hierarchy and should enable better critical resource management. It also removes ambiguity. However, while Group Controllers may have the capability and competency, it may be more challenging to lift all Local Controllers to the level where they can lead the response of other agencies. This option may create interesting synergies and personal development opportunities where lead hazard agency controllers are put through emergency management controller training to expand their ability to manage complex multi-agency emergencies.

Options 2 and 4 will also require stronger multi-agency response planning from lead hazard agencies. Typically, multi-agency response planning has not been the strength of these agencies.

Regardless, if a state of emergency is declared under the proposed bill, the emergency management system must remain the lead agency to utilise the powers of the act. The challenge remains for undeclared emergencies, and no further clarity has been given in this consultation. The consultation has given no clarity or direction on the challenge of powers

24. Are there any other options that should be considered?

Please explain your views.

A significant uplift in controller capacity and capability will be required, and this will take significant funding. It may lead to additional development pathways for hazard agency controllers to advance into a multi-agency controller role – this could provide benefits to the overall emergency management system as well as organisations and individuals. This signals that training and development needs to be agency or sector neutral. Lifting the expectations of Group Controllers could see an increased need to create clear separation between Group Controllers and Group Managers.

A very clear and structured development pathway for controllers, as well as expanding the pool of available controllers to other agencies, could provide a significant capacity uplift in controllers over the long-term.

CIMS has the idea of unified control, but the overall system and lead agencies have never truly explored whether or how this could work. If alternative solutions such as those provided in the consultation favour other approaches, then the unified control concept may need to be removed from CIMS.

This returns to our final point – we need to take more steps to develop collective maturity in multi-agency response and recovery structures. All agencies that form part of New Zealand's emergency management system must move towards greater alignment and integration to provide the most effective response and recovery leadership that we can.

25. Do you think more fundamental changes are needed to the way direction and control works during the response to an emergency? If so, why?

☐ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

No further comments from the Group.

Issue 6: Strengthening the regional tier of emergency management

Issue 6.1: Resolving overlapping CDEM Group and local authority roles and responsibilities

We have identified options to ensure it is clear what CDEM Groups and each of their local authority members are responsible for.

Refer to pages 26–28 of the discussion document to answer the questions in this section.

26. Do you agree with how we have described this problem?

☒ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

No further comments from the Group.

27. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 6.1 options summary: We prefer a mix of Options 2 & 3 to provide greater clarity on funding, roles, and responsibilities for local authorities and the Group. We feel there needs to be a minimum national standard to ensure equity but also desire flexibility for local authorities.

The status quo (Option 1) is not working due to the widespread diversity of local government in New Zealand. We prefer a mix of Options 2 & 3 to deliver more consistent and equitable outcomes nationally.

We note that this will come with significant costs. Local government has widespread challenges with aging assets, growing costs, increasing expectations, debt ceilings, and limited additional revenue options. While we absolutely agree that we need to strengthen and make local government more accountable for emergency management, this can only come with new funding mechanisms to provide the quantum of growth required.

28. Are there any other options that should be considered?

Please explain your views.

The model for funding emergency management needs to be separated from the rating base for local government. A funding model that incorporates the risk a Group or territorial authority has will go some way towards the development of an equitable emergency management system. However, this will require a significant uplift in the quality and standardisation of risk assessments to make qualitative national comparisons that can enable funding decisions. Ultimately though, this would enable some funding to be directed based upon risk.

29. Do you think more fundamental changes are needed to the way emergency management is delivered at the local government level (for example, the CDEM Group-based model)? If so, why?

☒ Yes   ☐ No   ☐ Not sure / no preference

Please explain your views.

The Group model has been in place since 2002. This consultation does not provide any fundamental or innovative changes in how emergency management is delivered to our at-risk communities or resolve the question of how equitable emergency management outcomes are delivered across New Zealand.

While nationalisation and significant national resourcing might solve some of the challenges, it will create other new ones – particularly losing the local government connection with communities.

None of these challenges are going to be resolved without either significant national funding for local government or resolving some of the challenges highlighted in the *Future of Local Government review* (2023).

Issue 6.2: Providing for clear and consistent organisation and accountability for emergency management

We have identified options to ensure CDEM Groups are organised effectively, with clearer lines of accountability.

30. Do you agree with how we have described this problem?

☒ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

We agree with the problem statement but would suggest that it does not go far enough to capture some of the challenges of the existing system. It appears more focused on the internal mechanics of CDEM Groups and does not focus on delivering public outcomes.

Ultimately this results in unequal emergency management outcomes for New Zealand communities because of structures, capacity, and capability. This is a systemic issue with the public sector and is not limited to the emergency management sector.

Without local government reform in New Zealand, there will be a limit in the additional capacity and capability that local government can contribute towards its role in the emergency management system. Local government faces challenging issues that were raised in *The Future for Local Government review*. While there are significant differences in local authorities, funding, and CDEM Groups, we will continue to see a lack of consistency in delivering better disaster resilience and emergency management outcomes for New Zealand communities.

31. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 6.2 options summary: We don't prefer any of the proposed options due to the diversity of existing CDEM Groups. We do not believe the administering authority and Group Emergency Management Office should be responsible for delivery in all cases. We propose an alternative option below.

We support clear national standards for Groups and local authorities to ensure national equity of emergency management outcomes to communities. This includes transparent and measurable responsibilities that we all work towards and are measured against.

The Group should be able to agree to devolve responsibilities to the local authorities, with accountability back to the Group and Director. Groups need the flexibility to structure delivery based upon their composition and hazardscape. The Group should collectively agree on delivery arrangements through Joint Committee, and these should be captured in the Group Plan. This would clearly outline accountable responsibilities to be delivered by local authorities and the Group Emergency Management Office.

We don't believe that there is a single "one size fits all" solution that will work with the diversity of CDEM Groups, local authorities, and hazardscapes. See the chart *CDEM Group by Area and Population* (page 5) to understand the diversity.

We also note that the discussion of accountability in Issue 6.2 does not touch on funding – this is the real driver and enabler of work programmes. We also acknowledge the emergency management funding disparity between larger and smaller local authorities within the same Group. Any funding solution must overcome this challenge to ensure all local authorities are appropriately and proportionally resourced.

Option 1 status quo with full flexibility (not preferred) is no longer sustainable with the increasing demands upon the emergency management system, highlighted by events of the last ten to fifteen years. It will not deliver consistent and equitable outcomes to New Zealand communities, nor provide the national uplift to the system.

Option 2 (not preferred) provides no real accountability or the ability to set baseline operating expectations in legislation.

Option 3 (not preferred) does not provide enough flexibility to create a solution compatible with the diverse councils and the hazardscape of the CDEM Group. It doesn't reflect that some emergency management responsibilities are best delivered by the local authority. We don't support a fully regionalised approach where the administering authority is required to carry out all functions of the Group through the Group Emergency Management Office (GEMO).

Option 4 (not preferred) contains elements we would like to see included. These include:

- Council Chief Executives (CEs) should be accountable to the Coordinating Executive Group (CEG) for any Group responsibilities that have been devolved to their local authority.

- CEs should be accountable to CEG for the performance of their council's statutory officers (Controllers and Recovery Managers) and their use of powers.

- CEs should be accountable for business continuity for the council – ensuring that council and council services continue to operate (even at a degraded level). This should extend to any essential services (lifelines) operated by the council.

We believe that CEs should optionally be able to be Controllers and/or Recovery Managers. We recognise that some councils choose to make CEs a controller, and we believe that should be optional, but not a requirement. Any CE performing a statutory emergency management role will need to undertake the appropriate training and competency pathway. Any CE acting as Controller needs to ensure that appropriate delegations are in place for other senior council leaders to focus on Council continuity and service restoration during response.

32. Are there any other options that should be considered?

Please explain your views.

Some councils operate council-controlled organisations (CCOs) or council-controlled trading organisations (CCTOs) such as ports or communications companies. We believe there may be an opportunity to create an accountability pathway to the council CE from CCOs/CCTOs that are identified as lifelines/essential services. This may help assure council that CCOs/CCTOs are meeting their resilience, business continuity, and emergency management responsibilities. This could include requiring each council CE to provide an assurance report to CEG on CCO/CCTO continuity. We note that ownership of CCOs/CCTOs can involve multiple local government organisations, so the accountability pathway for continuity and resilience may not always be clear.

Issue 6.3: Strengthening the performance of Coordinating Executive Groups

We have identified options to strengthen how Coordinating Executive Groups provide advice to and implement the decisions of their CDEM Groups.

Refer to pages 31–32 of the discussion document to answer the questions in this section.

33. Do you agree with how we have described this problem?

☒ Yes   ☐ No   ☐ Not sure / no preference

Please explain your views.

We broadly agree with the problem statement.

We note that there are still challenges for Mayors in Joint Committee, and CEs in CEG, that their primary responsibility falls to council, and the CDEM Group is secondary. This is one of the

factors holding back increased Group effectiveness – how we collaborate effectively to deliver better outcomes for communities.

This issue appears strongly focused on the local government component of CEG. It does not cover the expectations and responsibilities of emergency services and partner agencies that are also CEG members.

We note the challenge in encouraging CEG to meet more frequently than quarterly. However given that CEG meetings are timed to coincide with quarterly CE meetings, this may be challenging to resolve.

34. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 6.3 options summary: The status quo (Option 1) is not preferred. We prefer a mix of Options 2, 3, and 4 that strengthen the responsibilities and accountability for CEG and the CEs. This includes an accountability pathway back to the Director.

We prefer aspects of Options 2, 3, & 4.

- Option 1 is not preferred as it does not result in any appreciable change. The status quo allows CEs to easily delegate out of CEG meetings.

- We support aspects of Option 2 that clarify expectations and strengthen the responsibilities of CEG.

- We support Option 3 as this provides a parallel reporting and assurance pathway to the Director, while recognising that CEGs primary reporting pathway is to Joint Committee. The pathway to the Director needs to be recognised as an external assurance pathway not the overall responsibility pathway that sits with Joint Committee.

- Option 4 – we prefer stronger measures for CEs, striking a balance between flexibility of attendance, while also ensuring that they are engaged, involved, and attend a suitable proportion of CEG meetings annually.

35. Are there any other options that should be considered?

Please explain your views.

The assurance reporting pathway must have a consequence feedback loop (means of enforcement) to JC and CEG. These consequences need to be identified in advance of implementing the assurance reporting pathway.

We would be interested to see a standard CEG reporting framework implemented containing objectives and key performance indicators that are the basis for the assurance reporting to the Director. This would enable assurance reporting to the Director with reduced additional overheads.

Issue 7: Keeping emergency management plans up to date

We have identified options to make it easier to update the National CDEM Plan and CDEM Group plans, reflecting changes to roles and responsibilities.

Refer to pages 33–34 of the discussion document to answer the questions in this section.

36. Do you agree with how we have described this problem?

☒ Yes　　　　☐ No　　　　☐ Not sure / no preference

Please explain your views.

We broadly agree that updating the core Group Plan using the existing legislative framework is cumbersome. It results in Groups producing one Group Plan and then trying to extend the life of the Plan as much as practical. As a key statutory document, even minor updates can come with significant engagement and resourcing commitments. There are also limited numbers of suitably capable planners to develop and maintain Group Plans. Often Group Plans can be outsourced to contractors and consultants to develop and update.

We also want to highlight an important distinction between the Group Plan and Group planning.

The Group Plan is the key statutory document that defines how the Group works together. Since the 2002 Act introducing Group Plans, these are now becoming more strategic in nature. As outlined in CDEM Group Planning [DGL09/18] Group Plans are primarily focused on governance, management, and a comprehensive four Rs (risk reduction, readiness, response, and recovery) approach to emergency management. Group Plans increasingly do not cover key response arrangements as they do not sit well in a strategic comprehensive emergency management plan.

This is where Group planning comes in – it is the process whereby representatives of members the Group work together to develop plans to achieve specific outcomes. These plans may be in risk reduction, resilience, recovery, readiness, or response.

It is Group planning, not the Group Plan, that delivers outcomes. We note that Groups and Group Plans appear to have a lack of statutory teeth for members of the Group. That is Group members cannot be completely held to account for adhering to the Group plans. This issue of a lack of accountability occurs elsewhere in the existing Act.

37. **Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?**

Please explain your views.

Issue 7 options summary: The status quo (Option 1) is not preferred. We prefer a mix of Options 2 & 3 that enable greater flexibility when structuring and publishing Group Plans (both through guidance and legislative options).

We prefer a mix of Options 2 and 3.

The greatest limitation with Group Plans and planning is having the capacity and capability to undertake the significant work required. Everything is pointing to a growing demand on planning time, that must be balanced with the other time and costs associated with other important activities identified within this consultation.

The existing CDEM Group Planning guideline [DGL09/18] provides a good foundation for what should be in a Group Plan, but it does not cover the broader requirements of Group planning for comprehensive emergency management.

The volume of content required to document all hazards and consequences, as well as how the Group operates, goes far beyond a single manageable document. We need to move away from the concept of a single Group Plan and accept that a library of emergency management planning documents is necessary to cover the scale and scope of the emergency management systems responsibilities across the four Rs. The Group Plan needs to be more broadly thought about as a set of plans that are incorporated by reference and can be updated independently.

We also need to be more selective about which plans we need to consult or solicit feedback on, and which we should be able to just publish on Group websites. For example, developing a risk profile for a Group area is almost entirely based upon scientific and technical expertise. It makes little sense to require public consultation on publishing and updating a risk profile. However, it

makes a lot of sense to consult, engage, and involve the public on the development of a Group ten-year strategic plan or a community resilience strategy.

The National Plan certainly needs either greater flexibility, or more content incorporated by reference rather than directly included.

We also note that some national agencies ignore their responsibilities in the current National Plan as it is a secondary legislative instrument. This indicates that the only solution in this case is to promote some responsibilities to primary legislation.

38. Are there any other options that should be considered?

Please explain your views.

We believe that Group planning needs to be strongly driven by evidence and prioritisation. Group risk assessment should produce prioritised lists of both hazards and consequences. With ideal resourcing, all hazard and consequence plans would be developed across risk reduction, readiness, response, and recovery to clearly outline activities and processes to manage specific hazards and consequences.

In 2019, NEMA was close to releasing a National Response Planning framework. Sadly, first due to COVID-19, and then a pivot to catastrophic planning, this nationally critical work was paused. The Director needs to be responsible for the development of a national planning framework that enables the identification, prioritisation, and development of critically needed plans.

Canterbury has been working on this over the past year or two as we use our 2022-23 risk profile to identify and prioritise the plans we ideally need to produce.

The framework should include more requirements for Groups to publish how they will respond to different hazards. This does not necessarily mean publishing a detailed operational response plan, but it could require publishing a response strategy for each hazard that outlines response and recovery priorities, responsibilities of key agencies, likely response phases and strategies, and the role and expectations of the community.

We have concerns about the access and availability of other lead agencies' strategic planning documents. The emergency management system is very open about sharing response plans. It can be more challenging to encourage other agencies to share their response plans. Improvements to the legislation and National Plan should statutorily require partner agencies and emergency services to also meet a minimal required level of organisational emergency management planning and publishing suitably high-level emergency management plans for their organisation or sector.

Consideration could be given to a national response and recovery plan portal where the public sector can easily publish and share plans with other all other agencies.

Other problems relating to this objective

39. Should we consider any other problems relating to responsibilities and accountabilities at the national, regional, and local levels?

Please explain your views.

No further comments from the Group.

Objective 3: Enabling a higher minimum standard of emergency management

Issue 8: Stronger national direction and assurance

Issue 8.1: Strengthening the Director's mandate to set expectations and monitor performance

We have identified options to enable a wider range of mandatory standards to be set, and strengthen the Director's ability to provide assurance about the performance of the emergency management system.

Refer to pages 36–37 of the discussion document to answer the questions in this section.

40. Do you agree with how we have described this problem?

☒ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

> We agree with the problem statement. We note the limitations of the CDEM Act 2002 having limited penalties for parties to the Act not meeting their statutory responsibilities. We agree that local government and the public sector all prioritise emergency management activities differently. We know from experience that external monitoring and assurance works to deliver improved outcomes.

41. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

> **Issue 8.1 options summary: The status quo (Option 1) is not preferred. We prefer Options 2 & 3, with increased guidance, strengthened governance, and some mandatory legislative standards. We are concerned about NEMA being explicitly responsible for monitoring and assuring the system it is a component of (Option 4). We prefer independent monitoring and assurance that sits outside of the emergency management system, such as from the Office of the Auditor-General.**
>
> The status quo (Option 1) is not preferred, as it has resulted in an increasing number of public sector entities with emergency management responsibilities stepping back from responsibilities in the current Act and secondary legislation.
>
> We agree that a mixture of non-legislative (Option 2) and legislative (Option 3) actions are required to generate a higher minimum standard of emergency management delivery to our communities. Guidance and other supporting material are required, but we feel that a mandate to set expectations is necessary to deliver equitable emergency outcomes across New Zealand.
>
> This will incur increased costs and resourcing, particularly for capacity and personnel development. Given ongoing local government revenue challenges, this is unlikely to happen without funding from central government. Auditing, assurance, and continuous improvement are critical, but will increase costs and displace or delay existing work scheduled in work programmes and create a significant backlog of work.

42. Which aspects of emergency management would benefit from greater national consistency or direction?

Please explain your views.

Most aspects of emergency management will benefit from greater national consistency and direction. This is an important outcome of any emergency management system reform, as the system needs to provide consistent emergency management outcomes to New Zealand communities.

Many areas will benefit from national standards being set and monitored – such as capability development and professionalisation, information sharing (covered later), and minimum levels of service for response.

We also believe that standards need to be applied across the four Rs. A strong emphasis of greater national direction in this consultation appears focused on readiness and response. Risk reduction can benefit from stronger direction on risk assessment and hazard management. Recovery can benefit from stronger direction on the implementation of recovery environments.

Stronger national direction and assurance needs to be applied to the development of capability, competency, and capacity across the emergency management sector. Once competency pathways have been developed, these need to be mandated by the Director to ensure the workforce develops to a higher minimum standard.

43. Are there any other options that should be considered?

Please explain your views.

Independent monitoring and assurance of emergency management system
The consultation document appears focused solely on monitoring and assurance of the CDEM sector (NEMA, Groups, and local government), rather than the whole emergency management system. We feel this is an oversight as identified improvements often require adjustments across the emergency management system – including local government, Groups, NEMA, emergency services, and wider public sector agencies with emergency management responsibilities.

We feel there is a particular gap in monitoring and assurance of national public sector agencies that have emergency management responsibilities

We would encourage investigating a monitoring and assurance function that sits outside of the emergency management system and NEMA. It must take a systems-thinking approach to assuring and improving the entire emergency management system. In addressing system performance issues, the independent monitor may assign actions to NEMA, Groups, local government, and other public sector entities to improve system performance.

One option may be to consider an Inspector General for Emergency Management, that could sit within the Office of the Auditor General within Parliament. It is critical that this systemwide view is independent and sits outside of NEMA.

Issue 8.2: Strengthening the mandate to intervene and address performance issues

We have identified options to better ensure those with legal emergency management responsibilities are meeting them sufficiently.

Refer to pages 37–39 of the discussion document to answer the questions in this section.

44. Do you agree with how we have described this problem?

☒ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

Yes, we agree broadly with the problem statements.

There are challenges associated with identifying entities where performance may be an issue and where accountability should lie. Is it Joint Committee, Coordinating Executive Group, Group Manager, Administering Authority, or the Chief Executive of the entity? As Groups cannot determine territorial authorities and their elected officials' investment decisions, should a Group be held responsible?

45. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 8.2 options summary: We did not settle on a clear preference. Powers of intervention need to apply more widely than just the existing CDEM sector and must include all public sector entities with emergency management responsibilities. With greater power to the Minister, needs to come greater multi-partisan agreement to the direction of emergency management in New Zealand.

Powers of intervention need to be broader than just the CDEM sector and must include all public sector entities that have statutory and regulatory emergency management responsibilities.

We are concerned about Option 3's approach to strengthen the Minister's power of intervention. We note that emergency management in recent years has not been a portfolio that has clear cross-party agreement – there is not multi-partisan agreement on the path forward for the system. This is one reason we prefer the independent Office of the Auditor General to hold powers of audit, assurance, and intervention for the system.

As highlighted in question 41, independent assurance, as well as compliance and intervention, will result in increased costs. We do not however see these as compliance costs, but rather essential investment to improve emergency management system capacity and capability.

Depending on the timeframes allowed to implement required actions, independent assurance will impact other work programmes and projects causing delays or reprioritisation of existing work. If additional funding is not available, there may be a multi-year delay due to the requirements of the local government long-term planning cycle.

46. Are there any other options that should be considered?

Please explain your views.

As raised in question 43, we do not feel that the mandate to intervene and address performance should sit with the Director. We feel this needs to be an independent and empowered role external to the emergency management system. They need to be able to assign actions to multiple system components, including NEMA.

We understand the need for independent assurance, but there has been little discussion of the central government enablers to allow resource-constrained local government to deliver on the increasing emergency management expectations of New Zealand communities.

We believe that enablers such as guidance, standards, and resource support need to be made available before enforcing strong assurance. A critical component will be identifying clear definitions and measures that entities with emergency management responsibilities can be assured against and providing time to adopt and adapt to these new performance measures.

Issue 9: Strengthening local hazard risk management

We have identified options to strengthen the way CDEM Groups and their members manage the risk of hazards in their areas, including by using CDEM Group plans more effectively.

Refer to pages 39–42 of the discussion document to answer the questions in this section.

47. Do you agree with how we have described this problem?

☒ Yes   ☐ No   ☐ Not sure / no preference

Please explain your views.

We broadly agree with the problem statements. The great challenge with strengthening hazard management is clearly defining roles and responsibilities of the resource management and emergency management systems. We note that both systems are currently under review, so this significantly increases the complexity of shaping what New Zealand's natural hazard management system should be.

As indicated in the figure below, the controls for local authority hazard management lie in other legislation. The Resource Management Act remains the primary regulation for managing hazards.
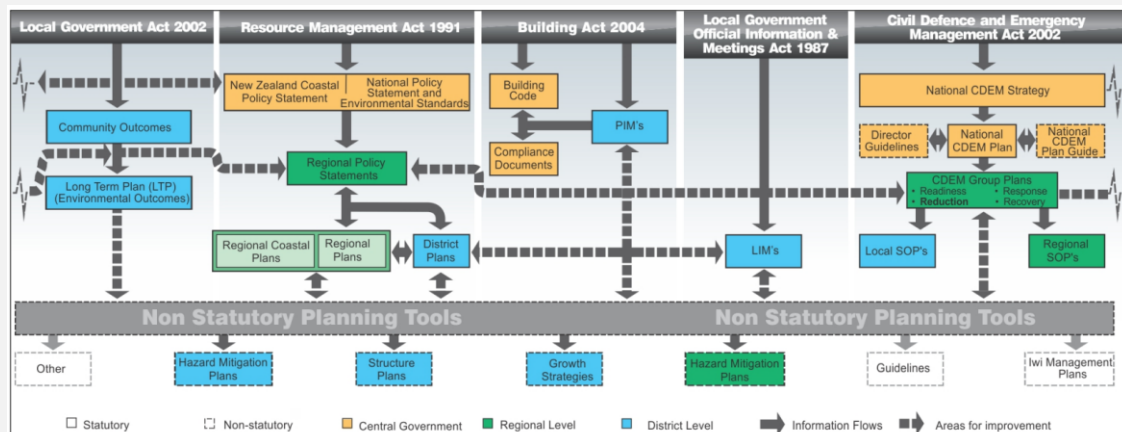

Figure 2.1 Legislative roles and responsibilities for hazard management in New Zealand (adapted from Glavovic, Saunders, & Becker, 2010)

We believe CDEM Group Plans lack both visibility and mandate relative to other planning instruments when it comes to hazard risk management. Regional risk profiles produced as part of Group planning do not provide sufficient detail and rigour to be used for hazard management in the resource management system. The *Risk Assessment: Guidance for CDEM Group Planning [DGL23/22]*[6] is focused on consequence assessment of residual risk.

The CDEM Act has never delivered upon the intent outlined in paragraph 136 of the discussion document - to integrate hazard risk management organisations and tools. This is due to the widely fragmented regulatory framework for hazard management (see above), along with a lack of Group resourcing and expertise to lead risk reduction and hazard management.

The resourcing focus for Groups has generally focused on readiness, response, and to a lesser extent Recovery – as in recent years these areas have been the focus of after-action reviews, recommendations, and inquiries. These have shaped the priorities and funding of Groups activities, and few recommendations come back to risk reduction under the existing CDEM Act.

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[6] https://www.civildefence.govt.nz/cdem-sector/guidelines/risk-assessment-guidance-for-cdem-group-planning

48. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 9 options summary: The status quo (Option 1) is not preferred. We support a mix of Options 2, 3, and 4 to strengthen emergency management's role in local hazard risk management. We note that the discussion document is relatively silent on the role of regulatory reform of the resource management system to enable stronger hazard risk management. Ultimately, hazard risk management down to the property level and adaption/managed retreat are glaring gaps in risk reduction and recovery.

We further note that several of these options are not focused specifically on hazard risk management and are more fully considered under *Keeping emergency management plans up to date* (Issue 7) and *Stronger national direction and assurance* (Issue 8).

We favour an approach that combines elements of Options 2, 3, and 4. The status quo (Option 1) is not working.

Paragraph 138 highlights the lack of integrated hazard management within broader local government, but the options do not provide any solution to this challenge. The options do nothing to strengthen and unify hazard management across multiple acts.

49. What is the right balance between regional flexibility and national consistency for CDEM Group plans?

Please explain your views.

Natural hazards must be consistently managed across New Zealand. We favour national consistency for natural hazard management within the resource management system, and consequence management within the emergency management system. We favour a prescribed national framework/methodology to drive standards and consistency but allows for some local/regional flexibility.

Property and asset owners need national consistency in the assessment of local hazards, and consistency of the rules and guidance of hazard management in district and regional planning documents. Most Groups do not have the local government planning expertise and experience to undertake district and regional hazard planning. If the emergency management role in hazard management is strengthened this will have resourcing and funding implications.

Another element that is challenging for some Groups and regional councils is that Group areas and regional council boundaries are not always aligned. This can create additional hazard management and planning complexities. For example, in the Canterbury region, the Canterbury Regional Council boundary encompasses both the Canterbury and Otago CDEM Groups.

50. What practical barriers may be preventing CDEM Group plans from being well integrated with other local government planning instruments?

Please explain your views.

New Zealand lacks an integrated national framework for hazard risk management.

Group risk profiles do not have the visibility and status that other local and regional planning documents have. Group risk profiles should be the primary regional strategic risk assessment – communicating the variety and broad coverage of risks across the CDEM Group area. The risk profiles are to provide a summary of all hazards – natural and anthropogenic, apply a common framework to assess likelihood and consequences, and to inform and direct the reader to resources that provide more specific local hazard assessments. They also need increased visibility

and some legal weight for all public sector entities, so these form the high-level basis for their resilience, continuity, and emergency management planning within the Group area.

Group risk profiles do not provide the local-scale precision required to implement in regional policy statements and district planning rules – they are not designed or intended to be used at the individual property level. This does not mean that Group risk profiles should be comprehensive and contain extremely detailed hazard information – that should be the responsibility of the resource management system to ensure detailed, localised hazard assessments are incorpores in district plans, spatial plans, or regional policy statements.

51. Are there any other options that should be considered?

Please explain your views.

See question 52.

52. Do you think more fundamental changes are needed to enable local authorities to deliver effective hazard risk management? If so, why?

☒ Yes   ☐ No   ☐ Not sure / no preference

Please explain your views.

We feel that more fundamental changes are needed to enable New Zealand to manage increasing risks, vulnerabilities, and fragility of essential systems. The emergency management system represents a small component of New Zealand's hazard risk management system with no regulatory controls to manage risk.

There is no coherent national strategy and mandated agency to take responsibility for these challenges. While this currently sits with the Hazard Risk Board in the Department of Prime Minister and Cabinet, there is no agency or department with an all-of-nation mandate to lead change and improvement to national policy and the significant uplift in investment required to deliver effective risk management and improve resilience in New Zealand. This agency or department needs the funding and mandate to produce a cohesive national approach across the widest definition of the public sector to improve resource management, infrastructure resilience, and hazard and vulnerability management.

One of the critical responsibilities of the risk agency is to define an *acceptable level of risk* for all agencies involved in hazard risk management. Further clarity on *acceptable residual risk* is also desired. We do not believe that the current legislation clearly defines this. This is fundamental to enabling the entire public sector to be responsible for hazard risk management and creating a more resilient New Zealand.

The framework needs to create clarity around roles and responsibilities for agencies, and this includes building a risk management framework that maps national, regional, and local risk assessment activities. It needs to provide a means of incorporating a Mātauranga Māori perspective on hazard risk management.

There is a further fundamental challenge when trying to balance hazard risk management between emergency management that is focused on negative risk, while the broader public sector is focused on positive and negative risk. Put another way, local government hazard management must balance hazard management with other priorities including private property use rights, community development, and economic sustainability. This places resource

management in direct conflict with hazard management, and currently, hazard management appears to be losing. In 2024, 2325 (15%) new builds in Auckland were on flood plains[7].

Issue 10: Strengthening due consideration of taonga Māori, cultural heritage and animals during and after emergencies

Issue 10.1: Considering taonga Māori and other cultural heritage during and after emergencies

We have identified options to ensure the impacts of emergencies on taonga Māori and other cultural heritage is considered appropriately.

Refer to pages 43–45 of the discussion document to answer the questions in this section.

53. Do you agree with how we have described this problem?

☒ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

We feel it is inappropriate to bundle taonga Māori with other the other sub-issues in Issue 10.

We believe that the existing legislative framework provided by the *Heritage New Zealand Pouhere Taonga Act 2014* provides a significant statutory starting point for the protection of taonga Māori and cultural heritage. We note that the 2014 Act was a direct response to the impact that the Canterbury earthquake sequence had on the loss of taonga and heritage following the earthquakes.

We also note that the focus is again on readiness and response, while we believe that increased investment in risk reduction and readiness for recovery will deliver the best outcomes for taonga Māori and cultural heritage.

We note that the recent passing of the *Building (Earthquake-prone Building Deadlines and Other Matters) Amendment Act 2024*[8] has extended the seismic risk for earthquake-prone heritage buildings by extending compliance timelines. This is an example of a heritage risk being managed well outside the mandate of the emergency management system, while local authorities are still responsible for building risk management if there is an earthquake.

54. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 10.1 options summary: We favour a mix of Options 2 and 3. We recognise that consideration of taonga Māori must be done in partnership with Iwi Māori.

We favour a combination of Options 2 and 3. Any actions that create greater visibility of culture and heritage, benefit New Zealand.

We are supportive of incorporating taonga into the Group planning process and some elements into the Group Plan. This will help to acknowledge the important relationship mana whenua have

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[7] Auckland councillor wants mayor to pressure government over building consents in flood-prone areas | RNZ News
[8] Building (Earthquake-prone Building Deadlines and Other Matters) Amendment Act 2024 No 49, Public Act – New Zealand Legislation

with their ancestral whenua, wai, wāhi tapu, wāhi taonga, and will help align with Article Two of Te Tiriti.

This culturally significant aspect of Te Tiriti partnership will require both competency uplift and resourcing for both partners to fully enable appropriate consideration across the four Rs of taonga Māori.

However, as a common theme through this consultation document, the emergency management system does not have the expertise, mandate, or resource, to take on this important work (especially when we consider how much heritage is tied up in the built environment). This is why we feel that existing public sector entities are best placed to take the lead on increasing New Zealand's disaster resilience for heritage. These entities need to be funded and enabled by central government to deliver on their disaster resilience and emergency management responsibilities. This is particularly an issue for building emergency management.

55. Are there any other options that should be considered?

Please explain your views.

No further comments from the Group.

Issue 10.2: Considering animals during and after emergencies

We have identified options to ensure the impacts of emergencies on pets, working animals, wildlife, and livestock is considered appropriately.

Refer to pages 45–47 of the discussion document to answer the questions in this section.

56. Do you agree with how we have described this problem?

☒ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

There is a significant existing framework for animal welfare that includes an act, strategy, regulations, and codes of welfare.

The Ministry for Primary Industries (MPI) focuses almost entirely on production animals. Other animals such as lifestyle blocks and pets receive little to no support from MPI during response and recovery.

We note that concurrent biosecurity events can create additional challenges. The emergency management system does not have biosecurity expertise, and during response the local government emergency management cannot readily solve biosecurity challenges (e.g. M. bovis during the Canterbury floods in May 2021).

57. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 10.2 options summary: We do not favour Options 1 and 2 as they are not strong enough. We favour a mix of Options 3 and 4, with the responsibility and resourcing being primarily placed upon the Ministry for Primary Industries (MPI) through existing animal welfare frameworks, regulations, and the animal welfare strategy.

The emergency management system does not have the expertise, mandate, or resource, to take on this important responsibility. This is why we feel that existing public sector entities are best

placed to take the lead on increasing New Zealand's disaster resilience for heritage and animal welfare.

We note that the current National Plan, and Guide to the National Plan, clearly outline responsibilities for the animal welfare sub-function. We believe that there needs to be greater funding, enablement, and assurance that responsible agencies are taking a comprehensive four Rs approach to animal welfare emergency management in New Zealand.

58. Noting that human life and safety will always be the top priority, do you have any comments about how animals should be prioritised relative to the protection of property?

Please explain your views.

We support companion animals being placed as a higher priority than property.

We do not feel that emergency management should primarily be responsible for production animals. Business owners need to take greater responsibility, through resilience and business continuity planning, for their animals.

The role for animal welfare for emergency management is possibly best limited to rescue (alongside people), and initial temporary shelter of families and animals until the animal welfare system can take over the responsibility for animals in response and recovery.

59. Are there any other options that should be considered?

Please explain your views.

Strengthening the existing animal welfare framework also needs to include regulation and guidance on volunteers that work with animals in emergencies.

The existing animal welfare framework should be reviewed with a disaster resilience lens. Updates should then be made to the existing animal welfare framework, rather than creating a separate framework within the emergency management system.

We also want to highlight that emergency management should not be seen as a crutch for sectors, businesses, and property owners that have not undertaken robust business continuity planning. There needs to be greater emphasis on businesses to plan for their own disaster resilience and continuity, including supporting their production animals.

Other problems relating to this objective

60. Should we consider any other problems relating to enabling a higher minimum standard of emergency management?

Please explain your views.

One of the highest priorities to enable a higher minimum standard of emergency management, is to create standards across the public sector, and then train and equip public sector personnel to deliver a higher standard of emergency management.

There are several additional problems related to enabling a high minimum standard of emergency management that were not covered and yet are of critical importance to lifting the collective standard of emergency management in New Zealand.

We note that these challenges affect all public sector entities that have emergency management responsibilities.

Professional development of emergency managers

There is currently no clear development pathway to build the training, competencies, knowledge, and experience of the core officers/advisers/managers responsible day-to-day for the delivery of emergency management within local government.

The discussion document highlights a potentially significant broadening in knowledge required to hold an emergency management role within local government – with no indication of how this expansion would be supported.

Response and recovery capacity and capability

There is no clear national pathway for the training of coordination centre personnel. This is a high-pressure role. For most staff that come from elsewhere in local government it is unlike any of their routine work. Due to the cost and activity pressures on local government, it is extremely difficult to get council staff released for the desired level of response and recovery training that is necessary to provide them with the training and confidence they need. This can mean that events end up being novel and potentially challenging for those local government personnel that are responding for the first time.

Defining minimum response and recovery capacity and capability for public sector entities

The independent assurance function that we would like to see carried out by the Office of the Auditor General should include assessing agencies abilities to operate response and recovery functions to an agreed number of personnel (capacity), and to an agreed standard based upon their function or role (capability). We believe that there are public sector entities, including hazard lead agencies, that cannot meet capacity and capability requirements based upon their current emergency management responsibilities. Capability needs to include currency, as well as regular participation in exercises.

Objective 4: Minimising disruption to essential services

Issue 11: Reducing disruption to the infrastructure that provides essential services

Issue 11.1: Narrow definition of "lifeline utility"

We have identified options to extend emergency management responsibilities to a broader range of infrastructure that provides essential services.

Refer to pages 50–52 and Appendix C of the discussion document to answer the questions in this section.

61. Do you agree with how we have described this problem?

☒ Yes   ☐ No   ☐ Not sure / no preference

Please explain your views.

> We agree with the problem statement. We feel it reflects the complexity and supply chains of modern society, as well as advancements and adoption of technology that has become essential since 2002.
>
> We desire an increase in the breadth and depth of essential services included. We believe it needs to go further and include social infrastructure, essential supplies for repairing critical infrastructure, and prioritised fast moving consumer goods.

62. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

> **Issue 11.1 options summary: We do not support the status quo (Option 1). We support a mix of Options 2 and 3. We support a strategic principles-based definition of essential infrastructure/services (Option 3) but feel this needs to be supported by scheduling additional sectors and entities (Option 2).**
>
> We note that the scale of work required to minimise disruption to essential services is significantly higher than existing emergency management system capability and capacity. The system will require significant support and resourcing to give the uplift required to meet public expectations if this is the responsibility of the emergency management system.
>
> We were strongly supportive of the 2023 Critical Infrastructure Resilience[9] consultation by the Department of Prime Minister and Cabinet (DPMC) that was looking to create a significant uplift in critical infrastructure resilience outside of the emergency management system. We were disappointed to see this work refocused in December 2024 to an extremely limited scope of cyber security risks.
>
> This approach was to temporarily provide an uplift in critical infrastructure resilience and continuity requirements in emergency management legislation, until a critical infrastructure act enabled the resilience and continuity expectations of critical infrastructure.
>
> We still feel that the approach outlined in the 2023 DPMC critical infrastructure consultation promoted a more sustainable long-term approach rather than embedding it in the emergency management primary legislation.

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[9] https://www.dpmc.govt.nz/our-programmes/national-security/critical-infrastructure-resilience

This creates a major risk for New Zealand in terms of the strategic responsibility to assess risks and build critical infrastructure resilience against a rapidly growing range of natural risks and security threats.

63. If we introduced a principles-based definition of "essential infrastructure", are there any essential services that should be included or excluded from the list in Appendix C of the discussion document?

☒ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

A principles-based approach to critical infrastructure needs is essential to ensure that responsibility for resilience is driven by critical infrastructure organisations. It is important to not create dependencies on the emergency management system.

We feel a broader, all-of-supply-chain approach may be necessary for essential supplies that may be impacted by impacts on supply chains (medical supplies inc. gases, parts for urgent repairs of essential infrastructure, and prioritised goods for fast moving consumer goods).

The principle-based definitions (Option 3) should be sufficiently high-level that they do not need to be frequently modified – it may be more focused on identifying classes (infrastructure, services, supplies) and priorities. The details of sectors, entities, and schedules of specific supplies could then be covered by secondary legislation (Option 2).

Communications infrastructure, particularly the Internet, are much more complex than copper phone networks. A good broad range of expanded essential communication services have been highlighted on page 75 of the discussion document. We would go further and suggest that some quite specific roles need to be explicitly identified including:

- **Satellite ISPs** – they are already identified as ISPs, but we would like to see their ground stations explicitly identified as essential infrastructure.

- **Internet peering exchanges**[10] – Internet concentration points where many networks come together and provide significant interconnects between New Zealand and international IP-based networks. There are currently nine in NZ with five in Auckland, two in Wellington, and two in Christchurch. The largest two are in Auckland that provide high levels of interconnects – New Zealand Internet Exchange, Auckland/AKL-IX (93) and Megaport MegaIX Auckland (81). They have nationally critical throughput speeds, and we note that many providers already identified as new essential infrastructure providers such as DNS, data storage/processing, managed information technology services, cloud computing, and Internet service providers connect through these exchanges.

- **Authentication services** – there are a limited number of critical authentication services that may be used to access essential online services. These include the likes of – RealMe, Microsoft, Google, Meta, Apple, ESRI, and D4H. If authentication services are unavailable, many online services including critical services like the Emergency Mobile Alert portal may be inaccessible.

As experienced during COVID-19, public transport should be considered an essential service for essential workers, although it may have to operate at reduced levels of service.

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[10] https://pulse.internetsociety.org/en/ixp-tracker/?country_code=NZ

64. If you think other essential services should be included in the list in Appendix C, what kinds of infrastructure would they cover?

Please explain your views.

We support the inclusion of all the essential services identified in Appendix C of the discussion document. Noting that:

- *Hazard warning services* should be modified to *Hazard and warning services* to include the National Warning System and other similar services.

- The definition of *groceries* needs further expansion and prioritisation to provide a prioritised approach to the provision of fast-moving consumer goods.

We would suggest that there is benefit in creating a tiered approach to essential infrastructure and services. The National Lifelines Vulnerability Assessment[11] (2023) identifies a two-part model that creates a difference between essential infrastructure and essential services. We suggest that a third part is required that includes essential supplies.

It may be beyond the scope of critical infrastructure, but we would highlight that there are linkages between MBIE's Critical Mineral List and essential supplies that we are highlighting.

Essential and Enabling (Lifelines) Infrastructure	Essential Services (Critical Customers).
▪ Energy	▪ Health and Aged Care
▪ Telecommunications / Broadcasting	▪ Education
▪ Transport	▪ Corrections
▪ Water, Wastewater and Stormwater	▪ Emergency Management and Emergency Services
▪ Flood Protection	▪ Financial Services
▪ Finance (Payment Services)	▪ Fast Moving Consumer Goods
▪ Solid Waste	▪ Community Facilities
▪ Data Storage / ICT	▪ Major Industry

Table 1-1: 'Lifelines' Infrastructure and Critical Customers

Fast moving consumer goods would then be broken out into essential services (distribution centres, warehousing, and retail) and essential supplies. The essential FMCG supplies recognise that there will be times that a subset of FMCG needs to be prioritised for distribution and community access following a disaster.

Following a string of hurricanes in 2018-19, the United States developed their first iteration of a broader set of community lifelines that were to form the doctrine behind prioritising efforts to stabilise, and then restore, impacted essential community lifelines. The Community Lifelines[12] doctrine was due for review and update 2024-25.

The USA Community Lifelines are broken down as:

- ***Safety and Security*** - *Law Enforcement/Security, Fire Service, Search and Rescue, Government Service, Community Safety*

- ***Food, Hydration, Shelter*** - *Food, Hydration, Shelter, Agriculture*

- ***Health and Medical*** - *Medical Care, Public Health, Patient Movement, Medical Supply Chain, Fatality Management*

- ***Energy*** - *Power Grid, Fuel*

- ***Communications*** - *Infrastructure, Responder Communications, Alerts Warnings and Messages, Finance, 911 and Dispatch*

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[11] https://www.nzlifelines.org.nz/

[12] https://www.fema.gov/emergency-managers/practitioners/lifelines

- **Transportation** - *Highway/Roadway/Motor Vehicle, Mass Transit, Railway, Aviation, Maritime*

- **Hazardous Materials** - *Facilities, HAZMAT, Pollutants, Contaminants*

- **Water Systems** - *Potable Water Infrastructure, Wastewater Management*

Another new class that could be added is Protection Systems that could include assets and systems such as stopbanks, flood protection, stormwater, monitoring/telemetry and control (e.g. Supervisory Control and Data Acquisition – SCADA), and security systems.

Translation services are essential for communicating during emergencies, as are multilingual radio stations/social media channels for communicating and engaging with Culturally and Linguistically Diverse (CALD) communities.

As the transition to electric vehicles (EVs) continues, EV charging networks and stations may need to be explicitly included.

We support the discussion document inclusion of solid waste as an essential service. We suggest an expanded definition of *waste transport, transfer stations, waste processing infrastructure, and landfills*. We also highlight the response and recovery roles of disaster waste management, and that the solid waste system is essential to enabling successful response and recovery. We also support solid waste services being recognised as a class of operators that may need access to restricted areas (Issue 13).

During our workshops we had multiple supply chain services for primary production identified. Examples raised include irrigation companies, processing plants, and veterinary services. We believe they are outside the scope of essential infrastructure, but they could be included in lower tiers for economic sectors that should be encouraged to have good organisational resilience and business continuity arrangements.

65. Are there any other options that should be considered?

Please explain your views.

The National Lifelines Vulnerability Assessment (2023) clearly identifies the top tiers of critical infrastructure. We support a prioritised model based upon assigning these categories of critical infrastructure stronger resilience requirements due to other critical infrastructure services depending upon these services:

- Top Tier – Electricity, Roads, Telecommunications, Fuel

We also note that some sectors, telecommunications in particular, have grown to encompass many subsectors and entities. We highlighted above in question 63 that communication needs broader and deeper analysis to identify critical elements and systems.

Some sectors are heavily regulated, and it is not appropriate for the emergency management system to lead the resilience and continuity expectations of these sectors. We strongly believe that the regulator must be responsible for setting resilience and continuity expectations of regulated critical infrastructure and providing the appropriate assurance arrangements. An Inspector General could maintain oversight over consistent resilience and continuity assessments of regulators and regulated sectors.

Issue 11.2: Strengthening lifeline utility business continuity planning

We have identified options to ensure lifeline utilities have planned effectively for disruption to their services.

Refer to pages 52–54 of the discussion document to answer the questions in this section.

66. Do you agree with how we have described this problem?

☒ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

We broadly agree with the need for improved resilience and continuity planning for critical infrastructure. However, it needs to go beyond planning and must translate into more resilient critical infrastructure.

None of the options presented appear that they would create more resilient critical infrastructure, instead they are just focused on uplifting planning and intelligence, without delivering the critical outcome of greater infrastructure resilience. This ultimately comes back to investment to harden assets and diversify routes.

67. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 11.2 options summary: The status quo (Option 1) does not provide enough confidence and visibility of business continuity arrangements. Options 2 (non-legislative) and 3 (legislative) were generally preferred, recognising that Option 4 (stronger legislative) may be required.

We are concerned that the emergency management system does not have the capacity and capability to take on a support and assurance role for continuity planning for critical infrastructure. We particularly do not have the technical knowledge required for working with critical infrastructure providers. This will generate significant costs to bring personnel with appropriate knowledge, experience, and expertise on board to engage and work with critical infrastructure providers. Local government salaries are likely to be incompatible with the salaries of operations and engineering expertise common in critical infrastructure providers.

This also raises the role of national sector coordinating entities such as the NZ Telecommunications Forum, the Telecommunication Emergency Forum, as well as regulators and standard-setting bodies (e.g. the New Zealand Society of Large Dams).

There is a large body of infrastructure knowledge that sits outside of the emergency management system, and this will make it challenging for the emergency management system to be the peak assurer for critical infrastructure.

Further, there are concerns about who should reasonably bear the cost of increased resilience for critical infrastructure assets. Some of these costs can potentially be of the order of tens or hundreds of millions, or even billions – such as the previously proposed Lake Onslow hydro battery for dry year electricity risk.

68. Are there any other options that should be considered?

Please explain your views.

The previous bill raised the concept of Planning Emergency Levels of Service (PELOS). While there were challenges with how these were going to be defined and implemented in the previous bill, PELOS, or a similar mechanism to identify reasonable outage and restoration times, have some merit.

Investing in critical infrastructure resilience can come at significant expense. There is a threshold where investment levels are low enough and reasonable enough that the investment in resilience can be reasonably incurred within the operating expenditure of the business, the price sensitivity of the customers, and the desired returns of the shareholders.

However, if the public and government's resilience expectations are higher than this threshold, then the cost of resilience may unreasonably impact operating cashflow for the business, increase cost-of-living for the public, and reduce shareholder returns and investment.

We suggest that there is a threshold that needs to be identified for critical infrastructure resilience investment to determine:

- Investment by the business – the baseline cost of resilience borne by the customers, the business, and the shareholder(s), and

- Investment by the Government – the marginal cost of higher resilience expectations as it is believed to be a public good in the public interest.

There is no indication of the future roles of the National Lifelines Council and regional Lifelines Groups. They would appear to have a significant coordination role to play across the four Rs. The discussion document is silent on their essential coordination role.

There are further options for strengthening lifelines that could include increased training and exercises, professional development, even memoranda of understanding, however these all come with significant additional resourcing costs for Groups.

Issue 11.3: Barriers to cooperation and information sharing

We have identified options to strengthen cooperation and information sharing between lifeline utilities, CDEM Groups, and other agencies.

Refer to pages 54–57 of the discussion document to answer the questions in this section.

69. Do you agree with how we have described this problem?

☒ Yes   ☐ No   ☐ Not sure / no preference

Please explain your views.

We agree with the problem statement. There are many reasons why lifelines engage with the emergency management system to varying degrees, and why they can be reticent to share information not only for response and recovery, but also for risk reduction and readiness activities.

There is a significant lack of New Zealand standards for application programming interfaces (APIs) and data schema to enable interoperability for emergency management. We see this as a non-technological issue as the technology has been around for decades to enable data sharing.

70. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 11.3 options summary: The status quo (Option 1) is not working. We prefer a mixture of non-legislative (Option 2) and legislative (Options 3-6).

We note that the options suggest involvement in development of the Group plans, but we feel this is better expressed as being involved in Group planning. This will come with a significant increase in engagement and coordination activity resulting in higher costs for the emergency management system.

There is a significant role for national sector coordinating entities (SCEs) to act as the "representative of the sector". They should be enabled to produce a single, national, common operating picture of their sector. The SCEs should also co-lead the development of the national

response plan for their sector, along with the regulator, and the National Emergency Management Agency.

It is inefficient to enable this sharing at local or regional levels when a single national focal point would be more efficient. This will ensure that we do not end up with sixteen slightly or significantly different systems.

We feel that a high priority for national response planning should be the development within the emergency management system of national electricity and communications plans. We note that the National Fuel Plan was updated in 2024. Recent whole-of-country outages in 2025 include Chile, and the Iberian Peninsula (Spain, Portugal, France, Andorra) highlight both the urgency and need for a national electricity outage plan. This is linked back to our feedback in Q65 where the 2023 National Vulnerability Assessment identified the most critical sectors.

71. Because emergencies happen at different geographical scales, coordination is often needed at multiple levels (local and national). Do you have any views about the most effective way to achieve coordination at multiple levels?

Please explain your views.

Coordination is a challenge due to two main issues:

1. The differing boundaries/jurisdictions/network areas of organisations.

2. The number of different organisations providing the same services across New Zealand. Some examples include: 78 local authorities; 29 electricity distributors; 19 Health districts; 16 CDEM Groups; 12 NZ Police districts; and 5 Fire and Emergency NZ regions.

This gives a brief indication of how challenging and unbalanced coordination and collaboration can be. It can get worse once you start considering the vertical relationships e.g. Health[13] has four regions, which the nineteen districts deliver health services from.

From the perspective of local government emergency management response, local coordination works well if only one or two territorial authorities (TAs) are activated and responding to a shared event. However, as the number of TAs responding grows, other responding agencies become limited by the number of liaisons they can provide to each coordination centre. This is where escalation to regional coordination becomes critical. The capacity and capability of local government varies significantly across the country and directly impacts effective liaison and coordination.

National coordination is essential where supporting capability comes from a national agency such as the NZ Defence Force.

Tactical/operational coordination for tightly defined geographical areas occurs best at the incident or local levels.

Strategic coordination of many agencies with overlapping responsibilities covering a larger geographical area occurs best at the regional or inter-regional level.

Strategic national and system-wide coordination occurs best at the national level.

The more specialised the skills or limited the number of potential liaison personnel (such as lifeline utilities coordinators), the liaison/coordination role moves up the system. We typically see the greatest value in lifeline utility coordinators at a regional-scale event. For smaller events, these specialist skills can be deployed down to the local level if the scale is appropriate.

The "friction" of coordination can be reduced by standardising incident management systems, supporting processes, and training. Information systems and common operating pictures also

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[13] https://www.tewhatuora.govt.nz/corporate-information/about-us/map

work to smooth coordination issues. Collaboration support tools need to advance beyond simple information sharing but need to enable a shared approach to requesting information, triaging/prioritising information requests, and making the intelligence produced from requests available to all agencies that would benefit from the awareness, understanding, and ultimately to inform decision-making.

Standards for information management for emergency management, once agreed, should be incorporated into the Government Enterprise Architecture framework (or any successor).

Regular engagement, networking and relationship development, training, exercising, and most importantly developing trust, will lead to improved coordination.

There should be clear expectations set about what collaboration will occur at each level of the system. For example, the national critical infrastructure response plans (fuel, electricity, communications) should what the coordination framework for the infrastructure response based on whether it is say a city or country-level event.

- In a city-level electricity outage, coordination should occur primarily at the local level, with regional and national resources leaning in.

- In a national-level electricity outage, coordination should occur primarily at the system and national levels, with widespread sharing and engagement to the regional and local levels.

On of the key outcomes of response planning is to identify in advance where leadership and coordination should occur, while maintaining the flexibility to adapt response coordination as needed.

72. Are there any other options that should be considered?

Please explain your views.

The regional lifelines utility coordinator role must be become a stronger mandatory role – equivalent to a group welfare manager. This role would then be responsible for similar four Rs work for lifelines as a welfare manager is for welfare. This may need Director's guidance on when the lifelines function in operations should be escalated to its own CIMS function in response.

The option of industry funding of a lifelines manager was raised, but this came with a caveat that industry funding must not have a conflict of interest with the lifelines manager role.

Continuous improvement and lessons management are an essential component of a comprehensive approach to emergency management. There is a need for a national lessons management information system where lessons from reviews large and small, and across many sectors, can be added in a safe and secure place to enable organisations within the emergency management system to easily find lessons, and discover how other agencies embedded learning from them.

Issue 12: Strengthening central government business continuity

We have identified options to ensure central government organisations have planned effectively for disruption to their services. This includes options to expand the range of central government organisations recognised in the Act.

Refer to pages 57–60 of the discussion document to answer the questions in this section.

73. Do you agree with how we have described this problem?

☒ Yes   ☐ No   ☐ Not sure / no preference

We agree with the need to strengthen resilience and continuity, and feel it needs to exceed minimum levels of service.

One unintended consequence of the emergency management system is that we are often in place as the last safety net of some public sector organisations that do not have strong resilience or continuity. Some examples include the significant responsibilities placed upon emergency management during the first COVID-19 lockdown that should have been covered by other parts of the public sector.

One related aspect of essential services is that there are several sectors that have strongly devolved governance models. This creates a challenge to creating greater resilience and continuity in these sectors. Examples include residential care facilities (health) and school boards (education). We are unsure whether these sectors have the capacity and capability to assure continuity arrangements of services that are heavily devolved.

74. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 12 options summary: We favour a stronger solution (Option 4) that includes the full public sector. This produces greater consistency for continuity planning for public sector organisations. Parts of Option 5 would be useful to ensure national consistency.

We do not believe the remaining options will provide the desired improvement in public sector resilience and continuity. The status quo (Option 1) is not working. Best practice guidance (Option 2) comes with no guarantee of adoption by the public sector. An opt-in model (Option 3) does nothing to make the New Zealand public service more resilience to disruption, as it will be limited just to the entities identified by the Minister.

75. Are there any other options that should be considered?

Please explain your views.

We would go beyond the definition in the consultation document of central government and suggest that it applies to the widest definition of the Public Sector[14]. This needs to include local government as both essential services and hosts of emergency management.

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[14] https://www.publicservice.govt.nz/system/system-architecture-and-design/how-the-public-sector-is-organised

The Public Sector | Te Rāngai Tūmatanui

The Public Service
Te Ratonga Tūmatanui
- Public Service departments
- Departmental agencies
- Interdepartmental ventures
- Interdepartmental executive boards

Crown Agents

NZ Police

NZ Defence force

Parliamentary Counsel Office

Crown-owned companies (subject to Ministerial influence)
- Crown entity companies and their subsidiaries
- Public Finance Act Schedule 4A Companies

Legislative Branch
- Legislative branch departments (Parliamentary Service, Office of the Clerk)
- Officers of Parliament (Auditor General, Ombudsman, Parliamentary Commissioner for the Environment)

Arms-length entities performing specific functions (e.g. investigations/inquiries, cultural advice/funding, fund management)
- Independent & Autonomous Crown entities, and their subsidiaries
- Public Finance Act Schedule 4 Organisations

Reserve Bank of New Zealand

Schools and Teachers
- School boards of trustees
- Registered teachers employed by a free kindergarten association

Crown-owned companies (independent from Ministers)
- State-owned enterprises
- Mixed-ownership model companies

Local Government
Regional, Territorial (city and district) and Unitary Councils

Judicial Branch
- Judges and officers of court appointed by Governor General
- Tribunals
- Other judicial authorities

Tertiary Institutions and their subsidiaries

Other agencies associated with a Ministerial portfolio e.g. Māori Television Service

Adopting resilience and continuity requirements for the entire Public Sector not only captures the organisations not covered by the current CDEM Act definitions will collectively raise the entire public sectors resilience to disruption.

We favour creating greater separation of resilience and continuity requirements of the public sector from emergency management legislation. The current arrangements create an implicit link between public sector resilience and continuity and emergency management.

Other problems relating to this objective

76. Should we consider any other problems relating to minimising disruption to essential services?

Please explain your views.

We suggest that this issue be expanded to focus on increased resilience for the public sector and go beyond business continuity.

It is also important that efforts to increase resilience go beyond a focus on individual entities. Public sector resilience also needs to be looked at through a system lens that includes dependencies, relationships, shared services, and vulnerabilities.

We would encourage a more comprehensive framework be developed to ensure that New Zealand as a whole has greater resilience to disruption. There are potential benefits to separating it from emergency management legislation, as not all disruptions will be the responsibility of the emergency management system.

The public sector should have legislative requirements set for resilience and continuity. We are unsure whether this should be in the emergency management legislation, or in a separate act.

We would encourage the creation of new resilience and business continuity guidance for New Zealand. At the highest level, this should be able to be picked up by any organisation to assist them to become more resilient and able to continue operations following any disruption.

We would suggest that different sectors then have more specific resilience requirements set depending on their role in society. Some heavily regulated sectors such as electricity and communications already have strong resilience measures in place, and an existing regulator that has very deep knowledge of the sector and entities. Other essential services may require new/expanded regulation to recognise the importance of their resilience during disruptive events.

Sectors with significantly devolved governance such as residential care facilities and schools will probably be best served by strong guidance documents relevant to their sector and driven by their public service department or agency.

Finally, all entities are dependent upon contractors for service delivery. Any guidance and regulations must ensure that all essential services of the public sector extend to the contractual relationships with contractors responsible for the delivery of essential services. For example, this could include private health providers that are contracted by the health system.

Objective 5: Having the right powers available when an emergency happens

Issue 13: Managing access to restricted areas

We have identified options to improve the way cordons are managed.

Refer to pages 61–63 of the discussion document to answer the questions in this section.

78. Do you agree with how we have described this problem?

☒ Yes   ☐ No   ☐ Not sure / no preference

Please explain your views.

> We broadly agree with the problem statement, although we note that this is being strongly driven by the most recent Government Inquiry.
>
> To deliver effect cordon management, national standardisation is the priority.
>
> There have been a several high-profile events where access has been managed to restricted areas including the Canterbury earthquake sequence, the 2016 North Canterbury earthquake, and the 2019 Pigeon Valley fire. We are concerned that current changes are being driven solely from the most recent event and are not considering other events that have had significant access restriction operations under the current legislation.
>
> There is also widespread difference in understanding and interpretation of existing legislative responsibilities. We have experienced gaps between our and other agencies understanding of responsibilities for managing access in the existing 2015 National Civil Defence Emergency Management Plan Order. Unless these multi-agency differences in understanding and interpretation are resolved, we will be unable to implement robust multi-agency access restrictions.

79. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

> **Issue 13 options summary: We prefer a mix of guidance and training (Option 2) that may need to be combined with some secondary legislation (Option 3).**
>
> However, we are concerned that Option 3 creates further work and expectation on Groups and will produce as many different accreditation systems as there are Groups. This will be problematic for essential services that cover all of New Zealand or multiple Groups. We believe accreditation should be managed through a single national system.
>
> As part of our consultation, we have also been made aware of an agency that will not comply with the National Plan Order requirements for their agency as it is not primary legislation. This clearly indicates that some aspects may need to be elevated to primary legislation to achieve the desired outcomes.

80. Are there any other options that should be considered?

Please explain your views.

> While we appreciate that this submission is focused on the emergency management bill, we note that there are multiple acts that enable agencies to manage access to restricted areas. We believe there is an opportunity to review and harmonise these powers to ensure they are

consistent across acts and responsible agencies. We would encourage a systemic view is taken of legislation to tidy up the management of access to restricted areas.

We note that guidance and training must prioritise taking a risk-based approach – to understand why access should be restricted, and under what conditions access should be allowed. Further non-legislative options also must include lifting all agencies with powers to close roads to work towards a multi-agency approach to managing access to restricted areas.

The current legal powers for closing roads do not identify who is responsible for the consequences or impacts of closing roads. Some of these broader impacts that result from access restrictions can include the broader management of evacuations, and the support of those that need to shelter-in-place.

A comprehensive review of managing access can create greater clarity and understanding for the public and essential services when these powers are used. This should start with identification of all acts that provide agencies with powers to manage access, a comparison of powers and responsibilities, and ideally deliver a single regulatory tool that can empower all agencies.

There needs to be an effort to require agencies with legislative responsibilities to manage access to take increased responsibility during readiness to collaborate and coordinate with other agencies to develop multi-agency response plans for cordon management.

As many agencies with the legal powers to manage access are national, we believe that the primary work to develop consistent and high-quality cordon management systems must start nationally. The existing national arrangements in the National Plan Order are not fit for purpose, as it has not delivered the outcomes required when we have previously used it.

Once clear legislative national cordon management arrangements are in place, there will need to be significant education and training for all identified agencies with roles in cordon management. This is essential to embed their responsibilities and requirements.

Issue 14: Clarifying who uses emergency powers at the local level

We have identified options to ensure emergency powers sit with the most appropriate people at the local government level.

Refer to pages 63–65 of the discussion document to answer the questions in this section.

81. Do you agree with how we have described this problem?

☒ Yes   ☐ No   ☐ Not sure / no preference

Please explain your views.

We support all efforts to create greater clarity and consistency in the use of emergency management powers.

82. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 14 options summary We support Option 2 to tidy up existing functions and powers.

We also note that some consideration needs to be given to what powers could be made available outside of a state of emergency to suitably competent and authorised controllers.

83. Are there any other options that should be considered?

Please explain your views.

We note the there is a potential grey area between the Recovery Manager statutory role defined in legislation, and Recovery manager used in the context of the Coordinated Incident Management System in response.

Higher competency standards

For the statutory roles, the higher the standard met, the more transferable their qualification should be. If a suitably high standard is met, they should be qualified to operate across the country, rather than just within their Group.

This suggests that training of controllers and recovery managers is critical and must be done to a high level. For consistency, this training is likely best delivered nationally.

Use of powers

We support a nationally consistent and timely process to report on powers used. Under the national state of emergency for COVID-19, local controllers were directed by the National Controller to report within seven days. We believe all use of powers should see strengthened reporting requirements, like those of Recovery Managers. Other acts have tighter reporting timelines for use of powers, and emergency management could benefit from tightening ours. This is important as emergency management powers are considered "extraordinary" and do affect civil liberties.

Full role and responsibilities of recovery managers is not defined

The current Act limits the primary function of recovery managers to transition periods which are a very small part of recovery. The declaration of a transition period is primarily to enable the use of emergency-like powers. However, these are a very small part of recovery and have very little to do with the primary function of recovery managers which is the coordination of recovery activities.

This indicates that additional clarity is required for recovery responsibilities outside of a state of emergency or transition period.

In recovery from a significant event, there is a need for multiagency coordination to avoid duplication, gaps, and other inefficiencies in recovery delivery. This is the role of recovery managers regardless of whether there is a transition period declared or not.

This issue does not exist to the same extent for controllers because the state of emergency is relatively short and defined by existing emergency services being or likely to be unable to adequately respond. During response, the Coordinated Incident Management System (CIMS) applies and much of the direction and coordination is done through the functions of a coordination centre. CIMS is explicit in that it does not apply to recovery, and there is currently no equivalent framework in place to guide recovery practice and operations.

The absence of a CIMS equivalent for recovery is a contributing factor in the failure of existing recovery arrangements. and without this the legislative guidance needs to be stronger and more explicit in the role of recovery managers.

While the transition period powers outlined in Part 5B are needed, the leadership role and responsibilities of the recovery manager outside of a transition period needs to significant clarification.

Recovery manager accountability and recovery readiness

As a result of the lack of clarity on the role and responsibilities for recovery managers, accountability for recovery is significantly weakened. This results in very limited effort being invested in preparing for recovery.

The current level of readiness for recovery is extremely low. Until the ambiguity regarding recovery responsibilities is clarified, the sector will continue to focus on response. The system at all levels should have little trust and confidence in recovery arrangements. Repeatedly creating bespoke recovery entities after large events does not build trust and confidence, it adds significant delays to restoration and allows residual hazard risk to persist over communities.

The challenge of reporting to the Minister on which regions or districts are in recovery highlights the vagueness of recovery and the limitations of transition periods to improve long-term recovery outcomes.

Issue 15: Modernising the process to enter a state of emergency or transition period

We have identified options to remove the requirement for a physical signature to declare a state of emergency or give notice of a transition period.

Refer to pages 65–66 of the discussion document to answer the questions in this section.

84. Do you agree with how we have described this problem?

☒ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

Yes, we agree that the current process of obtaining a physical signature in a timely manner can slow the process down. The most frequent initial use of emergency powers by a controller is to mandate/direct an emergency evacuation.

However, we note that the mechanics of signing/issuing a state of emergency/transition notice, comes at the end of a consultative process to review the situation, assess the risk, determine whether powers enabled by a state of emergency/transition notice are necessary, and decide whether to declare/issue or not.

Increasingly, this consultative process is dependent upon communications technology. As the North Island Severe Weather events have shown, the communication outages can significantly slow declarations.

There are other system improvements that include training for elected officials that can declare a state of emergency/issue a transition notice and standardising the process for discussions declarations/transition notices.

85. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 15 options summary: We support Options 2 and 3 that enable faster declarations.

We support any options to enable a more rapid process to enter a state of emergency. The more transient methods such as audio or video recording, should not have the default seven days but a short initial period of 1 day. They should be seen as a "bridging" declaration to enable time to complete a full declaration and to gazette the notice.

86. Are there any other options that should be considered?

Please explain your views.

We would like to consider, under specific scenarios, having pro-forma declarations to speed access to powers for time-critical events.

One example may be that Canterbury has a pro-forma declaration for tsunami where – if the response indicators in the National Tsunami Advisory and Warning plan are met, and this is followed by a tsunami land threat issued through National Warning System to the Canterbury coastline, that the pro-forma declaration can be used.

The requirement to gazette state of emergency and transition notices is unclear about the timeframes for posting to the Gazette, who the responsible party for posting to the Gazette is (territorial authority, Group, or NEMA), and the penalties for not gazetting in a timely manner. We feel that more timely gazetting is an important check-and-balance on unlocking emergency powers. As such, the timeframe for gazetting a notice should be clearly defined and an associated penalty for not gazetting within the required timeframe added.

We note that other statutory roles have standing powers that do not require a declaration or other legal notice to authorise use. We would encourage a review of powers that identifies emergency powers that are most likely to be used in time-critical situations.

We would then propose that controllers that have been trained and assessed competent to a suitably high level, are able to use those powers without the need for a declaration when only lives are at threat and time is short. The two most time-critical powers that could benefit from this approach are:

- Section 86 Evacuation of premises and places
- Section 88 Closing roads and public places

Issue 16: Mayors' role in local state of emergency declarations and transition period notices

We have identified options to make mayors' role in local state of emergency declarations and transition period notices more explicit.

Refer to pages 66–68 of the discussion document to answer the questions in this section.

87. Do you agree with how we have described this problem?

☒ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

We broadly support the problem statement. We prefer an expanded definition that goes beyond Mayors to include other elected officials (Deputy Mayor and Councillors) to provide resiliency in the declaration process.

Following the May 2021 floods in Canterbury, which included the most complex declaration notice in New Zealand to date, we significantly clarified the roles of declaring a local state of emergency in the 2022 Group Plan. Summarised:

- If an event only impacts a single territorial authority, the mayor or other designated elected official of the territorial authority can declare a state of emergency. If no elected officials of the territorial authority are able, the Chair or other elected official of Joint Committee can declare.

- If an event spans multiple territorial authorities, the declaration for multiple territorial authorities, or the complete Group area can be made by the Chair or other elected official of Joint Committee. In ideal situations, this should always be done by a minimum of the mayors of impacted territorial authorities, and ideally the entire Joint Committee.

88. Do you have any comments about the likely impacts (benefits, costs, or risks) of the initial options we have identified? Do you have any preferred options?

Please explain your views.

Issue 16 options summary: We support the status quo (Option 1). We believe it provides a good balance where a mayor can declare for their district, but the Group retains the ability to declare for multiple local authorities simultaneously, or for the entire Group area, through the Joint Committee Chair (or delegate).

We broadly support Option 1 and feel that there needs to be additional national guidance and process leading to a declaration/transition notice to promote standardisation and consistency for the public.

Greater national consistency regarding who can declare, and the alternates, could be improved using regulation, rather than leaving the declaration process to each Group to determine.

Our concerns come from what we feel is a lack of training/prioritisation of training for elected officials when they are newly inducted to understand their role and responsibility, as well as the process for declaring a state of emergency.

89. Are there any other options that should be considered?

Please explain your views.

No further comments from the Group.

Other problems relating to this objective

90. Are there any circumstances where Controllers or Recovery Managers may need other powers to manage an emergency response or the initial stages of recovery more effectively?

Please explain your views.

Powers to direct other agencies to be made explicit

If emergency management is to be made the lead consequence management agency, then the new bill should provide explicit powers (like the CDEM Act 2002 s91) to direct other public sector entities to take actions that they hold existing mandates and agreed responsibility for.

Review and harmonisation of legislative emergency powers

We note that there are a wide range of acts that provide emergency powers to many statutory roles. Many of these powers are very similar yet are codified in many acts of differing ages.

We believe there is a need for a collective review of emergency powers across multiple acts, and efforts made to harmonise/simplify emergency powers. For example, the power to close roads exists in many acts, but is expressed differently and may reflect subtle differences and interpretations.

Other comments

91. Do you have any other comments relating to reform of New Zealand's emergency management legislation?

No further comments from the Group.