

Modernising the Emergency Management Framework: Feedback

Wellington CDEM Group

Introduction

This feedback is provided on behalf of the Wellington CDEM Group in relation to the content of the *Modernising the Emergency Management Framework* document that was distributed by NEMA on 14 January 2022.

Due to the length of the feedback form provided (126 questions), the short timeframes involved for feedback and other competing demands, it has not been possible to collate the individual views of each member of the CDEM Group. However, it has been possible for the Group office (WREMO) to collate the views of those Group members who have been able to allocate time to the task (8 individuals representing 6 organisations), develop a draft Group position and socialise it with controllers and members of CEG and the Joint Committee for feedback before submitting it. In addition, all Group members have been informed that they are welcome to submit individual returns to NEMA if they so wish.

In general, the Wellington CDEM Group is supportive of the need for change to modernise the country's emergency management system. This change has been signalled in many reviews since the Canterbury earthquakes of 2011, including the 2017/18 Ministerial Review: *Better Responses to Natural Disasters and Other Emergencies on New Zealand*.

Since the detailed written feedback provided by Group members has come from various people – some of whom have submitted feedback as individuals and others who have done so on behalf of their organisation – this feedback will only focus on the key themes that have emerged from combining that content with that of controllers and members of CEG and the Joint Committee.

Timeframes

As you are aware, there are currently a number of significant reforms impacting local government. As a result, the capacity of local government to meaningfully consider and provide detailed feedback on the proposed changes to the country's emergency management system over the timeframes identified is significantly reduced.

We therefore recommend to the Minister that the pace of change of the Trifecta programme be carefully reviewed and managed in such a way to ensure the other reforms in local government and the upcoming local body elections are also taken into account. As a key partner in emergency management, the ability of local government and other Group members (such as iwi) to meaningfully take part in the process needs to be carefully factored into whatever timelines are being considered at the national level to ensure that quality feedback is provided and whatever change that is subsequently decided upon is not only fit for purpose, but it has the support of those who are ultimately responsible for implementing it at the local and regional level. This is especially important

given the current pressures and demands on local government, iwi and CDEM staff from the ongoing response to COVID-19 and other emergency events that are going on concurrently.

Roles and Responsibilities

Functions of CDEM Groups and Local Authorities

In principle we support the clarification of the roles and responsibilities of local authorities and the CDEM Groups. However, we note that page 7 of the document states that one of the goals of the proposed change is that “Regional and local emergency management is collaborative, and participants are clear on their roles and responsibilities in the emergency management system”. Not only do we think that the first part of this goal should be widened to include the word “National” (ie National, regional and local emergency management is collaborative...) to ensure that the separate legal status of NEMA and CDEM Group members is formally recognised and considered when working to improve the country’s emergency management system, but the roles and responsibilities of NEMA in the emergency management system (what it does and, more importantly, does not do eg unilaterally reach down to the local level without informing Group and local authorities) also needs to be clarified to ensure that a truly collaborative approach between NEMA, CDEM Groups and their members is adopted going forward.

Regarding the four options that have been proposed (Current State, Distinct Local Functions, Strengthened Regional Approach, and Regional Approach with Local Support), all respondents – except one - indicated their preference for a Regional Approach with Local Support (Option D) as their preferred option and a Strengthened Regional Approach (Option C) as their second option.

However, it was also noted that the title of Option B appeared to be somewhat misleading - describing the option as “Distinct Local Functions” and giving local authorities emergency management functions that were distinct from those of the Group, but requiring local planning to be aligned with regional planning. Option C required local authorities to “give effect to” the decisions of the CDEM Group but no clarity was provided on what “give effect to” means. Nor was any clarity provided in Option C around what “capability and capacity” local authorities would be expected to have to support the CDEM Group. None of the options listed referred to the role of the Group office, even though most CDEM Groups now have this function, and one Group member raised questions around how a strengthened regional approach (Options C and D in particular) aligns with the stated national approach of “Locally led, regionally coordinated, nationally enabled”. In short, it was felt that more work needed to be done to tease out what exactly was being proposed in each option before any definitive decisions could be made. In addition, whatever changes are being proposed need to be aligned with local government reform work that is going on concurrently.

The other point that came through strongly in feedback was that if local authorities are expected to have the “capability and capacity” to support the CDEM Group as outlined in Option D, then it is expected that this will require additional resources and the subject of funding will need to be considered alongside any proposals that being tabled. Indeed, if central government is looking to lift the bar to provide an emergency management system that is both professional and appropriately resourced to deliver the outcomes that are mentioned in the document, then appropriate central government funding should also be provided to help make the identified outcomes possible. For example, the Group office could perhaps be central funded by NEMA to free up additional funds at the local level to help build their own capability and capacity.

We look forward to seeing more information on what exactly is proposed in this area in due course.

Membership of CDEM Groups

We support the proposed change of Section 4 of the CDEM Act to include iwi and Māori representatives as members of CDEM Groups. Indeed, this proposal was supported by all but one Group respondent (who didn't answer this particular question).

However, we do think that more work is required to understand the overall intent in this area before committing to particular language. For example, are we looking for "iwi" representation? If so, are we looking for representation from all iwi who may reside in a region (which may be logistically impractical) or just mana whenua (who see it as their responsibility to make decisions on behalf of other iwi and/or Māori who may reside in the region)? What about Māori in the region who do not affiliate with their iwi? Keeping "iwi and Māori" in the proposal could create unrealistic expectations which would then need to be managed at a local and regional level.

Regardless of which word or words are preferred by NEMA and/or CDEM Group members, we think that this particular proposal should be discussed with local iwi to ensure that what is captured in legislation is both aligned to the national intent and appropriate from an iwi and Māori tikanga perspective. In addition, we think it should be aligned with the local government reform work that is also being done on iwi and Māori representation.

As for funding, we are supportive of the proposal that representative remuneration costs be centrally funded.

Legal Status of CDEM Groups

In principle we support of the proposal for CDEM Groups to explicitly be given their own legal status. 75% of Group respondents indicated Option B (Explicit recognition of legal status of CDEM Groups) was their preferred option and Option C (Mandatory delegation to CDEM Groups for them to enter into contracts) was their second preference. 12.5% of respondents indicated Option C was their preferred option. This means that 82.5% of Group respondents indicated they were supportive of the proposal to for CDEM Groups to explicitly be given their own legal status.

However, questions were raised around what exactly would be included in the two options (B and C) and what this would mean for Groups in terms of costs and liability. After all, although the CDEM Group Joint Committee is not treated as a legal entity under current legislation (it is a joint standing committee), its individual members are. This means that contracts can currently be entered into by its individual members and each has liability as PCBUs under the Health and Safety and Work Act 2015.

More clarity on the nature of the problem to be solved and how each option would help address it would help inform any future decision-making on this issue.

Accessibility CDEM Group Plans

In principle we support the proposal for the Act to include specific requirements for CDEM Groups to publish CDEM Group Plans. Indeed, 100% of Group respondents either selected Option B (Explicit requirement to publish minus incorporate documents) or Option C (Explicit requirement to publish including documents incorporated by reference) as their preferred option.

From organisational respondents, 60% indicated they preferred Option B ahead of Option C. However, of the total respondents (organisational and individual), there was no clear preference one way or the

other, with 50% of respondents selecting Option B as their preferred option and 50% of respondents selecting Option C as their preferred option.

Since then, however, questions have been asked about the problem that needs solving. Is it to ensure consistency across Groups for the publishing of Group Plans? If so, then it may be better to use other mechanisms (eg national regulations, as opposed to Directors Guidelines which are optional) rather than legislation (which seems a bit excessive).

In addition, questions were asked around how connected this piece of legislation would be with other legislation that parties to the Act also have to comply with (eg Resource Management Act requirements for District Plans etc) and the work of the DIA Digital Public Service branch (whose role is to work with and through agencies to drive and deliver customer-centred digital government).

Once again it was suggested that more information should be made available to help inform any decision-making on this subject.

Undeclared Emergencies

We support the proposal for the Act to include more guidance and clarity around the management of undeclared emergencies (events that require a coordinated but not a ‘significant’ response). Indeed, 100% of Group respondents either selected Option B (Response thresholds for coordination) or Option C (Liability protections for undeclared events) as their preferred option. 37.5% selected Option B as their preferred option and 62.5% of respondents selected Option C as their preferred option.

However, upon reviewing the feedback, while protection from liability was desired, response thresholds for the coordination of undeclared emergencies were too. Some respondents felt there was insufficient clarity in the content of Option B to know what was actually being proposed. This being the case, once again, more information on what is proposed in these two options is requested.

Concurrent Emergencies

We support the proposal for the Act to include more guidance and clarity around the management of concurrent emergencies. Indeed, 100% of Group respondents – apart from one who did not answer the question - either selected Option B (Legislative direction for responding to concurrent emergencies) or Option C (Additional guidance for responding to concurrent emergencies) as their preferred option. 62.5% of respondents selected Option B as their preferred option. Only 25% selected Option C as their preferred option.

What this suggests is that there is a much stronger preference, among Group members, for more guidance and clarity around the management of concurrent emergencies to be included in the Act rather than in other documentation which is not legislated. That said, it was identified that Option C lacked detail on what “other mechanisms” could provide the increased guidance and clarity for responding to concurrent emergencies. More information on these aspects, again, would be appreciated.

Ambulance Services

We support the proposal for the Act to amend the definition of Emergency Services to include ambulance services. Indeed, 100% of respondents selected Option B (Amend the definition of emergency services) as their preferred option.

In addition, feedback was received that if ambulance services are to be formally recognised as Emergency Services, alongside their Fire and Police colleagues, then they should be funded in a similar way (ie not be treated as a charity but funded by central government). Indeed, if this option should be selected, then we feel that the subject of resourcing should again be considered alongside this particular proposal.

In defining what an ambulance service is, consideration should also be given to whether iwi and private health providers – who also provide ambulatory services – should be included in the definition.

Lead Agencies

We support the proposal for the Act to provide clarity around agency authority and responsibility. More specifically, to provide greater clarity around the roles and responsibilities of lead and support agencies. Indeed, 100% of respondents - less two who did not answer the question – selected Option B (Hook in the Act) as their preferred option.

The main rationale for this view appeared to be that having in in the National CDEM Plan was not sufficient: agencies were often not aware of the content of the Plan and it was not mandatory. Putting it in legislation would change this.

Animal Welfare

We support the proposal for the Act to expressly provide for the welfare of animals in emergencies. Indeed, 100% of respondents – apart from one, whose comments are captured separately below - selected Option B (Expressly provide for the welfare of animals in emergencies) as their preferred option.

In the single case where Option B was not selected, the rationale for not doing so was that the seizure of animals for their own safety/rescue could potentially cause problems on the ground if it was being done by untrained staff and this could result in a much larger problem than the original situation. What this suggests is that this individual would have selected Option B if the proposal was amended to reflect that entry onto premises *by appropriately trained individuals* was allowed. Indeed, we think that this aspect should be carefully considered as part of this proposal. In addition, we agree with respondent feedback that Option B should refer to both commercial and companion animals.

That said, we also note that there is existing legislation on this matter (eg the Dog Control Act 1996 and the Animal Welfare Act 1999) and suggest that another option to be considered is an amendment of existing legislation rather than the CDEM Act. Regardless of which option is ultimately selected, we think there needs to be clear alignment between whatever changes are made to the CDEM Act (if any) and related legislation that already exists.

Disproportionately Impacted People

Planning Requirements

We support the proposal for the Act to require engagement with disproportionately impacted communities as part of CDEM planning. Indeed, 100% of respondents selected Option B (Require engagement with disproportionately impacted people in CDEM Group planning) as their preferred option.

However, we agree with the strong feedback received from Group members that the term “disproportionately impacted people/communities” is not appropriate and other language needs to be found for this particular proposal. While some respondents commented that they found the term “not mana enhancing” for those listed as being in this category, others said they found the term “offensive” for their community to be labelled as such. This being the case, we agree with suggestions that more work is required in this area and a focus on manaaki (care for the whole community) or equity (recognizing that we do not all start from the same place and therefore need to make adjustments to imbalances) may be a good place to start.

We also agree with respondent feedback that for this to be done properly and consistently around the country, not only will there have to be additional resources made available but there will also have to be work done to identify the methodology to be used to identify which community gets priority engagement over another. For example, how will the needs of a so called disproportionately impacted community be reconciled against those of a coastal community with a significant risk profile? Indeed, some sort of generic risk matrix for the vulnerability of all communities to be assessed against, including geographic and socio-economic factors, probably needs to be developed.

Another aspect that needs to be considered is the desire and/or ability of the community or groups covered by these provisions to actually engage in a Group planning process. Indeed, even if they might like to engage, their actual ability to do so may be very limited. Which then leads to a conversation around resourcing and helping build the capacity of these groups or communities to actually engage.

For the above reasons, we think that more work needs to be done on this particular proposal before it progresses much further. If the Act should require CDEM Groups to take an equity-based approach to planning (ie to recognizing that we do not all start from the same place and therefore need to make adjustments to imbalances) and Group offices should be provided with a nationally consistent risk matrix to help identify which communities should be prioritised over others given the finite resources available, that should be fine. However, if the expectation is that CDEM Groups will engage with all communities or groups who appear on the risk matrix to achieve equity across the Group and/or the country, then more central government funding is going to be required to make this possible.

Critical Infrastructure

Critical Infrastructure Changes

We support the five proposals listed on page 32 of the document to strengthen the Act in relation to the roles and responsibilities Lifeline Utility entities within the emergency management system (Change in Terminology, Listing of Lifeline Utilities, Criteria for Categorisation, Information Sharing, and Response Plans). This is on the basis that the listed changes have already been well socialised with members of the Lifelines community and we understand they have been widely supported.

Planning Level of Emergency Services

We support the proposal for the Act to require Lifeline Utilities to state their planning emergency level of service. Indeed, 100% of respondents – less two who did not answer the question - selected Option B (Lifeline Utilities must state their planning emergency level of service) as their preferred option.

We also agree with respondent feedback that consideration should be given to including “flood protection infrastructure” on the list of Lifeline Utilities given its proposed name change to “Critical Infrastructure”.

However, we do note that some lifelines are subject to price regulation and oversight. This means that their ability to invest in resilience and planning levels of emergency service may be somewhat limited unless it is included in their funding model. This being the case, we think that some clear All of Government (AoG) guidance and support may be required to achieve the desired outcome.

Reporting, Monitoring and Evaluation

We support the proposal for the Act to require the responsible agency for Lifeline Utilities to confirm the respective sector’s ability to meet their duties and responsibilities under the Act and make the relevant information available to CDEM Groups or NEMA or both on request. Indeed, 100% of respondents – less two who did not answer the question - selected Option B (New monitoring, evaluation and annual reporting requirements) as their preferred option.

However, we also agree with respondent feedback that the term “responsible agency” should be clearly defined and the content of this proposal needs to be considered alongside other relevant sector legislation (such as water, electricity, gas, telecommunications and airport) and the responsibilities of the Commerce Commission for alignment. Careful consideration will also need to be given to any lifeline utilities covered by multiple oversight arrangements to ensure that reporting is only required once and the content of the report meets the requirements of all parties.

Iwi and Māori Participation

Overall, we are supportive of the proposals to further advance iwi and/or Māori participation and partnership in emergency management at the national, regional and local level.

Māori Emergency Management Advisory Group

We support the proposal for the Act to ensure there is Māori representation at a national level to provide advice, guidance and assurance on iwi and Māori emergency management matters. Indeed, 100% of respondents – less three who did not answer the question – indicated their support for what was proposed: the creation of a national advisory body, the Māori Emergency Management Advisory Group (MEMAG).

However, while the creation of MEMAG is supported, and the listed roles of MEMAG are generally endorsed, we also agree with the following feedback from Group members:

- The creation of the MEMAG is supported on the understanding that it will replace the current Māori Advisory Committee (MAC) and not be an addition to it.
- The creation of the MEMAG is supported on the basis that both CDEM Groups and iwi and Māori from around the country will be consulted on its purpose, role, composition and way of operating (including the way in which it engages with CDEM Groups and local iwi and Māori). Indeed, it is supported on the basis that it is an advisory group for NEMA. It should not be interfering in local and regional relationships, but may be consulted by CDEM Groups and iwi if they require assistance.

- The creation of the MEMAG is supported on the understanding that the way in which people will be appointed to the MEMAG will be democratic, and clear and transparent for all to see and apply for.
- The creation of the MEMAG is supported on the understanding that the right people are appointed to be members of the MEMAG – those who have the right knowledge, skills and experience to perform the duties required (ie the MEMAG will add value and enhance the performance and effectiveness of the country’s emergency management system rather than complicate it and add another layer of bureaucracy to a system that is currently progressing well locally and regionally).

In addition, we note the requirement for the members of MEMAG to be remunerated for their time, which we suggest should be funded by NEMA. We also note the requirement to grow the capability and capacity of iwi and Māori to perform sorts of roles expected of the MEMAG. Not only do we think due consideration therefore needs to be given to how that capability and capacity is going to be developed (including funding and possible internships or scholarships), but also what support is going to be given to those who should be appointed to those positions (from a coaching and/or personal development point of view).

Joint Committee Representation

We support the proposal for the Act to ensure a clear mandate for iwi and/or Māori representation on Joint Committees. Indeed, 100% of respondents – less three who did not answer the question – indicated their support for the general idea of iwi and/or Māori representation on Joint Committees. However, we also agree with the following recommendations from Group respondents:

- As previously outlined in the Membership of CDEM Groups section above, we think more work is required to understand the overall intent in this area before committing to particular language. Are we looking for “iwi” representation? If so, are we looking for representation from all iwi who may reside in a region (which may be logistically impractical) or just mana whenua (who see it as their responsibility to make decisions on behalf of other iwi and/or Māori who may reside in the region)? What about Māori in the region who do not affiliate with their iwi? Keeping “iwi and Māori” in the proposal could create unrealistic expectations which would then need to be managed at a local and regional level. Regardless of which word or words are preferred by NEMA and/or CDEM Group members, we think that this particular proposal should be discussed with local iwi to ensure that what is captured in legislation is both aligned to the national intent and appropriate from an iwi and Māori tikanga perspective.
- We do not think it is appropriate for the proposal to specify “Iwi and Māori may select two members with full voting rights on CDEM Group Joint Committees”. We think it should be up to individual CDEM Groups and local iwi and Māori to determine what appropriate representation is at the Group level, in accordance with the Treaty principles of Participation and Partnership.
- We also note that while the proposal states that the MEMAG “will give guidance on electoral processes”, we note that its role - as outlined in its title - is *advisory* only and it is only providing *guidance* on electoral processes. This means that individual CDEM Groups and their local iwi and Māori will still retain the ability to adopt an electoral process that works for them, in accordance with relevant legislation and local tikanga.

As for funding, we are supportive of the proposal that membership fees and expenses of iwi and/or Māori Joint Committee representatives will be centrally funded.

Once again, we think it is important that the right people are appointed to be members of the Joint Committee and note the requirement to grow the capability and capacity of iwi and Māori to perform the sort of role expected in the Joint Committee. Not only do we think due consideration therefore needs to be given to how that capability and capacity is going to be developed (including funding and possible internships or scholarships), but also what support is going to be given to those who should be appointed to those positions (from a coaching and/or personal development point of view).

In addition, we think consideration needs to be given the role that Māori wards play in local government now that various councils around the country are creating them. What does this mean for iwi and/or Māori representation on Joint Committees? We think more work needs to be done on this and the wider subject of appointing non-publicly elected members to a democratic entity. After all, a two-tier system is not in the spirit of partnership.

Coordinating Executive Group (CEG) Representation

We support the proposal for the Act to ensure a clear mandate for iwi and/or Māori representation on CEG. Indeed, 100% of respondents – less four who did not answer the question – indicated their support for the general idea of iwi and/or Māori representation on CEG. However, we also agree with the following recommendations from Group respondents:

- As previously outlined in the Membership of CDEM Groups and Joint Committee Representation sections above, we think more work is required to understand the overall intent in this area before committing to particular language (specifically: “Legislate to achieve participation of iwi and Māori on all CEGs). Are we looking for “iwi” representation? If so, are we looking for representation from all iwi who may reside in a region (which may be logistically impractical) or just mana whenua (who see it as their responsibility to make decisions on behalf of other iwi and/or Māori who may reside in the region)? What about Māori in the region who do not affiliate with their iwi? Keeping “iwi and Māori” in the proposal could create unrealistic expectations which would then need to be managed at a local and regional level. Regardless of which word or words are preferred by NEMA and/or CDEM Group members, we think that this particular proposal should be discussed with iwi to ensure that what is captured in legislation is both aligned to the national intent and appropriate from an iwi and Māori tikanga perspective.
- We also note that while the proposal states that the MEMAG “will provide guidance to support the ways that this can occur, noting it may vary across regions”, once again we note that MEMAG’s role - as outlined in its title - is *advisory* only and it is only providing *guidance* on electoral processes. This means that individual CDEM Groups and their local iwi and Māori will still retain the ability to adopt an electoral process that works for them, in accordance with relevant legislation and local tikanga.

As for funding, we note the difference in language between the previous Joint Committee section (that “membership fees and expenses of members will be centrally funded”) and that of this CEG section (that “NEMA will undertake analysis to establish a funding mechanism, with this likely to be drawn from NEMA’s baseline). For consistency’s sake, we are supportive of the idea that membership fees and expenses of iwi and/or Māori CEG representatives will be centrally funded. However, we also note that the cost of funding activities or interventions also needs to be factored in if the desired outcomes from such representation are to be fully realised.

Once again, we think it is important that the right people are appointed to be members of CEG and note the requirement to grow the capability and capacity of iwi and Māori to perform the sort of role expected in CEG. Not only do we think due consideration therefore needs to be given to how that capability and capacity is going to be developed (including funding and possible internships or

scholarships), but also what support is going to be given to those who should be appointed to those positions (from a coaching and/or personal development point of view).

Iwi and Māori Function

We support the proposal for the Act to strengthen the requirement for Joint Committees to respond to the needs of Māori, and support the participation of Māori in the regional emergency management system. Indeed, 100% of respondents – less three who didn't answer the question - indicated their support for the creation of a new iwi and Māori function to identify and respond to the needs and contributions of Māori. However, we also agree with the following recommendations from Group respondents:

- That the language in this proposal (“Strengthen the requirement for Joint Committees to respond to the needs of Māori and support the participation of Māori in the regional emergency management system”) should be changed to “...and support the *integration* of Māori in the regional emergency management system”.
- That the language in the first of the two goals should be changed from “Iwi and Māori participation is recognised, enabled and valued” to “Iwi and Māori *partnership* is recognised, enabled and valued”.
- That the language of this section also be reviewed and clarified: are we talking about all iwi and Māori being involved or just mana whenua? (our previous comments in the Membership of CDEM Groups, Joint Committee Representation and CEG Representation refer).

Once again, we think consideration needs to be given to how the capability and capacity of iwi and/or Māori is going to be developed in this area and how it is going to be funded. Once again, for consistency, we think a central government funded model is preferred.

Consultation on CDEM Group Plans and Strategies

Overall, we support the intent of this proposal – to involve Iwi and Māori more in the development of CDEM Group plans and strategies. Indeed, 100% of respondents - except four who did not answer the question – indicated their support for general intent. However, we also agree with the following recommendations from Group respondents:

- That the language in this section does not go far enough. Indeed, the following themes should be included in this proposal:
 - The language of participation should be changed to that of *integration*;
 - The language of consultation should be changed to that of *collaboration* in the development of Group Plans and *co-design* for matters relating to Māori; and
 - The language of “have regard to” the comments received from iwi and Māori should be changed to “give effect to”.

Once again, we think consideration needs to be given to how the capability and capacity of iwi and/or Māori is going to be developed in this area and how it is going to be funded. Once again, for consistency, we think a central government funded model is preferred.

Additional Proposals

We support the two additional proposals relating to the inclusion of iwi and Māori roles and responsibilities in the National CDEM Plan (which we expect will then flow down to Group Plans), and the creation of a legislative authority for iwi and Māori to be provided government financial support directly for costs incurred while caring for affected people in an emergency (rather than having to go via local government mechanisms) using the same criteria that currently provides welfare

reimbursement for Territorial Local Authorities. Indeed, 100% of respondents who answered the questions, supported them.

For both of these proposals, we think significant engagement with both CDEM Groups and iwi and Māori will be required. In the case of the former (the inclusion of iwi and Māori roles and responsibilities in the National CDEM Plan), we also think that careful thought will need to be given how this will be done given iwi are Treaty partners – not Crown agencies to be tasked, like other parties in the Plan. We also think this will need to be centrally funded.

Additional Proposals

We also support the two final proposals regarding modernising the purpose statement of the Act (to demonstrate that the interests of iwi and Māori, and the principles of the Treaty of Waitangi, are central to achieving the overarching objectives of the Act) and creating a new power for the CE of NEMA to make ‘Emergency Management Rules’ (regulations) during ‘peacetime’ (outside emergencies) to ensure that technical, administrative and operational matters relating to the implementation of the Act can remain current rather than relying on current regulation powers that are rarely used due to the time and resource required to make and update regulations. Indeed, all respondents who answered these questions, supported these proposals.

However, we also think appropriate controls need to be put in place to ensure that the views of CDEM Groups are taken into account when the above-mentioned ‘Emergency Management Rules’ are being developed and implemented – especially when they have the potential to affect local resources, budgets and work programmes. For example, if the CE of NEMA wants to direct all CDEM Groups to use a particular IT platform, like Āwhina, and NEMA is going to fund it and roll it out, that is unlikely to be a major issue. However, if the expectation is that CDEM Groups or their members will have to fund it, change their technology and/or work programme to adopt the new technology, then all of these issues will need to be worked through - to the satisfaction of both Group members and NEMA - before the rule comes into effect.

Conclusion

Therefore, what the content of this submission shows is that while the Wellington CDEM Group is supportive of the general content and direction of the various proposals included in the *Modernising the Emergency Management Framework* document that was distributed by NEMA on 14 January 2022, we think there are five key areas that need to be worked on.

First of all, we think there needs to be more thought given to a number of the proposals to help respondents understand ‘what’ (exactly) is being proposed in each of the options that are being presented.

Second, we think the development of proposals should be done in collaboration with CDEM Groups and iwi/Māori to help understand their different perspectives and areas of concern – especially in relation to ‘how’ decisions are going to be implemented. After all, if selected options are poorly informed, poorly crafted or misunderstood by those who then have to implement them, then they are unlikely to be delivered in the way they were intended and are unlikely to achieve their desired outcomes.

Third, we think while we have repeatedly been told in both written and verbal form that resourcing is ‘not in scope’ for this particular piece of work, as the above listed responses show, the ability of NEMA and CDEM Groups to deliver on what is proposed is going to take additional resources – resources that

are not currently budgeted or able to be funded by CDEM Groups given current local government funding pressures. This being the case, we think any final statement of support for the proposed changes will be dependent on there being full transparency on where the additional funding is going to come from and when it is going to be available. Indeed, we suggest that the only way the proposed Trifecta changes are going to be as “transformative”, as has been suggested, is if the subject of resourcing is proactively addressed as part of the consultation process to clearly identify how each of the different proposals is going to be funded by either national or local funding streams.

Fourth, as highlighted at the start of this submission, we have serious concerns about the timeframes that have been identified for this legislative change. Rather than rush things though and end up with something that is not fit-for-purpose, we strongly recommend that the Minister and NEMA slow the process down to ‘do it once, do it right’ and get a systematic review that aligns with the opportunities presented by the 3 Waters review, RMA reforms (which are critical to Reduction) and the pending reforms in Local Government.

Finally, to achieve the desired changes that have been identified in this proposal document, we think it is going to take a truly collaborative effort between all levels of the emergency management system (national, regional and local) with all participants clear of their individual roles and responsibilities and how they work together effectively with others. This is why we recommended at the start of this document that first goal on page 7 be changed to “*National*, regional and local emergency management is collaborative, and participants are clear on their roles and responsibilities in the emergency management system”. Not only is this what our communities expect of us (that we are all joined up), but our national CDEM model of “locally led, regionally coordinated and nationally enabled” requires us all to play our part. After all:

He waka eke noa

(We’re all in this together)

J Holmes

Jeremy Holmes
Regional Manager
Wellington CDEM Group

11 February 2022