

Chair
Cabinet Committee on State Sector Reform and Expenditure Control

PLANNING FOR THE EMERGENCY RELOCATION OF EXECUTIVE GOVERNMENT AND PARLIAMENT FOLLOWING A MAJOR WELLINGTON EARTHQUAKE

Proposal

1. This paper seeks Cabinet approval of the *Emergency Relocation of Executive Government and Parliament Plan* (the Plan) and identifies further work to embed the relocation plan across government in business continuity planning.

Executive Summary

2. Earlier this year Cabinet endorsed a high-level concept for the emergency relocation of Executive Government and Parliament to Auckland following a major Wellington earthquake. The concept has now been developed into a relocation plan, which has been tested through table-top workshops and found to be effective and fit for purpose.
3. Cabinet approval is now sought for the *Emergency Relocation of Executive Government and Parliament Plan*, noting any decision to relocate would be made as a last resort only. Further work will continue to embed the relocation plan into business continuity planning across government, as well as to inform Members and essential staff of their role and responsibilities. Separate work, which was outside the scope of the current project, will be undertaken to plan for both a longer period of relocation but also the eventual return to Wellington.

Background

Cabinet agreed to a high-level concept for emergency relocation

4. On 18 February 2014, Cabinet endorsed a high-level concept for the emergency relocation of Executive Government and Parliament to Auckland following a major earthquake that renders Wellington unsuitable for effective government operation [SEC Min (14) 1/2 refers]. The decision to designate Auckland as the preferred site for temporary relocation was made in 2010 [DOM Min (10) 13/3 refers].
5. The scope of the high-level concept was for the first 14 days following the decision to relocate. The concept includes principles, planning assumptions, a description of the likely impacts on Wellington and the triggers for relocation.
6. A decision to relocate would be made as a last resort. The timing and arrangements of the return of Executive Government and Parliament to Wellington would be undertaken as part of recovery planning, and is outside the scope of this Plan.
7. In parallel to the development of the high-level concept, the chair of the Officials' committee for Domestic and External Security Coordination (ODESC), and the Chief of the New Zealand Defence Force (NZDF), have signed a formal

agreement detailing the role the NZDF will play in any relocation of Executive Government and Parliament.

The concept has been translated into an operational relocation plan

8. On 18 February 2014 Cabinet also noted further work would be undertaken to develop the high-level concept into a relocation plan covering the first 14 days after a decision to relocate. Before being finalised, the relocation plan would be tested through a table-top exercise.
9. The Plan has been developed to give substance to the high-level concept approved by Cabinet in February 2014. The Parliamentary Service and the Ministry of Civil Defence & Emergency Management (MCDEM) led its development, with input from the Department of the Prime Minister and Cabinet (DPMC), NZDF and the Parliamentary Precinct agencies. The Plan was endorsed by the Readiness and Response Board (RRB) of the Officials' committee for Domestic and External Security Coordination (ODESC) on 6 June 2014.

Summary of the Plan

Assumptions and triggers

10. The Plan is based on nine assumptions, outlined in its paragraph 5. These concern the level of assumed functionality of key infrastructure and lifeline utilities such as transport links and roading networks, power, drinking water, wastewater and telecommunications, as well as the operation of the National Crisis Management Centre.
11. The Plan, in paragraph 8, also lists the triggers that may influence the Prime Minister's decision to relocate. These are the same as those outlined in the previous Cabinet paper, with the addition of an eighth trigger, concerning scientific advice on aftershocks and weather impacts [SEC Min (14) 1/2 refers].

Aim of the Plan

12. The Plan has the following aim: "To locate and transport Ministers, Members of Parliament and essential staff to an emergency Parliamentary facility at Devonport Naval Base following a major Wellington earthquake, in order to achieve a sitting of the House within seven days of the making of the declaration or extension of a state of national emergency and to allow Executive Government to continue to function effectively." The Plan will be deemed to have been accomplished when:
 - those elements of Executive Government directed to relocate by the Prime Minister are operating; and
 - Parliament is sitting in session at the Devonport Naval Base with the session being broadcast.

Objectives of the Plan

13. The objectives of the Plan are to:
 - i. locate Ministers, Members and essential staff;
 - ii. transport located personnel to Auckland;

- iii. establish an emergency Parliamentary facility at Devonport Naval Base; and
- iv. conduct sittings of Parliament at Devonport Naval Base.

Plan of Action

14. The Plan sets out, and elaborates on, a course of action consisting of three phases:

Phase 1: the move to Auckland;

Phase 2: the re-establishment of Executive Government and Parliament at an emergency facility at the Devonport Naval Base; and

Phase 3: the sitting of Parliament.

Other components of the Plan

15. The Plan also:
 - designates roles and responsibilities to a range of government agencies, members and essential staff, and Civil Defence Emergency Management Groups in Wellington and Auckland, as well as in other regions of New Zealand;
 - acknowledges factors likely to hinder or limit implementation (such as damage or overloading of communications infrastructure, and the effects of wider, prioritised evacuations);
 - outlines coordination measures and resource needs; and
 - provides details on information flow, a Public Information Plan, and a communications plan.
16. The appendices to the Plan include a list of essential personnel (Members, Ministers, officials and other staff) that would be evacuated (officials and other staff are noted by role or position, not name). The total number now comprises 170 people, six more than that in the earlier Cabinet paper [SEC (14) 1/2 refers]; this reflects the addition of the Chief Justice, as well as staff for Public Information Management (PIM) and security functions that were identified during the table-top exercise sessions. The Plan does not necessarily include all personnel who might be needed to support Ministers. Equally, the Plan does not exclude additional staff being relocated to Auckland as part of this or subsequent evacuation processes.
17. The Plan recognises the importance of maintaining the constitutional convention of the separation of powers (judiciary, legislature and executive) and the military. The Speaker's authority would be established only over the area needed in Devonport for Parliament to operate, with authority over that area transferred from the NZDF. A Memorandum of Understanding or similar will be established in advance for such arrangements needed to reinforce the constitutional separation of powers.

Input into the Plan

18. A key input into the Plan was Exercise Rangatira, a central government table-top exercise to practise strategic and coordinated decision-making at the

highest levels of government, following a major emergency in Wellington. The exercise tested if the draft Plan was effective and fit for purpose.

19. The exercise involved three workshops, two for officials (on 2 and 3 April 2014) and one for Ministers and senior Parliamentary complex decision-makers, held on 8 May 2014. Participants included the Speaker of the House, the Rt Hon David Carter; Ministers Hon Gerry Brownlee, Hon Hekia Parata and Hon Nicky Wagner; and me, in my portfolio responsibility for Civil Defence.
20. The key recommendations incorporated into the Plan following the exercise were:
 - greater emphasis should be made of the last-resort nature of the Plan;
 - provision should be made for executive government to operate from different locations, whereby selected Ministers may remain in Wellington following the relocation of other Ministers; and
 - Public Information Management personnel should be included in the list of essential staff.
21. The workshop also identified that it would be useful to amend Standing Orders to provide that the rules regarding members' attendance requirements, and restricting proxy voting, should not apply to any vote cast in the House at a meeting held pursuant to section 67 of the Civil Defence Emergency Management Act 2002 (section 67 requires the House to meet following the declaration of a state of national emergency). The Clerk of the House of Representatives is following up on this recommendation.

Cabinet approval of the Plan

22. I recommend that Cabinet approve the attached proposed Plan. Cabinet approval of the Plan would give it an appropriate level of status and provide greater impetus to agencies to consider how to embed the Plan in their business continuity planning.

Links to other emergency planning documents

23. Parliamentary Service, in conjunction with other Precinct Agencies, will develop a concept to support the effective ongoing operation of Executive Government and Parliament in Auckland after the first 14 days of the emergency relocation and if an immediate return to Wellington is not possible. This work includes determining longer term options for the location of sittings of the House, and accommodation for Members and essential staff. Development of the concept will be completed in-house and will not involve formal discussion of arrangements with potential facility and accommodation providers in Auckland.
24. When Cabinet considered the high-level concept for relocation in February, it was noted that the Plan would comprise part of the Parliamentary Complex Contingency Plan (PCCP). During the development of the Plan, however, it was identified that it would be better placed to sit alongside and align with the PCCP.
25. The emergency relocation plan also sits alongside the Wellington Earthquake National Initial Response Plan (WENIRP), owned and managed by MCDEM. The WENIRP, established in 2010, provides the concept of operations for the national-level initial response to a major Wellington earthquake.

Next steps

Embedding the Plan

26. Once the Plan is approved, Parliamentary Service will brief Party Whips on the Plan and responsibilities of individual Members. Party Whips will then coordinate a briefing of Members, supported by Parliamentary Service as appropriate.
27. Parliamentary Service and the Office of the Clerk have included provision for briefing Members on business continuity as part of their induction programme. In addition, an instruction for Members and staff has been created, based on the Plan's content.
28. Once the Plan is approved, it is the responsibility of individual agencies to brief essential staff who would be relocated as part of the Plan as appropriate. Parliamentary Service and the Ministry of Civil Defence & Emergency Management will provide support to agencies for this task.
29. Government agencies not covered in this relocation plan would be expected to immediately enact their own business continuity plans to continue operations in Wellington and/or in other localities. The ability of these other government departments to support their Ministers, provide national office functions and coordinate their actions in the event of a temporary relocation of Executive Government and Parliament, however, appears to be variable, in terms of substance and planning. A risk exists that some departments may struggle to adequately support the Executive.
30. Improving agencies' preparedness, capabilities and coordination in this regard was not in the agreed scope to develop a relocation plan. Nonetheless the RRB has the responsibility for ensuring the readiness of government systems and agencies to respond to a broad range of major national emergencies. The RRB will provide advice and support to agencies in the development of their business continuity plans, and monitor implementation of these plans.

Maintaining the Plan

31. The Plan will be maintained by the Parliamentary Service. This will include ensuring the active participation of partner agencies to maintain the currency and preparedness of the Plan.
32. The Plan will be reviewed on a five-yearly basis. This will align with the review cycle for the WENIRP.

Consultation

33. This paper was drafted by MCDEM. The following agencies were consulted and agreed with the recommendations in this paper: Department of Internal Affairs (Ministerial and Secretariat Services); Ministry of Justice; New Zealand Defence Force; New Zealand Police; Office of the Clerk of the House; Parliamentary Counsel Office; the Parliamentary Service; and the State Services Commission. The Department of the Prime Minister and Cabinet was informed. The paper was referred to the Readiness and Response Board of ODESC, which endorsed the plan and this paper.
34. The paper and the plan were also considered by the Officials' Committee for SEC (OSEC). OSEC's key recommendation was that that the Chief Justice, as

head of the judicial branch of government, should be included in the list of essential personnel to relocate (that is, where he or she is not the Administrator of the Government at the time of the emergency). The list in Appendix 5 of the plan has been revised to include the Chief Justice.

35. The Ministry of Justice asked that the following comment be added to the paper:
- “The Ministry of Justice supports the Plan. The Ministry also notes linkages to work it is undertaking to review whether the Electoral Act adequately provides for emergency situations that may impact on the election of members of Parliament. This work was agreed in the Government response to the Justice and Electoral Committee Inquiry into the 2011 General Election.”*

Financial Implications

36. The cost of completing the planning for an emergency relocation of Executive Government and Parliament will be met from within baseline and shared between the agencies represented on the working group.

Human Rights

37. The proposals in this paper are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Legislative Implications

38. No bill or regulation is required to implement the proposal. No legislative change is intended by this paper.

Regulatory Impact Analysis

39. A regulatory impact analysis is not required.

Publicity

40. On 8 May 2014 I issued a media release about the emergency relocation plan. I also published, on the MCDEM website, the previous Cabinet paper from earlier this year [SEC Min (14) 1/2 refers]. The purpose of these were to highlight to the public that Government is taking appropriate steps to be prepared and ready should a significant Wellington earthquake occur. I do not intend to issue another media release at this time.
41. I have held discussions with the Press Gallery on the emergency relocation plan to make it aware that the scope of the emergency relocation plan does not include the operation of the Press Gallery. Rather, the individual media outlets will need to make their own business continuity plans to ensure they can continue their functions if the relocation plan is put into effect.

Recommendations

42. I recommend that the Cabinet Committee on State Sector Reform and Expenditure Control:
1. **Note** that the high-level concept for the emergency relocation of Executive Government and Parliament to Auckland following a major Wellington earthquake, was endorsed by Cabinet on 18 February 2014 [SEC Min (14) 1/2 refers], and has been developed into a relocation plan;

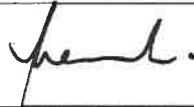
2. **Note** that the *Emergency Relocation of Executive Government and Parliament Plan* has been tested through table-top workshops involving Ministers;
3. **Note** that the key recommendations from the workshops have been incorporated into the Plan as follows:
 - greater emphasis has been made of the last-resort nature of the Plan;
 - provision has been made for executive government to operate from different locations, whereby selected Ministers may remain in Wellington following the relocation of other Ministers;
 - Public Information Management personnel have been included in the list of essential staff;
4. **Approve** the *Emergency Relocation of Executive Government and Parliament Plan*;
5. **Note** that any decision to relocate would be made as a last resort only;
6. **Note** that agencies will continue further work to embed the relocation plan into business continuity planning across government, and to inform Members and essential staff of their role and responsibilities; and
7. **Note** that the scope of the relocation plan is to address the initial 14 days of emergency relocation of Executive Government and Parliament, and that other plans will manage any longer-term relocation required and the eventual return to Wellington.



Hon Nikki Kaye
Minister of Civil Defence

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Consultation on Cabinet and Cabinet Committee Submissions

Certification by Department:	
Guidance on consultation requirements for Cabinet/Cabinet committee papers is provided in the CabGuide (see Procedures: Consultation): http://www.cabguide.cabinetoffice.govt.nz/procedures/consultation	
Departments/agencies consulted: The attached submission has implications for the following departments/agencies whose views have been sought and are accurately reflected in the submission: Department of Internal Affairs; Ministry of Justice; New Zealand Defence Force; New Zealand Police; Office of the Clerk of the House; Parliamentary Counsel Office; the Parliamentary Service; and the State Services Commission.	
Departments/agencies informed: In addition to those listed above, the following departments/agencies have an interest in the submission and have been informed: The Department of the Prime Minister and Cabinet.	
Others consulted: Other interested groups have been consulted as follows: Readiness and Response Board of the Officials' committee for Domestic and External Security Coordination (ODESC)	
Name, Title, Department: John Hamilton, Director Civil Defence Emergency Management	
Date: 10 / 06 / 2014	Signature 

Certification by Minister:	
Ministers should be prepared to update and amplify the advice below when the submission is discussed at Cabinet/Cabinet committee.	
The attached proposal:	
<i>Consultation at Ministerial level</i>	<input type="checkbox"/> has been consulted with the Minister of Finance [required for all submissions seeking new funding] <input type="checkbox"/> has been consulted with the following portfolio Ministers: <input checked="" type="checkbox"/> did not need consultation with other Ministers
<i>Discussion with National caucus</i>	<input type="checkbox"/> has been or <input type="checkbox"/> will be discussed with the government caucus <input checked="" type="checkbox"/> does not need discussion with the government caucus
<i>Discussion with other parties</i>	<input type="checkbox"/> has been discussed with the following other parties represented in Parliament: <input type="checkbox"/> Act Party <input type="checkbox"/> Maori Party <input type="checkbox"/> United Future Party <input type="checkbox"/> Other [specify] <input type="checkbox"/> will be discussed with the following other parties represented in Parliament: <input type="checkbox"/> Act Party <input type="checkbox"/> Maori Party <input type="checkbox"/> United Future Party <input type="checkbox"/> Other [specify] <input checked="" type="checkbox"/> does not need discussion with other parties represented in Parliament
Portfolio Civil Defence	Date 15 / 06 / 14
Signature 