

20 May 2025

Policy Unit
National Emergency Management Agency
PO Box 5010, Wellington 6140
By email: EmergencyManagementBill@nema.govt.nz

Tēnā koe,

Strengthening New Zealand's emergency management legislation

Powerco is one of Aotearoa's largest gas and electricity distributors, supplying around 360,000 (electricity) and 114,000 (gas) urban and rural homes and businesses in the North Island. These energy networks provide essential services to around 1 million kiwis and will be core to Aotearoa achieving a net-zero economy in 2050. As a regulated electricity and gas distributor we are a lifeline utility as defined in Schedule 1 of the Civil Defence and Emergency Management Act. We are also a contributing member of the National Lifelines Council. Further information about Powerco is provided in Attachment 1.

We welcome the opportunity to be involved in the development of a reformed emergency management system. We have followed the Agency's submission template (Attachment 2) and make three overarching observations about priorities for the future regime:

Improved coordination across agencies and utilities

- Improved coordination between local government and essential service providers is a critical enabler for community level emergency planning and response
- Defining roles and obligations of key parties is essential to minimise unnecessary effort and provide a clear structure for directions, responsibilities and communications
- Limit information requests to the relevant and meaningful, aligned to clear control structures, to minimise demands during or after an emergency.

Information sharing before, during and after emergencies

- Develop a system for mandatory sharing of information on hazards, risk and responses - between lifeline utilities and both local and national agencies (in all directions)
- Automated data systems and mandatory data standards will streamline information sharing for emergency management planning as well as during an emergency, and have potential for broader application in coordinating works programmes across infrastructure providers
- Powerco could lead an industry pilot with the Taranaki lifelines group to test coordinated sharing of information on assets and works programmes
- Consistent reporting standards should streamline and clarify multiple reporting expectations.

**A wider range of
mandatory
standards to lift
performance**

- Build on existing frameworks and guidelines to set standards in key areas. Clearer direction on expectations, and holding parties to account for their role in deliver, is needed to lift performance
- A framework for more consistent framing of hazards across hazard type including definitions of 'hazards' to be addressed in network resilience vs scale of 'event' to be addressed as emergencies
- Consistent design solutions would benefit lifeline utilities and communities eg more consistent use of equipment or assets and sharing of resources across infrastructure providers.

We are always keen to meet, discuss and develop the ideas in our submissions. In the meantime, if you have any questions or would like to talk further on the points we have raised, please contact Irene Clarke (Irene.Clarke@powerco.co.nz). This submission does not contain any confidential information and may be published in full.

Nāku noa, nā,



Emma Wilson

Head of Policy, Regulation and Markets

POWERCO

Attachment 1 – Information about Powerco and our network

Providing an essential service

We bring electricity and gas to around 1 million kiwis across the North Island. We're one part of the energy supply chain. We own and maintain the local lines, cables and pipes that deliver energy to the people and businesses who use it. Our networks extend across the North Island, serving urban and rural homes, businesses, and major industrial and commercial sites. We are also a lifeline utility. This means that we have a duty to maintain operations 24/7, including in the case of a major event like an earthquake or a flood.

The cost of operating our business is not dependent on the amount of gas or electricity we distribute in our networks. These costs reflect the need to maintain the safe operation of the network and are mostly driven by compliance with safety regulations. This includes replacing assets when they reach their end of life. Additional costs to grow the size or the capacity of the network are often met by customers requiring the upgrade or new connection.

Under Part 4 of the Commerce Act, Powerco's revenue and expenditure are set by the Commerce Commission as part of monopoly regulation. We are also subject to significant information disclosure requirements, publicly publishing our investment plans, technical and financial performance, and prices. The regulatory regime allows us to recover the value of our asset base using a regulated cost of capital (WACC) set by the Commission, and a forecast of our expenditure. Every five years, the Commission reviews its forecasts and resets our allowable revenue. This process is designed to ensure the costs paid by customers for us to manage and operate our network is efficient given we are a monopoly and an essential service.

Our electricity customers

Powerco is New Zealand's largest electricity utility by the area we serve. Our electricity networks are in Western Bay of Plenty, Thames, Coromandel, Eastern and Southern Waikato, Taranaki, Whanganui, Rangitikei, Manawatu and Wairarapa. We have over 29,000 km of electricity lines and cables connecting around 360,000 homes and businesses. Our place in the electricity sector is illustrated below.

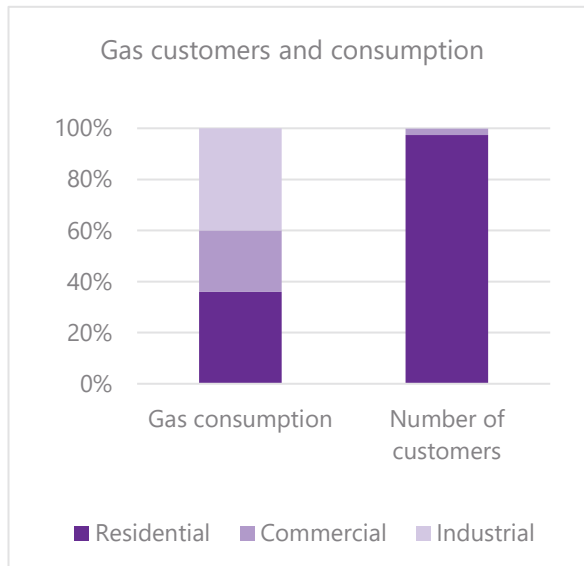


Our network contains a range of urban and rural areas, although is predominantly rural. Geographic, demographic, and load characteristics vary significantly across our supply area. Our development as a utility included several mergers and acquisitions that have led to a wide range of legacy asset types and architecture across the network.

Powerco is one of 29 electricity distribution companies. Our customers represent around 13% of electricity consumption (similar in magnitude to the Tiwai aluminium smelter) and around 14% of system demand.

Powerco's network is almost three times the size of Transpower's in terms of circuit length. The peak demand on our combined networks (2023) was 974 MW, with an energy throughput of 5,225 GWh.

Our gas customers



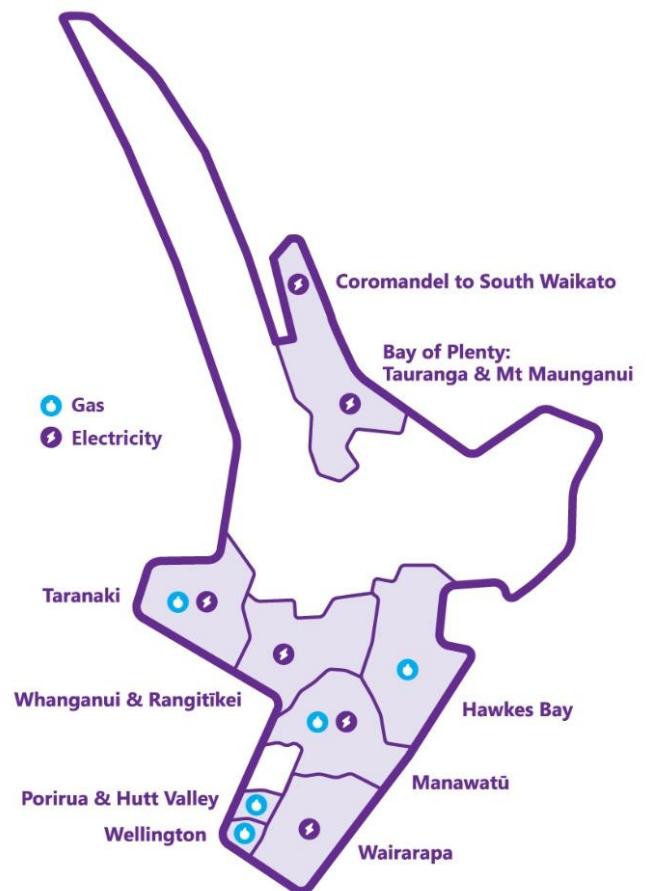
Powerco is New Zealand's largest gas distribution utility. Our gas pipeline networks are in Taranaki, Hutt Valley, Porirua, Wellington, Horowhenua, Manawatu and Hawke's Bay. We have over 6,200 km of gas pipes connecting to around 114,000 homes and businesses. Our customers consume around 8.1 PJ of gas per year.

Our industrial customers are less than 1% of our customer base and consumer approx. 40% of gas on our network. Our residential customers are 97% of our customer base and consume approx. 35% of gas on our network. The remaining 25% of gas is consumed by our commercial customers.

Around 30% of our larger customers are in the food processing sector, around 20% in the manufacturing sector and around 10% in the healthcare sector.

Our network footprint

Our network represents 46% of the gas connections and 16% of the electricity connections in New Zealand. We operate assets within six regions and across 29 district or city council areas.



Submission template: Strengthening New Zealand's emergency management legislation

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.

Powerco supports the general direction of the objectives identified, noting the following clarifications to ensure the objectives fully address the priorities for our future emergency management system:

1. Objective 1 needs to have a scope wider than participation. It is importantly about the way that community responses, values and needs are incorporated into emergency management at a community level. The objective should be to "*strengthen how emergency management responds to community and iwi Māori needs and values through participation and local planning*"
2. Objective 2 needs to provide for both clear responsibilities and accountabilities, but also for the critical coordination between those roles and responsibilities (across sectors) at a national, regional and local level. The objective should be to "*provide for clear responsibilities, accountabilities and coordination at the national, regional and local levels*".

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 that there is a diversity of needs and a one-sized-fits-all approach will not meet the needs of some groups or communities. People with vulnerabilities (such as older New Zealanders) or with different needs during an emergency (such as cultural practices) contributes to this diversity. The discussion document does not clearly describe what is meant by different 'needs' or that communities may value resilience/readiness, investment or recovery options differently, which may be unrelated to demographic or geographic population differences or hazard differences. For example, one rural community may prefer to invest in hardening electricity lines to increase resilience, whereas another rural community may prefer not to make such as investment even if this results in reduced electricity reliability and instead make provision for off-grid community hubs for times of extreme events. Understanding these different needs and preferences will be an important part of local community planning.

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

Please explain your views.

See response in question 2 above. In addition, we note that different communities may be subject to different hazards (eg earthquake vs flood risk), and there may be differences in risk reduction or readiness, not because of the type of hazard, but because the data, standardisation, and understanding of different hazards varies.

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? (page 12-13)

Please explain your views.

If local emergency management planning reflects local community needs and values, this may result in higher or lower investment in essential services. This section of the document is focused on the cost/benefit of more targeted community planning and should also assess the potential consequential cost/benefit for investment in essential services. Geographical equity issues are a relevant consideration if different communities prefer different standard of service for essential services.

Our preference is for a legislative expectation for local resilience and emergency planning to assess and respond to local vulnerabilities, needs and values in identifying risk reduction and response options (option 3). This will require local CDEM (or equivalent) groups to work with communities and coordinate with local infrastructure and essential service providers for a plan based on local risks, needs and preferences.

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.

More targeted local planning would drive improved coordination across communities and infrastructure providers in identifying relevant risks and coordinating response.

Both legislative and non-legislative options for meeting local community needs will require improved data and coordination of data across agencies.

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

Please explain your views.

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.

The introduction to issue 2 in the discussion document provides a description of the unique iwi Māori knowledge, skills and resources that could contribute across the 4 Rs. The problem definition on page 14 defines the problem more narrowly as the “willingness, expertise and capability” of iwi Māori not being fully drawn on to make the emergency management system more effective. We would encourage both the problem definition and the options to strengthen and enable the iwi Māori role in emergency management to take a broader scope on the opportunities, for example the potential contribution through networks, connections, facilities and community hubs.

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.

See comment on question 7

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.

We support an option which requires engagement with local iwi Māori during the development of local plans (options 2 and 4 together).

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

Please explain your views.

Insert response

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

Please explain your views.

Insert response

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

Please explain your views.

Insert response

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.

Insert response

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

Please explain your views.

Insert response

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.

Insert response

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.

We support national guidance and education, and local CDEM group providing clarity/direction on how offers from local organisations will be managed and coordinated with the formal emergency management arrangements during an event. Option 2 (non-legislative) is most relevant here but CDEM group plans should provide direction on the local approach in order that this is developed as a part of an integrated CDEM group plan. If legislative direction (option 3) is necessary to achieve this, then we encourage that option in addition to the guidance and education.

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

Please explain your views.

Insert response

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 do not have any comments on this issue as described. However note that electricity and gas infrastructure recover works generally must only be carried out by qualified energy contractors due to the safety and technical aspects of the work.

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.

We do not oppose civil liberty or compensation options in principle. However, any options progressed must address the types of response activities this is directed at, and avoid any risk of an interpretation that members of the community may undertake energy infrastructure activities.

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

Please explain your views.

Insert response

Other problems relating to this objective

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

Please explain your views.

Insert response

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.

We agree that an overarching and clear command structure to which all participants subscribe is critical.

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.

We support option 3 with the group controller having the overall control. We see a risk with other options that it may not be clear who the 'control agency' is, or there may be multiple control agencies. It is our experience that it will almost always be more relevant for regional direction of response. It is also our experience that a 'unified control' carries risks with duplication and unnecessary communications or expectations between organisations.

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

Please explain your views.

The options assume that the control of the regional group controller or national CDEM director will be an either/or scenario depending on if the event is a regional or national emergency. Our experience is that the different roles are not always this clear. While this is not an additional option, we endorse a refined option which also makes clear the role of the national CDEM director in the case of a regional (or multi-regional) event, and vice versa, including clearly identifying the lead role, and the powers available to the other role. We have experienced in Cyclone Gabrielle response, and other recent events, that even where the controller is the regional group controller, the national agency or director assumes a power such as requesting reports or information. The status of this is not clear when the requestor is not the controller. We can be extremely stretched during a major event and need clarity when a request is a directive and the requestor has the power to make such a request, or if it is a 'nice to have' that does not require an immediate response.

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.

Clarity in direction and control is important. The proposed options, or variations or them, have the potential to achieve this.

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.

Insert response

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.

We support improved clarity of responsibilities for regional level emergency management, as well as coordination of the responsibilities of different organisations involved in a regional emergency management group including local authorities. Powerco operates across 6 regions and 29 territorial local authority areas. We endorse a consistent approach to the roles of CDEM groups and their local authorities (option 2). We also endorse transparency in funding agreed CDEM activities to strengthen performance in delivering on agreed activities. If legislation is required to achieve this transparency (option 3) then we would support that.

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

Please explain your views.

Insert response

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.

In our view, stronger direction on roles, and accountability for responsibilities is required for all local authorities and lifeline utilities at the regional level. The CDEM group-based model is sound but the contributing members need to be held to account for their role and delivery. We endorse more directive legislation to achieve this.

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.

Refer to pages 28–31 of the discussion document to answer the questions in this section.

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

☒ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

Powerco operates across 6 regions and experiences different approaches to regional emergency planning and management.

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.

We support option 3 (CDEM group is responsible for organising emergency management functions) as it is the only option to provide for consistency across regions.

In our experience, emergency management is more effective where there is a permanent CDEM structure and staff or facilitators at a regional level, rather than just when an event happens. A consistent staffing provides continuity and improved communications. For example, in the storms of 1-2 May 2025 there was not a declared emergency in the Wellington region, but Powerco kept in touch with the regional CDEM group about the impact of high winds on our infrastructure. There was no direction for Powerco to act. Meanwhile a regional council staff member rang Powerco's general enquiries phone line to make contact about being on standby for an emergency declaration, even though the CDEM group is aware of the Powerco emergency liaison contact point.

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

Please explain your views.

Insert response

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.

Insert response

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.

Meaningful engagement of coordinating chief executives is important for regional planning, agreement on activities, and delivery of a regional group plan. We support an option that will provide stronger directive for involvement and performance of coordinating executive groups. We support both option 3 (reporting on delivery) and option 4 (clarify one appointed person, which may be one delegate, to provide consistent membership of the coordinating executives group).

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

Please explain your views.

Insert response

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 support options to streamline the review and update processes for CDEM group plans

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.

We support option 2 for legislation to enable targeted amendments to CDEM group plans with a more streamlined process. While targeted amendments may not follow the same process as a full review of the plan every 5 years, a 'targeted amendment' must be subject to engagement with parties affected by that amendment. For example, an amendment to add a new hazard and related responsibilities, must involve engagement with relevant lifeline utilities operating in a region.

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

Please explain your views.

The current Act requires a review of regional group plan at least every 5 years. In our experience, this review cycle is not adequate to optimize lessons learnt from actual events, new processes or technologies available, or new information on risks. We would endorse an option where a targeted review is mandatory within 12 months of a major event, to ensure lessons learnt are fully reviewed at a regional level, not just within individual organisations, and incorporated into regional group plans.

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.

There are some sector specific regulations outside of the CDEMA which set powers and responsibilities relevant in emergencies eg the Electricity Industry Participation Code sets requirements and processes for electricity distributors managing network emergencies, including issuing operating limits and coordinating load management with retailers and aggregators.

The Emergency Management Bill is an important opportunity to ensure that agencies with sector-specific regulatory powers (such as the Electricity Authority) manage their legislative instruments in a way that is consistent with the Bill and in addition, that both the Bill and related regulation reflects the changing nature of some sectors, such as electricity, which alters relevant roles in emergency management.

In preparing the Bill, amendments to complementary regulation should be fully investigated. For example, the Bill may instigate a need for:

- Updates to Code definitions to clearly distinguish between network emergencies and system (grid) emergencies and ensure that both are treated as legitimate triggers for emergency powers and coordination obligations.
- Clarification that distributors have the authority to proactively manage all forms of controllable load and distributed energy resources during network emergencies — not just traditional hot water load.
- Align Code provisions with the new emergency management framework so that critical infrastructure providers can take prompt and proportionate action to prevent small-scale incidents from escalating into larger service disruptions.

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.

Insert response

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.

The assessment of benefits, costs or risks does not acknowledge that potential standards may be addressed, or overlap, or duplicate existing standards in other related legislation. For example, resilience related to known hazards and threats are already accounted for in our regulated network planning and reliability approach.

In principle, we support standards or reporting to lift performance, and mechanisms to ensure those with responsibilities are meeting expected performance. However, this will require careful scoping and consultation so any standards are linked to what customers want, are targeted in the areas that will actually make a difference across the system, and are not forcing unnecessary spend or regulatory burden. Agreeing on what good practice is in emergency planning and management will be challenging and should be the first step before considering standards. This will help avoid an outcome where considerable effort in developing and implementing a standard does not actually improve resilience or recovery.

We support both option 3 (setting rules) and option 4 (monitoring performance), assuming a robust process to identify and develop relevant rules that add value not cost, and to clarify obligations on all parties to support monitoring.

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

Please explain your views.

We have identified the following areas where greater direction (regulations, rules or standards) could assist in improved performance:

- Directing a consistent approach to hazard and risk information, source, use, and mapping. This could include direction on relevant hazard scenarios (which may differ by region) and mapping dependencies or criticality
- Directing a consistent approach to event management, eg regulating use of the CIMS framework so this is used consistently across regions (currently it is not)
- Setting definitions for example for 'hazards' to be addressed in network resilience vs scale of 'event' to be addressed as emergencies
- A framework for more consistent framing of hazards across hazard type (eg applying seismic/wind loading band approach to other hazard risk such as landslip)
- Reporting standards to streamline and clarify multiple reporting expectations. This should not be a new reporting standard, but rather using existing good practice (eg the Powerco event "SitRep" template has been identified by NEMA as a good template which could be rolled out for wider use, but this has not occurred as far as we are aware) or confirming use of existing reporting models such as XRB reporting as a baseline for annual reports.
- Consistent design solutions where this may enable more consistent use of equipment or assets and sharing of resources across infrastructure providers. For example standardisation of widely used equipment between electricity distribution companies would allow sharing of resources during extreme events¹ or maintaining a centralised critical spares inventory
- Expectations of new consumer devices in resilience, for example the battery life in phones or electric vehicles, or back up capacity for a fridge.

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

Please explain your views.

Insert response

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.

The problem is not clearly described. We are not aware that this issue, or the stated options are a priority.

¹ Inconsistency in equipment was a barrier in some out-of-region EDBs assisting during Cyclone Gabrielle.

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.

The legislative options appear to be overreaching, as it not the actual issue, or how/when these powers of the Director/Minister may be used. We suggest to retain the status quo here, and instead encourage a focus on the options under issue 8.1 to strengthen setting of clear expectations and monitoring performance.

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

Please explain your views.

Insert response

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.

The problem definition identifies the unclear links between CDEM group plans and other local government planning instruments. As noted for issue 8, there are also overlaps with existing regulations, standards and planning processes for essential services such as electricity and gas services. Coordination between local government and essential service providers is critical for effective CDEM plans, and the different legislative and planning requirements is part of this problem. A further aspect of this problem is poor sharing of information on hazards, risk and responses.

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.

We support clearer guidance for CDEM groups in what it means to achieve an acceptable level of risk (option 2), and guidance on what a CDEM group plan should address (option 3). We do not support the legislative options as it will be difficult to get the right proportionality and balance between regional flexibility and national consistency.

Each region will be different in the nature, scale, location of risks, and response needed. Guidance could assist with the processes in each CDEM group to establish and share acceptable levels of risk, without defining this in one way nationally. There will be particular value in developing a model to assess consequence/ likelihood for interdependent essential services. Mapping critical dependencies and locations would be beneficial and we know some regional lifeline groups do this already.

Any guidance to assess level of risk across a region, must only be a tool for investigation purposes and not impose where or how investment occurs, as this will be a local decision and depend on local factors. For example, we know that many customers or communities already have their own planned response to enhance resilience or are working towards this with support from infrastructure providers. Mechanisms to

understand, such as where an industrial customer has their own 48 hour back up for a power outage, or where a community centre has the right facilities to provide a community hub for services in an emergency, are factors to consider in identifying community level resilience and response options.

There is significant opportunity for improvement in sharing of information on hazards, risks and responses. Infrastructure providers are assessing hazards and risks based on their own approach to defining risks and independently obtaining hazard and risk information. An agreed source of information could provide significant efficiency, as well as the opportunity to improve management of critical interdependencies and response for essential services.

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

Please explain your views.

Our response on issue 8 is also relevant here. The application of principles and frameworks should occur regionally. National guidance can assist in setting up the frameworks to be applied regionally, for example:

- Guidance on use of hazard information and scenarios, such as consistent use of the same flood hazard scenario and data for the purpose of risk assessment and asset resilience
- Availability of climate data for all essential service providers in a form that can be easily integrated into data systems, rather than each building their own data set, such as file types easy to add to GIS systems
- One accessible mapping platform containing hazard and asset information that can be used by the CDEM group, councils, essential service providers and customers. Visibility of all information in one place, and a standard data format would assist transferring and integrating between councils and essential service providers.

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

Please explain your views.

As noted above, integration is wider than local government planning instruments. Coordination and integration with essential service providers and their planning instruments is also relevant. As noted above, consistent data sources and compatible data platforms are current barriers.

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

Please explain your views.

Insert response

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.

Insert response

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.

Insert response

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.

We agree that consideration of cultural heritage in an emergency management context is an important part of regional CDEM group plans. This consideration could be improved through either, or both, option 2 (guidance) or option 3 (legislative requirement) in CDEM planning.

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

Please explain your views.

Insert response

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.

We do not have comments on this issue.

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.

Insert response

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.

Insert response

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

Please explain your views.

Insert response

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.

Insert response

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 that the infrastructure that enables essential services is becoming broader, and increasingly interconnected and interdependent. There is a distinction between essential and enabling infrastructure (generally lifeline utilities), and essential services (customers such as hospitals). It would be beneficial for the problem description and the options in response to reflect this distinction and use clear terminology in defining essential services.

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.

We support the option to more broadly define ‘essential and enabling infrastructure’. Clarity will be required on which infrastructure, services and organisations are part of each CDEM group plan to ensure efficiency in planning and response processes, hence option 2 is preferred. Applying emergency management principles and obligations

across a broader range of infrastructure providers would assist where there are critical interdependencies, for example between electricity distributors and IT service providers. The benefits of including broader infrastructure and services in emergency management will only be realised if processes and expectations for coordination are clear. We have commented previously about coordination, including sharing of information and regional planning.

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.

We support a principles-based definition, and a clear list, as per Appendix C. In particular we note the important inclusion of managed information technology services, cloud computing services, internet service providers.

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.

Insert response

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

Please explain your views.

We encourage consideration of a hierarchy of types of essential services. We are concerned that if all essential services in Appendix C are included, this will significantly increase the number of organisations involved in group plans and event management. Coordination is already complex and inadequate in most cases and CDEM groups may become too occupied with participation rather than community outcomes. We would suggest a refined option which focuses CDEM responsibilities on core lifeline utilities, but incorporates broader essential services into planning and event management processes.

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.

The problem description does not identify differences between regulated and non-regulated infrastructure providers (although it is mentioned in the assessment of options table). Better understanding this aspect of the issue may help with understanding the implications of the options proposed, and options to build on existing practice (and avoid duplication).

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.

We support a non-legislative option (option 2) to minimise duplication. Powerco has structured business continuity plans in place already to ensure that the business is resilient and will support on-going operation of our networks in an event. Our business continuity plan relates to a number of regulatory and operational requirements including our approach to the 4Rs, how we will interact and coordinate with emergency agencies and local emergency management groups in line with CIMS methodology.

Any business continuity plan expectation should enable use of existing plans and avoid any prescription for an additional plan to be prepared. Financial penalties (option 3) or prescriptive requirements (options 4) would likely impose significant compliance costs for Powerco, which could ultimately be passed on to consumers.

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

Please explain your views.

We understand that the concept of planning emergency levels of service (PELOS) in the previous Emergency Management Bill was generally not supported, and while our submission supported the general concept we did also highlight a number of issues to be resolved. We still see merit in giving this concept further consideration as part of business continuity plans or regional emergency management plans. For public essential services to highlight their planned level of service (eg how quickly they aim to get the power back on) is an important communications piece to support regional coordinated event response, and clear community expectations. We encourage further consideration of how a process to identify and share appropriate levels of service could be part of the emergency management planning landscape.

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 several aspects of this issue identified.

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.

We support multiple options to improve data sharing - which will drive cooperation. We have already commented on coordination, information sharing and standards in response to earlier questions. Improved cooperation will enable community emergency management, rather than individual provider or sector-based planning.

There is significant opportunity for improvement in sharing of information on hazards, risks and responses. We have commented on this for issue 9 above, including suggestions for data frameworks which could be either non-legislative data standards

(option 2) or legislated data standards (option 6). It is an option for data standards to only apply during an emergency (option 6) but the standards for sharing information are equally relevant in emergency management planning.

During an emergency, improved methods of sharing of information on location and status of essential services, would enable all infrastructure providers to have the same information on the status of criticality, degrees of self-resilience and short or longer term resilience needs, for example wastewater facilities, hospitals and rest homes.

We strongly encourage building on existing data systems and information exchange being automated wherever possible.

We support option 3 to explicitly require CDEM Groups to involve all lifeline utilities in the development of CDEM Group plans. Powerco operates across 6 regions, but we would not see this as a compliance burden, rather a process to improve coordination and ultimately reduce administrative burden in emergency management. In our experience, there needs to be more regulatory onus for all relevant organisations (local government and lifeline utilities) in a region to be part of CDEM group planning and also to be held to account for their role in delivery of the plan.

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.

We appreciate that coordination may be needed at multiple levels and caution to carefully define expectations to minimise duplication and unnecessary effort. It will be necessary to clarify the expectations and build on existing systems rather than create new ones. For example clarity in the types and form of information anticipated to be shared during emergencies will enable lifeline utilities (and other control agencies) to align systems and processes to streamline this. Based on experience, we strongly encourage information requests to be relevant and meaningful as resources can be very stretched during or after an emergency. Information sharing is important not just one-way between lifeline utilities and national agencies, but also in the other direction and between lifeline utilities.

We endorse clarity on structures, regional controls and standards (issues 5, 6 and 8) which will inform clarity on direction between local and national levels. Coordination mechanisms must be explicitly embedded in the legislated structures, responsibilities and standards.

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

Please explain your views.

We support option 6 to enable data standards to be prescribed, noting the actual form of such standards would need careful scoping on feasibility. One form of data sharing with considerable potential benefit is a form of “common operating picture” through GIS situational viewers. This solution would provide one picture of lifeline data during an emergency (eg power outages and road closures) but would also be invaluable in coordinating and getting efficient sequencing in resilience work programmes and post-event recovery works. A number of lifeline groups have been trying to establish a shared viewer but there are technical and organisational barriers. For example, we have been looking into technical issues with sharing Powerco’s outage map into a common viewer.

We propose a pilot information (mapping) sharing project in one region. If NEMA were to support a pilot in one region, this option could support a significant step up in

coordination and information sharing. Powerco has been investigating options in the Taranaki region and we would be more than willing to lead a pilot project with the CDEM group and NEMA in Taranaki. An industry led pilot would be invaluable in identifying opportunities as well as areas where either non-legislative or legislative responses would assist.

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

Please explain your views.

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.

We support options to improve business continuity planning by central government facilities that have critical interactions with essential services, such as hospitals reliance on energy supply.

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

Please explain your views.

Insert response

Other problems relating to this objective

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

Please explain your views.

Insert response

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.

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

☒ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

Insert response

78. 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.

We support an approach to streamline identification of lifeline utility workers for prompt access during an emergency. Prescribing individual CDEM identification passes is not efficient and may do the opposite of streamlining when we consider the number of Powerco staff and contractors who may require access during an event.

We support option 4 to explicitly provide powers of access to a class of people or an organisation. For example, powers for all electricity and gas distributors and their contractors. This would enable lifeline utilities and contractors to be identified through their company rather than some type of specific emergency identification pass. During Cyclone Gabrielle, electricity distribution contractors from around New Zealand travelled to the emergency regions to assist. Should individual access identification passes be issued locally, there is risk this may prevent such broader workforce options.

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

Please explain your views.

Insert response

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.

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

☐ Yes ☐ No ☒ Not sure / no preference

Please explain your views.

Clarifying legislated functions vs powers at a local level would be appropriate. We would also support looking at national vs local powers to ensure emergency powers at a local CDEM group level extend far enough. See our response to question 89.

81. 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.

We support improved clarity in the functions and powers of CDEM group, controllers and recovery managers, as well as ensuring local powers extend far enough (see question 89).

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

Please explain your views.

Insert response

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.

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

☐ Yes ☐ No ☐ Not sure / no preference

Please explain your views.

We do not have a view on this issue or proposed options.

84. 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.

Insert response

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

Please explain your views.

Insert response

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.

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

☐ Yes ☐ No ☒ Not sure / no preference

Please explain your views.

We agree that there is currently not enough clarity in the roles for declaring an emergency.

87. 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.

Insert response

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

Please explain your views.

Currently a local emergency can be declared for a district or ward. In our experience, there would be benefit in options for declaring an emergency at a level more localised than a ward. For example Powerco recently needed to close off a small section of the gas network in Wellington to make safe, and this was handled as an emergency situation. However, as it was very localised it was not declared as an emergency, and the

powers during and after the event were therefore not clear. The option for a mayor to declare a very local, sub-ward, emergency should be incorporated into the legislation.

Other problems relating to this objective

89. 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.

Clarifying legislated functions vs powers at a local level (issue 14) would be appropriate. We would also support looking at national vs local powers to ensure emergency powers at a CDEM group level extend far enough. For example, during Cyclone Gabrielle, it became apparent that neither national or local powers extended to enabling EDBs to deliver a key response measure - sharing of workforce into the worst affected areas was hampered as there was no ability to secure seats on limited regional flights, even though there was a state of emergency. Such powers of intervention would be expected but are not currently available.

Other comments

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

More could be done to improve resilience and emergency management at a community level. We support reforms that will facilitate resilience outcomes and response mechanisms in a targeted, proportional, and streamlined way. We support reform of the Civil Defence and Emergency Management Act as one part of a broader suite of regulatory and non-regulatory measures for improved outcomes across the 4 Rs .