



Proactive release of material relating to establishing a new National Emergency Management Agency (NEMA)

The material in this proactive release includes briefings, aides memoire and Cabinet material directly related to establishing a new National Emergency Management Agency (NEMA), as itemised below. Documents relating to consultation undertaken with local government representatives have not been included in this release.

This material has been proactively released by the Department of the Prime Minister and Cabinet, on behalf of Hon Peeni Henare, Minister of Civil Defence.

Date	Item
02/05/19	Cabinet Paper: Delivering Better Responses to Emergencies: National Structures
15/04/19	Cabinet Minute of Decision: 2019 Budget Package: Vote Prime Minister and Cabinet
09/05/19	Cabinet Government Administration and Expenditure Review Committee Minute of Decision Delivering Better Responses to Emergencies: National Structures
27/03/18	Preliminary Advice on the TAG's recommendations
26/06/18	Current thinking on the National Emergency Management Agency (NEMA) to support your meeting with SSC and DPMC
26/10/18	Delivering Better Responses to Emergencies: National Structures
23/11/18	Advice on the National Emergency Management Agency (NEMA)
21/02/19	Final National Structures Cabinet Paper
28/02/19	Final National Structures Cabinet Paper Redraft
28/03/19	Letter to the Prime Minister and the Minister of Finance following Budget Bilateral
8/05/19	Cabinet Paper on National Structures for the Emergency Management System
12/03/19	Budget 2019 Initiatives and Prioritisation Submissions
12/10/18	Progress on Implementing the Emergency Management System Reforms
16/11/18	Status Update on the Emergency Management System Reforms Programme
30/11/18	Status Update on the Emergency Management System Reforms Programme
14/12/18	Status Update on the Emergency Management System Reforms Programme
30/01/19	Status Update on the Emergency Management System Reforms Programme

13/02/19	Status Update on the Emergency Management System Reforms Programme
27/02/19	Status Update on the Emergency Management System Reforms Programme
13/03/19	Status Update on the Emergency Management System Reforms Programme
10/04/19	Status Update on the Emergency Management System Reforms Programme
9/05/19	Status Update on the Emergency Management System Reforms Programme
22/05/19	Status Update on the Emergency Management System Reforms Programme

Some parts of this information release would not be appropriate to release and, if requested, would be withheld under the Official Information Act 1982 (the Act). Where this is the case, the relevant section of the Act that would apply has been identified. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it. Some material has also been withheld as out of scope of in these documents, as it is not directly related to establishing NEMA.

Key to redaction codes:

- 9(2)(a), to protect the privacy of individuals;
- 9(2)(f)(iv): to maintain the confidentiality of advice tendered by or to Ministers and officials;
- 9(2)(g)(i): to maintain the effective conduct of public affairs through the free and frank expression of opinion; and
- 9(2)(h), to maintain legal professional privilege.

The following items are not included in this release:

Item	Withholding grounds
Cabinet paper: Delivering better responses to emergencies: National Structures (2 March 2019)	Withheld in full under 9(2)(f)(iv)
Aide-Memoire: Cabinet paper on National Structures for the Emergency Management System (5 March 2019)	Withheld in full under 9(2)(f)(iv) and 9(2)(g)(i)
Budget bid: Delivering better responses to emergencies: Establishing a new national emergency management agency	Withheld in full under 9(2)(f)(iv)



Cabinet Government Administration and Expenditure Review Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Delivering Better Responses to Emergencies: National Structures

Portfolio **State Services / Civil Defence**

On 9 May 2019, the Cabinet Government Administration and Expenditure Review Committee (GOV):

- 1 **noted** that:
 - 1.1 responding effectively to emergencies when they occur is an important function in achieving national security;
 - 1.2 the system must be ready and able to respond, and support recovery, when required;
- 2 **noted** that New Zealand's emergency management system takes an all-hazards approach and requires collaboration between a wide range of organisations nationally and locally, and that many portfolios are involved, not just those traditionally considered as 'Civil Defence';
- 3 **noted** that the Technical Advisory Group (TAG) established to review New Zealand's emergency response system, identified problems with the emergency management system and made a number of recommendations across a range of areas;
- 4 **noted** that in August 2018, in response to the TAG's report, the Cabinet Economic Development Committee noted that:
 - 4.1 the Minister of Civil Defence will work with the Minister of State Services to develop a follow-up paper on the function, form, and location of a national emergency management agency by November 2018;
 - 4.2 the Minister of Civil Defence will include advice on lead agencies as part of the November 2018 paper;
 - 4.3 9(2)(f)(iv), 9(2)(g)(i), 9(2)(h)

[DEV-18-MIN-0169]

- 5 **noted** that on 31 August 2018, the government publicly released its response to the TAG's report *Better Responses to Natural Disasters and Other Emergencies*;
- 6 **noted** that:
- 6.1 the Minister of Civil Defence is seeking an increased focus on achieving an integrated, community-focused response to, and recovery from, emergencies across all hazards and risks, and that this requires greater integration between the hazard-specific and all-hazards parts of the system;
 - 6.2 achieving this change requires action across a range of fronts, including strengthening the leadership of the emergency management system;
- 7 **noted** that the profile and influence of the emergency management function within government needs to be lifted;

National Emergency Management Agency

- 8 **noted** that on 15 April 2019, as part of Budget 2019 decisions, Cabinet:
- 8.1 agreed to establish a new National Emergency Management Agency (NEMA) as a departmental agency hosted by the Department of the Prime Minister and Cabinet (DPMC) from 1 October 2019, to replace the Ministry of Civil Defence & Emergency Management;
 - 8.2 agreed that the core function of NEMA is to enable the Director, Civil Defence Emergency Management to meet their functions and duties and exercise their powers;
 - 8.3 agreed that to fulfil its function, NEMA's role will be to work across central government and with local government, communities, iwi, and business to create an emergency management system that is ready and able to provide an effective and integrated response to, and recovery from, emergencies (as defined in the Civil Defence Emergency Management Act 2002);
 - 8.4 agreed that to fulfil its function and role, the national emergency management agency will:
 - 8.4.1 provide a clear sense of direction of the emergency management sector;
 - 8.4.2 build the capability and capacity of the emergency management system to plan for, withstand, respond to, and recover from emergencies;
 - 8.4.3 lead or support responses to, and recovery from, emergencies (irrespective of cause);
 - 8.4.4 provide assurance to Government and the public about the performance and capability of the emergency management system to respond effectively;
 - 8.5 agreed that in addition to these whole-of-system, all-hazard functions, the national emergency management agency will also have a leadership role across the 4Rs (risk reduction, readiness, response, and recovery) in relation to natural hazards, in particular geological hazards;
 - 8.6 noted that the funding provided in Budget 2019 will enable the agency to be established and some priority functions to be strengthened;

- 8.7 invited the Minister of State Services and the Minister of Civil Defence to jointly report back to GOV on the range of matters needed to establish the agency, including:
- 8.7.1 inviting the Minister of State Services to issue drafting to the Parliamentary Counsel Office for an Order in Council to establish a new Departmental Agency;
 - 8.7.2 the process for the State Services Commissioner to appoint an acting or substantive chief executive for the new agency;
 - 8.7.3 clarifying issues between the host agency and the departmental agency, including determining appropriate vote and appropriation structures, and employment arrangements;
 - 8.7.4 the government's response to the other recommendations related to the national leadership of New Zealand's emergency management system made by the TAG in its report "*Better responses to natural disasters and other emergencies*";

8.8 9(2)(f)(iv)

[CAB-19-MIN-0174.33]

- 9 **noted** that the Chief Executive, DPMC and the State Services Commissioner, in consultation with the Minister of Civil Defence, will consider progress, including whether NEMA is appropriately located in the Department of the Prime Minister and Cabinet, once the agency had been up a running for a year;
- 10 **noted** that DPMC will work collaboratively with other agencies in the emergency management system as NEMA is designed and established, and to clarify respective roles and responsibilities;
- 11 **noted** that the Minister of State Services and Minister of Civil Defence do not agree with the TAG that the Office of the Auditor-General would report on emergency management matters in its local government audits;
- 12 **noted** that NEMA, the host agency, and the Officials' Committee for Domestic and External Security Coordination (ODESC) system will have the following roles in monitoring the capability and performance of the system:
- 12.1 NEMA will assure system capability and performance through setting, monitoring, and reporting on standards as well as by undertaking objective assessments of the sector's performance, capacity and capability;
 - 12.2 the host agency's regulatory policy function will ensure that the emergency management regulatory system is performing to a high standard by monitoring, reviewing, and reporting on the regulatory system;
 - 12.3 the ODESC system will have an oversight role and identify system-wide improvements that may be needed;
- 13 **noted** that the performance of NEMA will be monitored through the usual arrangements for a departmental agency;

Lead agencies

14 **noted** that in relation to the TAG’s recommendations relating to lead agencies, the existing lead agency framework does not need to change but that the Minister of Civil Defence intends to strengthen it by ensuring that:

14.1 the terminology used in the Civil Defence Emergency Management Act 2002, the National Civil Defence Emergency Management (CDEM) Plan Order, the Co-ordinated Incident Management System, and the national risk work are aligned when these documents are updated;

14.2 NEMA builds understanding across the sector and of the various agencies of roles and responsibilities in a multi-agency event;

14.3 the lead agency for certain hazards is set out in recommendation 15 below;

15 **agreed** in principle, subject to formal confirmation in National CDEM Plan Order, that:

15.1 the Ministry of Business, Innovation, and Employment (MBIE) should be the lead agency for Information Communications Technology, energy, and fuel-supply failure;

15.2 the Ministry of Transport and the transport sector agencies should be the lead agencies for transport infrastructure failure;

16 **noted** that the changes in paragraph 15 above will take time to fully scope the lead agency role in more detail, how this will work in practice across the sectors, and how this will integrate with the civil defence emergency management agencies;

17 **noted** that MBIE has provided an early estimate of 9(2)(f)(iv) [redacted] for the function in paragraph 15.1 above and that this would need to be confirmed through the process;

18 **noted** that the Ministry of Transport has indicated that the changes in paragraph 15.2 above may have cost implications for agencies in the transport sector, but that it is too early to be specific;

19 **noted** that the National CDEM Plan Order is due to be reviewed by November 2020;

20 **noted** that decisions regarding lead agency responsibilities relating to drinking water, wastewater and stormwater will be made after the Department of Internal Affairs has provided advice on the Three Waters review;

9(2)(f)(iv), 9(2)(g)(i), 9(2)(h) [redacted]

21 9(2)(f)(iv), 9(2)(g)(i), 9(2)(h) [redacted]

22 9(2)(f)(iv), 9(2)(g)(i), 9(2)(h) [redacted]

23 9(2)(f)(iv), 9(2)(g)(i), 9(2)(h) [Redacted]

24 **noted** that 9(2)(f)(iv), 9(2)(g)(i), 9(2)(h) [Redacted] some of the money appropriated for NEMA in Budget 2019 will be used to address issues with the current approach within the Ministry of Civil Defence & Emergency Management 9(2)(f)(iv), 9(2)(g)(i), 9(2)(h) [Redacted]

Rachel Clarke
Committee Secretary

Present:

- Rt Hon Winston Peters
- Hon Kelvin Davis
- Hon Chris Hipkins (Chair)
- Hon Stuart Nash
- Hon Iain Lees-Galloway
- Hon Shane Jones
- Hon Kris Faafoi
- Hon Julie Anne Genter

Officials present from:

Officials Committee for GOV

Hard-copy distribution:

- Minister of State Services
- Minister of Civil Defence

Proactively released by the Minister of Civil Defence