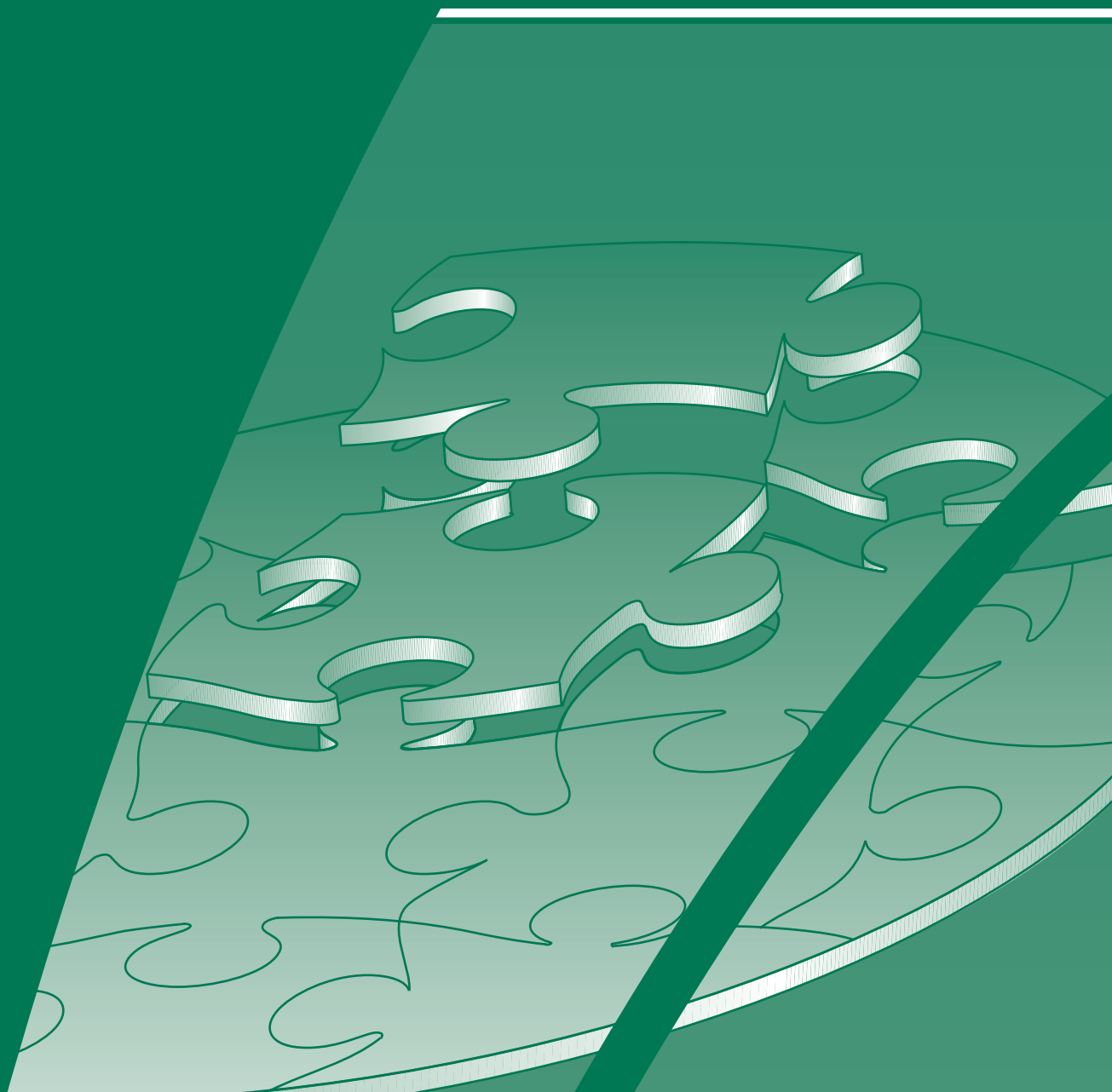


Working Together: The Formation of CDEM Groups

**DIRECTOR'S GUIDELINES
FOR LOCAL AUTHORITIES AND EMERGENCY SERVICES [DGL 1/02]**



Te Rākau Whakamarumarū

**Ministry of Civil Defence
& Emergency Management**



Working Together: The Formation of CDEM Groups Director's Guidelines for local authorities and emergency services (DGL 1/02)

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Authority

This guideline has been issued by the Director of the Ministry of Civil Defence & Emergency Management pursuant to Section 8(2)e of the Civil Defence Emergency Management Act 2002. It provides advice for local authorities and emergency services on how CDEM Groups may be formed and operate, following the commencement of the Civil Defence Emergency Management Act 2002.

The Ministry consulted substantially with local government representatives, Local Government New Zealand, and a range of organisations involved in CDEM Group activity in producing this guideline (DGL 1/02).

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Foreword



John Norton
Director

New Zealand is both a wonderful and a potentially hazardous place in which to live. We coexist with a unique mix of natural and man-made hazards. Disasters do occur and have the potential to be overwhelming in scale. Their consequences, however, are determined by the choices we make around managing our hazards, both individually and collectively.

Parliament has enacted the Civil Defence Emergency Management (CDEM) Act 2002, with a commencement date of 1 December 2002, which repeals and replaces the Civil Defence Act 1983. The new Act seeks to improve public safety through sustainable management of hazards and coordination of CDEM planning and activity. When established, CDEM Groups will help provide this coordination, building on existing capability to form sound platforms from which New Zealanders can make the right choices.

When we allow communities to be established on flood-prone land, or when an organisation plans its emergency response in isolation, our communities are exposed to unnecessary risk. A coordinated and structured approach is fundamental to managing hazards and reducing the potential impacts of disasters. Local government and the emergency services have a key role to play in managing that coordination through the CDEM Group process.

This guideline has been developed to advise and assist local government and the emergency services to meet their anticipated responsibilities under the proposed legislation. It provides guidance for the formation and conduct of CDEM Groups. It has been prepared with valuable input from a large number of local government and emergency services personnel.

I am pleased with the positive attitudes and involvement that the Ministry has encountered while producing this guideline, and look forward to working with CDEM Groups as together we meet the challenge of developing a resilient New Zealand society.

A handwritten signature in green ink that reads "John Norton".

John Norton
Director: Ministry of Civil Defence & Emergency Management

Executive Summary

Following a series of reviews initiated by local and central government, New Zealand has determined to improve the ability of its emergency management sectors to plan cooperatively in managing hazards and to better coordinate limited resources during disasters. Improving New Zealand's civil defence emergency management (CDEM) will include:

- strengthening relationships between sectors and agencies involved in CDEM activity
- encouraging cooperative planning for continuity of service and contribution to disaster response
- seeking commitment to deliver more effective risk management; especially risk reduction through a range of policy and planning initiatives.

Parliament has enacted the CDEM Act 2002 (the Act), to repeal and replace the Civil Defence Act 1983. The Act encourages a risk management approach to the sustainable management of hazards – natural and man-made. This risk management process is applied across the '4Rs' of risk reduction, readiness, response, and recovery, as well as being integrated through the involvement of all sectors within the wider CDEM community.

The Act requires CDEM Groups to be established – *consortia of local authorities based on existing regional council boundaries, working in partnership with emergency services* – to implement the new approach. CDEM Groups must form within six months of the Act's commencement – by 1 June 2003. Within two years of formation each CDEM Group must produce a CDEM Group Plan¹.

The Act permits a great deal of flexibility for CDEM Groups to develop structures and arrangements that account for local circumstances, but it requires each Group to meet certain responsibilities and carry out functions such as hazard and risk management, and to provide personnel and resources to address emergency response and recovery.

The Act **requires** organisational arrangements for CDEM management, incorporating:

- a CDEM Group comprising elected representatives of the constituent local authorities formed as a joint standing committee within six months post-commencement of the CDEM Act 2002
- a Coordinating Executive Group (CEG) comprising chief executive officers of the constituent local authorities plus senior members of the emergency services
- Group and Local Controllers to direct and coordinate CDEM Group resources during declared emergencies
- an appropriate body of trained and competent personnel, organisational structure and process arrangements to ensure CDEM delivery to communities.

The Ministry **suggests** that mechanisms to achieve effective CDEM Groups will include:

- a CDEM office to provide professional hazard management and planning services to the Group
- Emergency Operations Centres (EOCs)
- Recovery Managers.

During the transition period while the CDEM Group is forming, local authorities retain their existing responsibilities under the Civil Defence Act 1983, whilst powers in relation to declaration and control of emergencies continue to apply until the CDEM Group Plan is operational.

Given the flexibility of approach that may be taken to CDEM Group formation and expected local variations, this document sets out guidance to assist in achieving a level of national consistency in specific areas.

¹ The Ministry of Civil Defence & Emergency Management, *Working Together: Developing a CDEM Group Plan Director's Guidelines for CDEM local authorities and emergency services 2002 (DGL 2/02)*

Key Messages

- CDEM Group organisational structures should reflect CDEM Group Plan operational principles.
- Wider implications, alternatives, costs and benefits of options should be considered when organisations are being developed.
- CDEM Group arrangements should take account of New Zealand Coordinated Incident Management System (CIMS) principles.
- The development of a CDEM office is a suitable mechanism to deliver coordinated technical expertise in order to carry out functions such as hazard management and developing a CDEM Group Plan.
- CDEM Groups should utilise EOCs, supported by skilled personnel, as an appropriate way of providing coordinated operational response and recovery during emergencies.
- CDEM Groups are required to maintain and provide suitably trained and skilled personnel and carry out response and recovery activities – sound selection and training of Controllers and Recovery Managers is suggested.
- Division of responsibilities between the administering authority and CDEM Group member authorities should be clearly defined (for example within a constitution).
- If a CDEM Group decides, with community acceptance, to delegate or transfer any functions, it should be able to demonstrate its continuing accountability for performance in a transparent manner.
- Elected Community Board members may be delegated a limited authority to declare a local state of emergency, but cannot perform other CDEM Group functions.
- If a unitary authority forms a CDEM Group on its own, it should be able to demonstrate that it has sufficient resources to perform all of a CDEM Group's functions, either independently or through arrangements with adjoining CDEM Groups.
- Local authorities and emergency services should maintain senior representation on the CEG at chief executive level (with authority to commit resources).
- CDEM Groups should invite the Ministry of Civil Defence & Emergency Management to be an observer on the CEG to assist CDEM Group formation and planning.

Introduction

Background

New Zealand's emergency management agencies have to cope with the challenges posed by a broad range of natural and technological hazards. Flooding is New Zealand's most costly natural hazard, causing an average NZ\$125² million damage per year. Potentially the most dangerous natural hazards are earthquakes, especially for large urban centres such as Wellington and Christchurch. The most underrated natural threat for northern regions comes from volcanic eruption. Exposure to technological and other man-made hazards – such as the 1998 Auckland power crisis – is increasing as growing urban populations put pressure on infrastructure, and levels of technology become ever more complex.

For a number of years, serious concerns about emergency management in New Zealand have driven reviews and proposals for change. Many reports note unrealistically high public expectations as to levels of government assistance, concern over levels of acceptance of responsibility for local risk, and that our national capability is untested, fragmented and at best, only adequate.

Following a series of reviews, New Zealand has determined to improve the ability of emergency management sectors to manage hazards, respond to and recover from disasters, and to better coordinate limited resources. Improving New Zealand's CDEM regime will include:

- strengthening relationships between sectors and agencies involved in CDEM activity
- encouraging cooperative planning for continuity of service and contribution to disaster response
- seeking commitment to deliver more effective risk management; especially risk reduction through a range of policy and planning initiatives.

Making New Zealand Resilient

Parliament has enacted the CDEM Act 2002 ("the Act"), to repeal and replace the Civil Defence Act 1983. The Act is supported by a vision of:

Resilient New Zealand – strong communities, understanding and managing their hazards

The Act requires a risk management based approach to the sustainable management of hazards, both natural and man-made. This risk management process is applied across risk reduction, readiness, response, and recovery, as well as being integrated through the involvement of all sectors within the wider CDEM community. The Act's stated purposes include:

- improving sustainable hazard management to improve safety of the public and property
- encouraging communities to achieve acceptable levels of risk
- requiring local authorities to coordinate CDEM planning and activity
- ensuring integration of national and local CDEM planning
- encouraging CDEM coordination across a range of agencies that prevent or manage emergencies.

CDEM Groups are fundamental to achieving these purposes. Whilst formally comprising the local authorities and emergency services within a regional boundary, these groups will also involve lifeline utilities, government departments, local businesses, community groups and others who have a vested interest in the safety and prosperity of their region.

The formation of CDEM Groups, their planning and activity, is all about developing effective relationships between partners.

² Ministry for the Environment: *The State of New Zealand's Environment*, Govt Press NZ, 1997 (Ch7.16)

Part 1: CDEM Group Functions and Structure

1.1 CDEM Group Structure

The CDEM Act 2002 specifies a standard model for CDEM Group governance, but allows flexibility for determining administrative and operating arrangements. This approach recognises that local government is best able to develop appropriate mechanisms to deliver services to communities.

Arrangements are therefore expected to vary between Groups across the nation, within the proviso that the key expectations in this document lead to areas of national consistency.

The Act **requires** arrangements for CDEM governance and management that include:

- the involvement of all constituent local authorities within a regional (or unitary) council boundary, with the regional council as the administering authority
- a CDEM Group, comprising the chair or mayor from each local authority, formed as a joint standing committee
- a Coordinating Executive Group (CEG) comprising chief executive officers of each council, a senior member of the New Zealand Police and the New Zealand Fire Service and the chief executive officer of District Health Board/s (or people acting on their behalf); and any other people who may be required from time to time
- appointment of a Group Controller, and where required Local Controller(s), as competent emergency managers to direct and coordinate CDEM Group resources during declared emergencies.

The Act also provides for the Minister of Civil Defence to appoint a Recovery Coordinator to assist CDEM Groups where they are likely to be unable to carry out recovery activities effectively.

CDEM Groups are required to establish and maintain an organisational structure, operational capacity and appropriately trained personnel to ensure they can meet their CDEM functions.

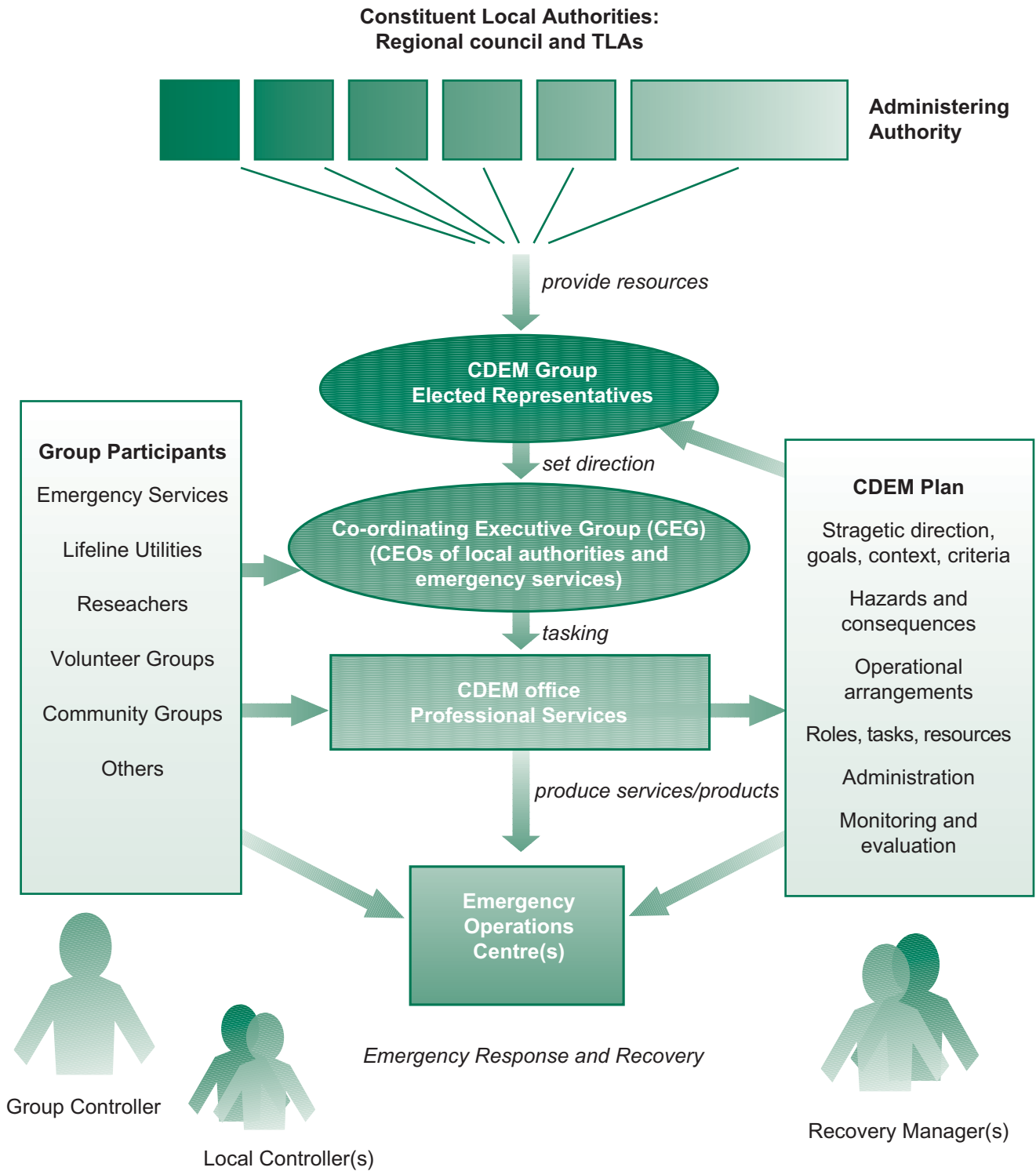
Under the legislation the mechanisms underpinning the delivery of CDEM to New Zealand communities do not change, but will build on existing arrangements.

The Ministry **suggests** a CDEM Group structure that includes:

- a CDEM office to provide professional hazard management and planning
- EOCs as response operations headquarters
- Recovery Manager(s) for CDEM Group recovery functions.

The possible structure of CDEM Groups is illustrated overleaf:

CDEM Group Structure



1.2 The Role Of Elected Representatives

For convenience of terminology, a CDEM Group may be viewed as a consortium of local authorities based on existing regional council boundaries, working in partnership with emergency services and others to deliver CDEM at a local level. However, in terms of both statute and accountability, the elected representatives from each authority who are members of the joint standing committee termed CDEM Group, hold the powers, perform the functions and exercise the obligations of the Group.

Membership [s13(4),15,17(1)] ← CDEM Act 2002 reference

The CDEM Act 2002 prescribes that:

- each local authority will be represented by the chair (mayor, chair or delegated elected representative) on the Group, which is constituted as a joint standing committee under s114S of the Local Government Act 1974
- one of the CDEM Group members will be appointed as chair for a period agreed by the Group
- each member is responsible individually and collectively for the CDEM Group's exercise of its powers and conduct of its functions.

Obligations [s16]

The elected representatives have obligations towards the functioning of the CDEM Group in that they:

- may:**
 - acquire, hold or dispose of property for the CDEM Group
 - remunerate their representative for participation costs.
- must:**
 - provide information or reporting that may be required by the CDEM Group
 - pay the costs of administrative and related services
 - pay a share of CDEM Group activity costs that the member has elected to pay.

Functions [s3(d), 17]

The elected representatives must carry out CDEM functions, which they achieve through establishing a CDEM Group organisation. The extent to which each function is carried out will depend on community acceptance of CDEM Group proposals. The CDEM functions, for which the elected representatives are individually and collectively responsible, include the following:

- **CDEM coordination:** Coordinating across local authorities the planning, programmes, and activities related to CDEM across the areas of reduction, readiness, response, and recovery.
- **Risk management:** Carrying out hazard and risk management including identification, assessment, cost-effective reduction, consultation and communication.
- **Planning for CDEM:** Developing, implementing, monitoring and reviewing a CDEM Group Plan.
- **Delivering CDEM:** Maintaining and providing (or arranging for):
 - material, services, information and other resources for effective CDEM
 - suitably trained and competent personnel, including volunteers, to carry out CDEM within an appropriate organisational structure
 - response and recovery activities
 - assistance to other CDEM Groups.

Powers [s18]

In order to carry out these functions, the CDEM Group has general powers such as the ability to recruit and train volunteers, conduct exercises and training, operate warning systems and provide communications, equipment and facilities during an emergency.

Delegation [s18]

Given the heavy workloads of local government, the CDEM Group may seek to use subcommittees of the joint standing committee to carry out certain activities.

The CDEM Group is also empowered to delegate any of its functions to members, the Group Controller, or other persons. This follows the delegation structures under s114Q of the Local Government Act 1974. The intention here is to facilitate CDEM business in the most suitable manner, **not** to facilitate a transfer or abrogation of responsibility. While functions may transfer for practical purposes (eg, through employing staff), responsibility and accountability for their performance remains with the CDEM Group of elected representatives.

Community Boards [s4, 25]

The Act permits CDEM Groups to appoint elected Community Board members as authorised to declare a state of local emergency. This ability has been provided in order to address the needs of isolated communities where the powers afforded by declaration are required for immediate response and the CDEM Group is unable to be contacted.

Communities are constituted by local authorities within a district under s101ZG of the Local Government Act 1974. However, section 101ZX of the Local Government Act makes it clear that a Community Board is not a committee of the territorial authority. Therefore the Community Board cannot act as a CDEM Group (constituted as a joint standing committee of the authorities). Whilst elected members of a Community Board can be appointed the power to declare as an exception, its members cannot have the same general powers and responsibilities, or perform the same functions, as the CDEM Group members.

If a CDEM Group opts to authorise a Community Board member to declare, it would be appropriate to give consideration to imposing limitations and/or conditions on that authority as provided for in c25(3), as a general authorisation given under s25(2) allows the person authorised to declare for the whole CDEM Group area.

Declaration processes [s25, 68]

The Act enables CDEM Groups to define declaration arrangements, following these criteria:

- CDEM Groups must appoint at least one member (from the elected representatives) as authorised to declare for its CDEM Group area.
- More than one person from the CDEM Group may be given the ability to declare, but clarity must be provided as to their ability to act for each other.
- A representative of any member of the CDEM Group may act where no appointed person is likely to be able to exercise their powers.
- Each mayor or chair may retain their ability to declare for their respective authority.

A declaration of emergency may be made for the entire CDEM Group, or for one or more districts or wards that it represents. The CDEM Group is also able to declare a state of emergency over an area not directly affected by an emergency, to support another area where resources are required. The Minister of Civil Defence & Emergency Management may declare an emergency on behalf of a CDEM Group if considered necessary.

Declaration processes and CDEM Groups' responses to individual, cross, or multiple-district declarations will be specified within the CDEM Group Plan. If existing declaration arrangements are considered acceptable and meet the above criteria then there need not be any change.

Formation notification

Legal formation occurs when a joint standing committee has been established and has met as notified through normal local government procedures. Individual local authorities passing resolutions to approve their membership of the CDEM Group ratify this process.

Consultation [s3(b), 17 & 52]

Local government has a wealth of experience in managing consultation processes surrounding the operation of its committees. The Act requires CDEM Groups to promote and raise awareness of CDEM and to communicate and consult with the public over risk management choices and, in particular, over the CDEM Group Plan (refer DGL 2/02)³.

Accountability

Elected members of the CDEM Group are accountable to their respective councils, which in turn are accountable to electorates. Each member is delegated via respective local authority resolution to act on behalf of their local authority. This delegated authority may or may not include commitment to approve expenditure with or without recourse back to each authority.

The CDEM Group is a joint standing committee, not a local authority in its own right. For annual and financial planning, the CDEM Group prepares its plan (including financial arrangements) under the administering authority procedures. Each member then makes reference to the CDEM Group Plan in its own council annual plan, and has its contribution ratified through its normal planning process.

Miscellaneous joint committee issues [s12(2)]

The Act ensures that s114P(5) of the Local Government Act 1974 relating to joint standing committees cannot be read as enabling an individual council to discharge or reconstitute the CDEM Group.

Where arrangements other than a joint standing committee have already been made (eg, a legally binding charter or committee of the lead authority) there will need to be a transition to a joint standing committee structure.

CDEM Groups may wish to consider affording observer status on the political committee to the Regional Fire Commander, Police District Commander(s) and CEO(s) of the District Health Board(s) where these people are represented at the CEG level.

Key Message

- If a CDEM Group decides, with community acceptance, to delegate or transfer any functions, it should be able to demonstrate its continuing accountability for performance in a transparent manner.
- Elected Community Board members may be delegated a limited authority to declare a local state of emergency, but cannot perform other CDEM Group functions.

³ The Ministry of Civil Defence & Emergency Management, *Working Together: Developing a CDEM Group Plan Director's Guidelines for CDEM local authorities and emergency services 2002 (DGL 2/02)*

1.3 Local Authority Roles

Group membership [s12]

All local authorities (regional councils, city councils, district councils, unitary authorities) are required to join and participate in a CDEM Group formed on existing regional council or unitary authority boundaries.

Duties [s64]

As a member of a CDEM Group, each authority contributes to the Group by providing appropriately qualified personnel and other resources. In addition to being a part of the CDEM Group and exercising functions on behalf of the political representatives, each authority must:

- plan and provide for CDEM within its district
- ensure that it is able to function to the fullest possible extent, even though this may be at a reduced level, during and after an emergency.

Both of these duties are viewed within the context of CDEM Group membership and the CDEM Group Plan. For example, aspects of CDEM may be carried out on behalf of other CDEM Group members, and the CDEM Group's total resources may assist an individual authority's ability to be able to continue functioning during an emergency.

Unitary authorities [s12(1)]

A unitary authority may form a CDEM Group based on its boundary, or join with a neighbouring CDEM Group, or join with an adjacent unitary authority (or authorities) to form a CDEM Group.

Regional councils [s12, 23]

After CDEM Groups have been formed and their plans approved, regional councils will no longer have different CDEM responsibilities to territorial authorities (as they did under the Civil Defence Act 1983). Under the Act, regional council CDEM responsibility is the same as that of all other constituent CDEM Group authorities.

Regional councils are also required to provide their respective CDEM Groups with administering authority support (refer Part 2 of this guideline).

Collaborative or shared issues [s14, 16, 21]

Where a territorial authority district is crossed by two or more regional boundaries, the affected authority has two months to decide irrevocably, in consultation with all the regional councils (or unitary authorities) concerned, which of the adjoining regional CDEM Groups to join.

When a territorial authority with jurisdictions in more than one region is deciding which CDEM Group to join, or a unitary authority is deciding to join a neighbouring formative CDEM Group (or join with an adjacent unitary authority or authorities to form a CDEM Group), it is desirable that the criteria underlying the decision should be visible to, and representative of, the communities of interest.

Criteria could include such factors as shared hazards, resource availability and historic links. Where shared significant issues arise (eg, cross-boundary hazards or resources), those issues should be addressed by agreement and associated planning between the affected CDEM Groups.

The Minister of Civil Defence under s21 of the Act may approve the merger of two or more CDEM Groups. Given the strength of existing regional groupings this is unlikely to be sought early in the new environment, but may become relevant for potential future mergers, particularly once the viability of smaller CDEM Groups has been determined.

The purpose (section 3) and intent of the Act includes encouraging collaborative arrangements within or between CDEM Groups for the purposes of CDEM delivery and capability – as under the Civil Defence Act 1983. For example, there is nothing to prevent authorities within a CDEM Group gathering together into ‘clusters’ for the purposes of rationalising CDEM delivery. The Act does not affect mechanisms under the Local Government Act 1974 which enable collaborative arrangements.

Contracting of CDEM [s16(f), 3(d), 17(1), 18]

The Act is permissive and allows contracting of CDEM between authorities or to an outside agency in line with s31 or s34(2) of the previous Civil Defence Act 1983.

Section 18(1) provides a general power to delegate functions and s16(f) allows a member of a CDEM Group to carry out functions conferred on another member. When read in conjunction with s3(d) – requiring local authority cooperation and coordination, s17(1) – allowing CDEM Groups to arrange for provision of appropriate organisational structures for CDEM delivery; and s18 – permitting delegation, the combined effect is to allow the contracting of CDEM.

Note, however, that there remains an underlying requirement that such arrangements are transparent and accepted by the community; and that accountability is retained by the councils comprising the CDEM Group and cannot be abrogated or transferred.

Transitional arrangements [s118,119]

While the CDEM Group is forming, local authorities will retain their existing responsibilities under the Civil Defence Act 1983 (s23 to s42). Powers in relation to declarations under s50 to 52, and s54 to 57 of the Civil Defence Act 1983 will continue to apply until the CDEM Group Plan is operational.

Performance monitoring

Like all local government business, the Audit Office will review CDEM Groups to ensure they are operating and accounting for activities and performance in the manner required, and the Office of the Auditor General can review specific issues.

The Ministry of Civil Defence & Emergency Management may have an evaluative role and develop technical standards or guidelines for CDEM performance where required. However, the Ministry has no intention to develop rigid codes of CDEM Group practice, or conduct audit programmes. It is most appropriate that CDEM Groups decide on their own performance levels or targets and evaluation programmes, within their CDEM Group Plan (refer DGL 2/02⁴ for detail).

Autonomy versus collaboration

As each local authority continues to be individually, as well as collectively responsible for CDEM, the formation and planning processes allow for a wide variety of approaches to meet local needs. Approaches may vary, representing a locally acceptable balance between autonomy and collaboration.

For example, all local authorities could fully exercise their right to develop comprehensive plans across the 4Rs, retain emergency operations centres and local CDEM delivery systems incurring all associated burdens. Alternatively, the CDEM Group could serve to integrate and rationalise individual CDEM structures to facilitate planning and response across the entire CDEM Group.

While individual local authorities may have differing views on CDEM, a key outcome of the CDEM Bill 2000 will be cohesive and functional CDEM Groups with members aligned internally in terms of structure, planning and delivery, and externally between CDEM Groups across New Zealand.

The table overleaf describes a suggested balanced model for CDEM Group structure, planning and delivery.

⁴ The Ministry of Civil Defence & Emergency Management, *Working Together: Developing a CDEM Group Plan Director's Guidelines for CDEM local authorities and emergency services 2002*, (DGL 2/02)

Balanced approach to CDEM Group planning and delivery

<p>Planning Refer to the CDEM planning document (DGL 2/02)</p>	<p>A central Group CDEM office develops the CDEM Group Plan, which includes requirements for all member authorities. The Group Plan encompasses the full planning spectrum of the 4Rs for all Group members.</p> <p>Individual member specific planning reflects the Group approach and builds to a cohesive whole.</p>
<p>Declaration</p>	<p>The CDEM Group defines declaration process within its Group Plan. All mayors or chairs retain the right to declare, and alternates (back-ups) are identified. The Group Plan identifies declaration processes for cross- or multi-authority events and defines Group response arrangements.</p>
<p>Control</p>	<p>The CDEM Group identifies and appoints skilled Group Controller and where required Local Controller(s). The Group Plan defines control arrangements between Group and Local Controllers, and for cross, or multi-authority response. Alternate Controller(s) are identified and on standby if required.</p>
<p>Response</p>	<p>Economies of scale and hazardscape dictate the number and location of local EOCs to work with the central, designated Group/lead EOC. Each local EOC may represent a cluster of authorities, which are activated as required. The lead EOC has alternative or back-up centre arrangements identified.</p>
<p>Recovery</p>	<p>Experienced and trained Recovery Manager(s) plus alternate(s) are made available for the entire Group for any member to utilise.</p>

Key Message

If a unitary authority forms a CDEM Group on its own, it should be able to demonstrate that it has sufficient resources to perform all of a CDEM Group's functions, either independently or through arrangements with adjoining CDEM Groups.

1.4 Coordinating Executive Group

Membership [s20]

A CDEM Group will form a Coordinating Executive Group (CEG), consisting of:

- the chief executive officer of each member local authority (or a person acting on their behalf)
- a senior member of each of the New Zealand Police and the New Zealand Fire Service assigned by the Commissioner of Police and National Fire Service Commander respectively
- the chief executive officer of the hospital and health services in the area (or a person acting on their behalf)
- any others who may be co opted by the Group from time to time (eg, a rural fire authority representative).

Functions [s20(2)]

Each CEG is responsible to the CDEM Group for:

- providing advice to the CDEM Group and any subgroups or subcommittees of the Group
- implementing, as appropriate, the decisions of the CDEM Group
- overseeing the implementation, development, maintenance, monitoring, and evaluation of the CDEM Group Plan.

Issues

The CEG has clearly identified membership and is therefore not a subcommittee of the CDEM Group, but a unique forum with specifically designated functions.

Senior representation on the CEG (at chief executive, immediate deputy or regional representative level) is required to ensure agency commitment of resources and to ensure that emergency management is accepted as core business.

While personnel movements and absences will mean different individuals attend the CEG from time to time, organisations should ensure consistency of commitment by allocating the representation to a specific, non-varying senior appointment.

The CEG may choose to co opt other persons from time to time. Representatives from rural fire authorities, lifeline utilities, private health providers, disability groups, volunteer groups, Maori and Pacific peoples' communities or other ethnic and cultural groups may provide specialist advice or assist in integrating the activities of many contributors to CDEM outcomes. Such diverse representation may be managed through coopted status on the CEG (eg, rural fire) or through temporary working groups or subcommittees.

Each CDEM Group should invite the Ministry of Civil Defence & Emergency Management to be an observer on the CEG. Affording observer status to a Ministry representative gives the CEG the opportunity to:

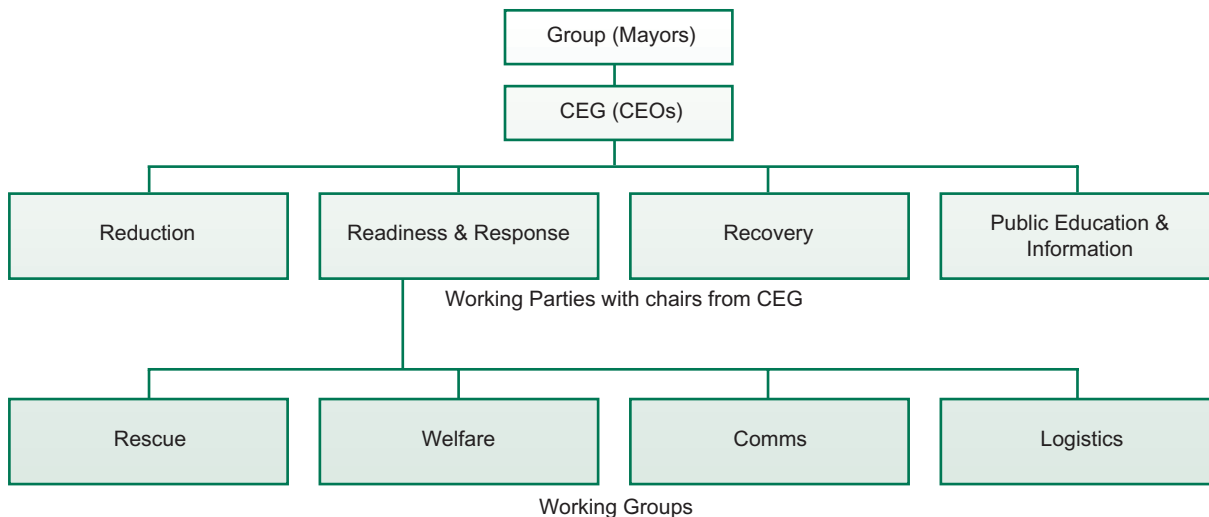
- gain constructive advice on interpreting the direction of latest government policy
- benefit from sourcing examples of sector best-practice
- ensure that its plans and practices are consistent with those of other CDEM Groups throughout New Zealand.

CEG support, direction, size, structure and support

The CEG should be supported in administrative and secretarial support by the administering authority. Technical support comes from a CDEM office and resources provided by member authorities.

CEG business is set by agreement between members. Rotating the chair may be appropriate, or alternatively the chair may come from the administering authority (regional council) providing the secretariat. Decisions should be reached by consensus through a collaborative approach; there is no requirement to establish voting or other systems.

To promote efficiency, membership of the CEG should be restricted to the core agencies. In order to keep the size of the group manageable, working parties should be used to address specific issues, or to help develop a particular plan (eg, reduction, readiness, response and recovery plans). As an example, a structure that allows for planning and operational review may resemble: (see overleaf)



Government departments and lifeline utilities

Where government agencies other than the emergency services are likely to play a large part in CDEM Group activities, representation through inclusion either at working party, observer or full CEG status should be ensured. For example, the Department of Conservation (DoC) may be invited as a CEG member if a CDEM Group area encompasses large tracts of DoC land, or the Ministry of Agriculture and Forestry where the importance of agriculture is paramount to the local economy.

Lifeline utilities (defined in the Act by entity name or class) will ensure they are able to function to the fullest possible extent during and after an emergency and have plans for such continuity as part of normal business practice. While lifeline utilities are not formal members of the CEG, each CDEM Group will determine the level of utility participation in CDEM Group processes (refer DGL 3/02⁵).

Under s60 of the Bill, lifeline utilities will participate in developing the National CDEM Strategy and National CDEM Plan and will provide technical advice to CDEM Groups or the Director of the Ministry of Civil Defence & Emergency Management as required. Lifeline utilities must also take all necessary steps to undertake CDEM functions where required by a CDEM Group Plan.

Key Messages

- Local authorities and emergency services should maintain senior representation on the CEG at chief executive level (with authority to commit resources).
- CDEM Groups should invite the Ministry of Civil Defence & Emergency Management to be an observer on the CEG to assist CDEM Group formation and planning.

1.5 Emergency Services Participation

Roles [s3, 20(1), 59, 63]

The purpose of the Act includes encouraging coordination of the planning and activity of the many agencies involved in CDEM across New Zealand. Emergency services are defined as the Police, New Zealand Fire Service, National Rural Fire Authority, rural fire authorities and hospital and health services. Police, Fire Service and District Health Board representatives will be active members of each CDEM

⁵ The Ministry of Civil Defence & Emergency Management, *Working Together: Lifeline Utilities and Emergency Management*, Director's Guidelines for Lifeline Utilities, 2002 (DGL 3/02)

Group CEG and must take all necessary steps to undertake CDEM functions where required by a CDEM Group Plan. The emergency services will also play an integral role in developing the National CDEM Strategy and Plan.

Emergency services, government agencies, lifeline utilities, and any other participants are expected to meet their own costs associated with involvement in CDEM Group activities as part of their existing core commitment to emergency management.

Police

During pilot programmes and early CDEM Group formation, the Police have indicated their strong commitment to being active members of CDEM Groups. The Police need their senior representation at CEG level to be sought early during the formation process. During formation, police and CDEM Groups need to consider such structural issues as:

- police provision of a single representative where a CDEM Group area boundary crosses or encompasses several police districts⁶
- integration of issues associated with police representation, such as sponsorship of any existing emergency services coordinating committee (ESCC) process and its linkages to operational issues and emergency operations centres.

It is likely that police representation at a senior level on the CEG group will be supported by working level representation on key committees. Police receive mandates and funding to be included within the CDEM Group process from:

- the CDEM Act 2002 s20(1) CEG formal membership, s58 Requirement for business continuance, s59 Compliance with CDEM plans)
- their core business, which includes Output Class 4: Police Primary Response Management, with a subclass 4.3 Emergency Response.

Fire – urban

The New Zealand Fire Service views their participation in the CDEM Group process as essential, and have been fully supportive of trial CDEM Group formations to date. Each CDEM Group will need to consider:

- that the Fire Service provides only one representative where a CDEM Group final boundary encompasses or crosses several Fire Service regions⁷
- integration of issues associated with Fire Service representation, such as where the Fire Service has established Hazardous Substances and Technical Liaison Committees (HSTLCs).

The Fire Service is mandated and funded to be included within the CDEM Group process from:

- the CDEM Act 2002 (s20(1) CEG formal membership, s58 Requirement for business continuance, s59 Compliance with CDEM plans)
- NZFS output classes for Operational Readiness, which provide for emergency planning, plus the largest of their five output classes, Response – a class that includes not only the expected response to urban and rural fires, but also a component associated with declared civil defence emergencies.

Fire – rural

The National Rural Fire Authority encourages rural fire authority participation in the CDEM Group process. Each Group should consider how its local needs can best be met through integrating rural fire provision, given the 97 rural fire authorities across New Zealand comprising such diverse organisations as DoC, the New Zealand Defence Force, territorial authorities, and rural fire districts (formed primarily by forest owners). The principal rural fire officers of these organisations each participate in one of New Zealand's 13 regional rural fire committees. The elected chair (or deputy chair) could participate at CEG level in the CDEM Groups within their boundaries.

⁶ The New Zealand Police are organised nationally into 12 districts administered from the Office of the Commissioner in Wellington.

⁷ The Fire Service is organised nationally into eight regions encompassing 348 urban fire districts administered from a corporate office and supported by the National Service Centre in Wellington.

Rural fire authorities are administratively funded by their parent organisation (eg, through local authority ratings), receive grant assistance for capital expenditure from the New Zealand Rural Fire Service, and are reimbursed for operations from the Rural Fire Fighting Fund. In many types of council rural fire response is integrated with local government emergency management and needs to be a core component of the CDEM Group framework.

Health

The legislative definition of *Emergency Services* deliberately includes District Health Boards (DHBs), extending the traditional definition, which was limited to the provision of ambulance services. This approach is in line with the promotion of integrated emergency management across all sectors. The health sector is defined in the *Public Health Services Handbook 2000/2001* and Part 6 of the *National Civil Defence Plan* as:

All organisations and individuals either engaged in, or which otherwise support, the provision of publicly funded health services, including but not limited to: the Ministry of Health, District Health Boards, public hospitals, public health services and any other health provider.

Health structures include DHBs as primary funders and providers of health services (refer New Zealand Public Health and Disability Act 2000). Through the regional DHB, or agreement between the DHBs as to which takes the lead if several exist within the region, each CDEM Group should ideally aim to achieve single health sector representation on the CEG. Given the possible extent of consultation, it may be prudent to establish a health subcommittee to cater for formation and planning issues. Five types of health service providers may require representation in CDEM Group processes:

- 1 **Hospitals.** May be further divided into unit types such as accident and emergency, mental health and surgical.
- 2 **Public health service providers.** Providers of communicable disease, environmental health, food safety, and biosecurity (health) services. In many cases these services are not part of the local or regional public hospital (be it a health and hospital service or a DHB). Note also that territorial authority environmental health units are not part of the health sector, but do provide public health functions.
- 3 **Ambulance services.** May be regional (eg, St John or Wellington Free) or provided by a hospital and health service or District Health Board.
- 4 **Private providers.** Private hospitals and general practitioners. May be represented regionally by the New Zealand Medical Association (urban) and College of General Practitioners (rural).
- 5 **Voluntary agencies and non-governmental organisations.** Other health service providers such as New Zealand Red Cross.

The health sector receives mandates to be included within the CDEM Group process from:

- Part 6 of the *National Civil Defence Plan* and *Guidelines for Health Protection and Planning for Civil Defence Emergencies* – November 1991
- the CDEM Act 2002 (s20(1) CEG formal membership, s58 Requirement for business continuance, s59 Compliance with CDEM plans)
- core business: *Public Health Services Handbook 2000/2001* Part 1.10: Service Objectives of Public Health, Emergency Response, and Maintaining CDEM Planning and Response Capability – participation in contingency planning.

1.6 CDEM Personnel

Direction [s17(1)b]

The CDEM Group is required to take all steps necessary to maintain and provide, or to arrange the provision of, suitably trained and competent personnel (including volunteers), and an appropriate organisational structure for those personnel for effective CDEM in its area.

Issues and solutions

Local government has a wealth of experience in providing operational capacity and managing CDEM with local communities and volunteers. This document therefore only covers personnel issues for:

- 1 the provision of technical expertise
- 2 Recovery Managers and Controllers.

1 *Technical expertise – the CDEM office*

One area of potential concern as CDEM Groups form is how to coordinate technical expertise. The Ministry suggests that a CDEM office is an appropriate mechanism for bringing together a body of CDEM personnel skilled in the range of issues that will be dealt with by the CDEM Group. It is unlikely that any one person or authority will hold the range of skills required – the need to coordinate technical expertise being part of the rationale for groupings of local authorities integral to the CDEM Group concept.

The office function need not require funding and employment of new staff or new facilities. Many CDEM Groups will find that across the local authorities and agencies involved they already possess suitably qualified staff, and the office may simply be a mechanism for drawing these professionals together. The functions of the CDEM office would include:

- developing the CDEM Group Plan
- providing technical expertise and support to other parts of the CDEM Group
- coordinating performance of the technical business of the CDEM Group (eg, projects)
- developing agreements or consultation mechanisms for key agencies such as other CDEM Groups, government departments and agencies, emergency services, lifeline utilities, key infrastructure agencies, volunteer groups, and other interest groups.

CDEM office provision

The CDEM office could be provided with the support it needs by:

- territorial authorities contracting the administering authority (regional council) under agreement
- all member authorities contracting one suitable local authority
- the CDEM Group contracting from the private sector
- the CDEM Group allocating office tasks to each member on a capability basis and that member's capability (specialist staff and resources) being assigned to the CDEM office.

While some services may be suitable for contracting outside of the CDEM Group structure, a virtual office or as required externally contracted office is unlikely to satisfy organisational requirements.

It is recommended that only one CDEM office be established per CDEM Group, with resources drawn from all partners. Multiple offices within a CDEM Group's jurisdiction are viewed as impractical, given issues of defining relationships, lead office coordination of activities and the requirement for a single CDEM Group Plan and Group-wide projects.

CDEM Groups will need to determine the most appropriate mix and location of planning and operational staff, whether this mix of skills is desirable in single individuals, and whether a mixture of staff and work types (operational and planning) can be co-located in the same office.

CDEM office/administering authority linkages

The CDEM office performs CDEM technical services such as plan development and project work for all members.

The CDEM Group must determine whether the CDEM office should also perform the statutory mandated tasks of the regional council’s administering authority (eg, financial management and annual planning for the CDEM Group).

Given that the administering authority provides administrative support such as managing staff and finance, it may prove acceptable to all CDEM Group members to have the regional council locate as well as administer the CDEM office – provided that clear lines of accountability to the CDEM Group members (not administering authority) are maintained.

CDEM office personnel

The CDEM office will need to access a diverse range of competencies and skill-sets. One of the strengths of the office will be its ability to access skills from across organisations, strengthening the overall emergency management expertise of the organisations involved. CDEM office staff core competencies can be summarised as follows:

<p>Knowledge</p>	<ul style="list-style-type: none"> • Risk management • CDEM and public policy • CDEM directions and structures required to be implemented under the CDEM Group concept • Understanding of 4Rs and tools for achieving associated outcomes • Project, contract, and financial management • Auditing and performance monitoring
<p>Skills and behaviours</p>	<ul style="list-style-type: none"> • Ability to develop high-level relationships and partnerships with key stakeholders • Facilitation, coordination, and negotiation skills • Communication and leadership skills • Ability to think strategically

2 Recovery Managers

Carrying out recovery following an emergency is a key statutory function of the CDEM Group as is making available suitably trained and competent personnel. The Ministry suggests that selecting, appointing, and training Recovery Manager(s) before any emergency continues to be an effective means of ensuring that recovery will be well managed.

CDEM Groups are therefore encouraged to appoint Group-level Recovery Manager(s). It is anticipated that each Group will review existing district level Recovery Managers and determine appropriate numbers, functions, training, and other issues within the new Group structure.

The Recovery Manager’s main function is to facilitate recovery activities to ensure sustainable social, economic, and physical recovery consistent with the CDEM Group Plan.

Refer to the Ministry's recovery guidelines⁸ for assistance in defining the recovery management role and personnel specifications.

Recovery Coordinators

The proposed legislation allows for the Minister to appoint a Recovery Coordinator where CDEM Group recovery resources are unable to cope in overwhelming or unforeseen circumstances or in the event of a declared national emergency.

A Ministerial appointment will only occur where the Minister is convinced that a CDEM Group is, or is likely to be, unable to effectively carry out its recovery activities eg, the scale of a disaster has overwhelmed the CDEM Group's capacity, or the CDEM Group's recovery capability has failed for some other reason.

Under such circumstances the CDEM Group continues to be responsible for its recovery function, irrespective of any Ministerial appointment. The Group's local Recovery Manager would be expected to work with the Minister's appointee and recommend to that person any strategies, policies, or procedures to facilitate Group recovery, particularly with respect to the assistance of central government agencies.

Refer to the Ministry's website (www.civildefence.govt.nz) for an information document on CDEM recovery in general⁹.

Key Messages

- The development of a CDEM office is a suitable mechanism to deliver coordinated technical expertise in order to carry out functions such as hazard management and developing a CDEM Group Plan.
- CDEM Groups are required to carry out recovery activity and make available suitably trained and competent personnel – appointing and training of Recovery Managers is suggested.

1.7 Operational Capacity and Organisational Structure

Direction [s17(c)]

Each CDEM Group is required to take all steps necessary to maintain and provide, or to arrange the provision of, material, services, information, and any other resources for effective CDEM in its area.

Issues

When designing any system or organisation, the primary aim is to ensure that form meets function. The Act provides CDEM Groups with the flexibility to decide on appropriate organisational structures, provided that the organisation can fulfil Group functions.

Local government has a wealth of experience in developing effective civil defence organisations to meet local requirements. There are, however, four considerations that should be taken into account as each CDEM Group develops its organisation.

- 1 Perform a strategic risk analysis and establish operational principles as part of CDEM Group Plan development before finalising the organisation.
- 2 Consider wider implications, alternatives, costs and benefits.
- 3 Take account of the New Zealand Coordinated Incident Management System (CIMS).
- 4 Retain proven CDEM delivery mechanisms such as EOCs.

⁸ The Ministry of Civil Defence & Emergency Management, *Preparing a Recovery Plan: Information for local authorities, 2002 (IS 4/02)*

⁹ Ibid

1 *Strategic risk analysis* [s3 & 49(2)]

The Act requires establishment of CDEM Groups based upon the principle of:

Local authority coordination of planning, programmes, and activities related to CDEM across the areas of reduction, readiness, response, and recovery.

How this coordination is to be achieved is set out in the CDEM Group Plan **operational principles** that are developed following a risk analysis of the Group's hazard management and existing CDEM arrangements. These operational principles set the shape of the organisation.

For example, risk management for a rural, sparsely populated, forested conservancy will result in different operational needs than for an urban, densely populated area. This is particularly true where the analysis also identifies weaknesses in coordination between agencies as one of the key issues to be addressed by the Group.

Local authorities therefore should not seek to simply retain existing organisational arrangements within the new CDEM Group without their having been subject to review during CDEM Group Plan development. Retention of existing arrangements requires clear reasoning and public acceptance after communication of the operational principles.

While there is a recognised need to forecast budgets, care must be taken to ensure that a strategic risk analysis determines eventual organisational arrangements.

2 *Consider implications, alternatives, costs and benefits* [s38,65]

While developing the Group Plan operational principles, the Group must consider implications, alternatives, costs and benefits of possible organisational arrangements.

The Act seeks that CDEM planners have regard to the benefits for people and communities from the management of hazards and risks. It is also the duty of CDEM Groups to consider alternatives and assess benefits and costs before adopting any CDEM Group Plan provisions that impose requirements on persons other than the Group.

Reviewing benefits and costs of different options when managing expenses is already required by the Local Government Act 1974 Part VIIA. The CDEM Act 2002 is consistent with this principle in the context of developing organisational structures.

3 *Take account of CIMS*

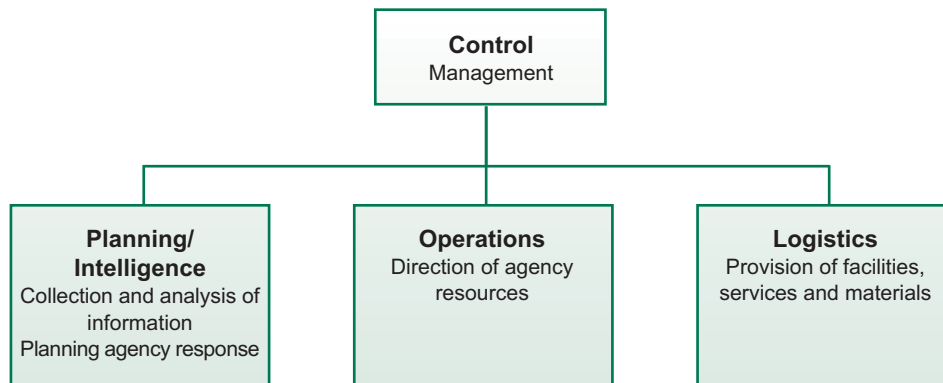
The New Zealand Coordinated Incident Management System (CIMS) provides the model for command, control, and coordination of multi-agency emergency response, and aims to build a more proactive incident management response system through better coordination of resources. It has been agreed to and adopted by a range of CDEM agencies (eg, Police, NZFS, NZRFA, NZDF, NZ Ambulance Board, DoC, LGNZ).

The CIMS vision of **safer communities through integrated emergency management** is integral to the CDEM Act 2002 and the roles of CDEM Groups.

Aspects of CDEM Group organisation can be evaluated against the seven CIMS principles:

- 1 Common terminology
- 2 A modular organisation
- 3 Integrated communications
- 4 Consolidated incident action plans
- 5 Manageable span of control
- 6 Designated incident facilities
- 7 Comprehensive resource management

CIMS promotes adopting a formalised management structure that lends consistency, fosters efficiency and provides direction towards a common goal. The CIMS organisation is hierarchical and built around four major components:



The seven CIMS principles and use of a formal management structure ensures clarity of responsibility and role, leading to effective CDEM delivery. CDEM Groups are expected to take account of CIMS principles when developing their organisational structure.

For example, 'take account of' may include ensuring that effective linkages exist between emergency services CIMS activity and local government response during an emergency – both in terms of planning and organisational structures.

4 *Emergency Operations Centres*

The Ministry suggests that EOCs, supported by skilled personnel, are an appropriate way of providing coordinated operational response and recovery within and between CDEM Groups during emergencies.

CDEM Groups would decide on the necessary number, functioning, and location of these centres, based on the Group Plan operational principles and assessment of objective factors such as geography, population location, hazardscape, logistics and infrastructure or access, and command and control.

Such a review may point to a need for more EOCs, differing locations and composition, or a need to reduce duplication and conserve resources resulting in rationalising the number of EOCs. One approach may be to form clusters of authorities utilising shared EOCs.

Functional issues such as how each EOC links in Group-wide responses, lead agency functions, and how the division of responsibility alters as emergencies grow in scale or spread in location require definition within the Group Plan.

The Group Plan should also identify how the Group Controller working through the lead/Group EOC will relate to the Local Controller(s) within any local EOCs.

The functions of EOCs may include:

- collating and disseminating hazard monitoring data
- providing operational support during emergencies
- becoming a base for response and volunteer training
- other activities such as coordination of CDEM exercises.

Lead emergency management centres would also have additional responsibilities such as managing regional warnings, bulletins, resources, and monitoring Group response activity.

Key Messages

- CDEM Group organisational structures should reflect CDEM Group Plan operational principles.
- Wider implications, alternatives, costs and benefits of options should be considered when organisations are being developed.
- CDEM Group arrangements should take account of New Zealand Coordinated Incident Management System principles.
- CDEM Groups should utilise EOCs, supported by skilled personnel, as an appropriate way of providing coordinated operational response and recovery during emergencies.

1.8 Control Of Declared Emergencies

Direction [s26, 27, 28]

A CDEM Group must appoint a Group Controller (by name or office) for its area and make provision for alternates during the Group Controller's absence.

A CDEM Group may appoint Local Controller(s) and specify their delegated functions and duties. Local Controllers exercise the same powers as the Group Controller over the same Group area, but must follow any directions of the Group Controller.

The Group and Local Controllers' functions include managing the response to a declared emergency by directing and coordinating the use of personnel, material, and services made available by government departments, CDEM Groups and other organisations

Issues

The CDEM Group will define control arrangements within its Group Plan, accounting for how cross, or multi-authority events are managed within the Group's response planning. Provision of the CDEM Group's Local Controllers is the responsibility of all members. Administration of Controllers (appointment and employment conditions) should be agreed between members.

In larger CDEM Groups it may be possible to appoint a full-time senior emergency manager as a designated Controller. In smaller CDEM Groups where personnel resources are more limited, emergency services personnel could fill the roles of Group or Local Controller(s), provided that their absence during training and declared emergencies is acceptable to the parent service.

Controllers should be experienced in CDEM, have a wealth of local knowledge and possess sound management skills. A Controller's job description will accurately reflect the requirements, objectives, and expectations before, during, and after an emergency. Controllers should be provided with training where required and alternate Controller(s) provided with on-the-job experience by the Group. The Controller's job description may include the following specifications:

Purpose: Work with all stakeholder groups to ensure a high state of preparedness for any emergency situation. Where directed, control emergency response to make best use of available resources to protect life and property and bring about a rapid recovery to normalcy.

Competencies:

- Relationship-building skills, particularly at senior levels
- Effective communications (written and oral)
- Project management skills
- Negotiation and facilitation skills
- Team leadership ability
- Conflict resolution skills
- Decision-making and ability to perform under pressure.

The Ministry will develop person specifications with the CDEM sector as part of its professional development strategy, which will be published by 2003 and available on its website.

Key Messages

CDEM Groups are required to maintain and provide suitably trained and skilled personnel to facilitate response activities – sound selection and training of Controllers is suggested.

Part 2: CDEM Group Management Issues

2.1 Administering Authority

Direction [s23, 24]

Regional councils are the administering authorities for CDEM Groups.

If a CDEM Group consists of two or more unitary authorities, they will reach an agreement as to which performs the administering authority service.

An administering authority must provide the administrative and related services that the CDEM Group may require, with the agreed costs of these services being shared equally among members, unless agreed otherwise.

Issues

An administering authority and, as appropriate, the chief executive of that authority, will be responsible for providing administrative and related services that the CDEM Group needs. Such services include those required for the purposes of the Local Government Act 1974 and the CDEM Act 2002, or any other Act, regulation, or bylaw that applies to the conduct of a joint standing committee under s114S of the Local Government Act.

Text from an early version of the Local Government Act provides a useful guide to defining and clarifying the responsibilities of administering authorities:

... The administering authority for a region ... shall provide for the council such administrative, secretarial, accounting, technical and other services, including, but without limiting the generality of the foregoing provisions, such staff, land, buildings, plant, and equipment as, in the opinion of the council, are necessary for the efficient carrying out of the functions of the council..... the reasonable cost of any services or thing provided by the administering authority shall be paid by the council on such terms as may be agreed upon between the administering authority and the council.

The administering authority should therefore provide the CDEM Group with administrative, servicing and secretarial services to support its functions. It should share costs on an equal basis among members, or on an alternative basis as agreed by all members. Administering authority functions may include:

- managing CDEM Group finances
- employing and administering CDEM Group staff on behalf of the CDEM Group members (eg, CDEM office staff employed by the regional council principal administrative officer on behalf of the member authorities – this is analogous to a manager in a law firm being responsible for employing staff on behalf of the partners)
- facilitating the monitoring or audit functions for the CDEM Group
- providing routine administrative support (eg, convening meetings)
- providing secretarial support to CDEM Group functions (eg, project administration)
- convening the forums such as the CDEM Group, working parties and the CEG
- entering arrangements or contracts on behalf of CDEM Group members as agreed (eg, authorising a contract to employ a consultancy service for a hazard study by the CDEM office).

The regional council’s role as administering authority is to provide administration, not governance. It does not translate to a lead role in the CDEM Group, or confer any extra status on the regional council above other member authorities. The CDEM Group is formed on the basis of equal partnership and requires active participation by all constituent members.

The CDEM Act 2002 enables CDEM Groups to determine relative weightings of funding and resource contributions amongst members. CDEM Groups need to agree on an appropriate division of administrative versus functional responsibilities between members and the regional council to find a balance between practicality and the concept of equal partnership. A possible approach to assist in division of responsibilities is outlined below.

Division of Responsibilities: Administering Authority vs CDEM Group Members

	Administering Authority (Regional council only)	CDEM Group Members (Regional council and territorial authorities)
	Fund CDEM Group administration as agreed between members	Fund or resource the function of the CDEM Group under agreed CDEM Group funding formula
Governance (CDEM Group & CEG)	Accommodation, secretariat for meetings, and documentation	Contribute members to carry out Group and CEG functions Public awareness, training, operational response and recovery structures within each authority’s boundaries as outlined by the CDEM Group Plan
Planning (CDEM Office)	Accommodation, secretariat, plus infrastructure and overheads for planning and project support	Staff or resources to agreed in-kind value to perform planning and projects CDEM office functions such as studies, projects and consultancy Provide staff training
Response & Recovery (EOCs, Controllers, Recovery Managers)	Nil – response and recovery are functional issues not administrative	Staff or resources to agreed in-kind value to perform operational response functions Accommodation, support, infrastructure and all resources in support of function Studies or projects into function and structure Provide staff training

Key Message

Division of responsibilities between the administering authority and CDEM Group member authorities should be clearly defined (for example within a constitution).

2.2 Funding Arrangements

Direction [s16]

The CDEM Act 2002 enables CDEM Groups to determine their own funding arrangements.

Each member of a CDEM Group must pay towards administering authority costs on an equal share basis or as otherwise agreed.

Each member of a CDEM Group must pay the costs or share of the costs of Group CDEM activity that the member has agreed to pay.

Funding assurance

The Act's enabling approach allows members to decide on whether they agree to share costs and how costs are apportioned. The CDEM Group is a joint committee of equals that must reach a consensus over risk management issues on behalf of its communities. Should a member decide not to contribute at all, the decision is clearly a public one – made on behalf of communities who expect the best levels of CDEM protection available for their rates. Public, and perhaps political concern is likely to be generated where a representative chooses not to be a part of a group seeking to act in the most efficient manner in the area's best interests.

Group members should consider making funding decisions as binding on member authorities as is possible. Each CDEM Group member can be delegated, via respective local authority resolution, the ability to act on behalf of their local authority. This delegated authority may or may not include commitment to approve expenditure with or without recourse back to each authority. Should a CDEM Group wish to plan further against potential default, members may agree to explore avenues to make CDEM Group funding arrangements more enforceable.

Funding principles

The administering authority will perform the CDEM Group's financial management (eg, collecting contributions as agreed in the funding formula, banking, accounts payable).

Local authority CDEM expenditure can be viewed as addressing three requirements: local responsibility; core CDEM Group contributions; and the degree of integrated activity funding within the Group.

- Each local authority's existing funding arrangements (including the regional council) provide for CDEM in their respective jurisdiction as detailed in the Group Plan – through local rating.
- Core CDEM Group activities such as staffing the CDEM office and producing a Group Plan will be funded by each authority's contribution to the CDEM Group (including the regional council's contribution) under an agreed contribution formula or through an agreed regional special or general rating.
- Where the CDEM Group as a whole undertakes planning and delivery on behalf of member authorities, each authority's individual funding may be integrated to a greater or lesser degree with core CDEM Group funding.

Under a fully integrated scenario, each member's responsibility to plan and provide for CDEM may be fulfilled by the Group for the whole area, rather than for each district – allowing all members to benefit from rationalised structures and planning. This approach requires an agreed funding formula or adoption of an agreed regional rate.

Keeping it simple

It may prove less controversial and less time consuming in terms of administration and accounting to have:

- each territorial authority responsible for its own funding through local rating for CDEM in its district as per the CDEM Group Plan
- the CDEM Group budget prepared by the administering authority, agreed by the Group, and funded via a regional general or special rate. The budget could include funding for: administering authority contribution; CEG activity; CDEM office; the Group Plan; Group response/EOC activity; and Group-wide activity/projects across the 4Rs.

While existing rating formulae may prove the simplest to adopt and should be considered, CDEM Groups must apply the efficiency-based principles contained in part VIIA of the Local Government Act 1974 to decisions about how they will fund themselves. CDEM Groups have the same degree of discretion in applying these principles as do individual local authorities. The three funding principles are discussed below.

Principle One Funding is equitable and fair

The formula should not result in any one member, or grouping of members, bearing a disproportionate share of the costs unless the CDEM Group specifically agrees that such a subsidising approach is acceptable. Incentives for individual local authorities to reduce risks and potential costs must be considered.

An important review process during the formula setting could be to ensure that all local authorities are reporting funding issues on the same basis so that past costs and expenses can be compared.

Principle Two Funding matches patterns of cost and benefit

The Local Government Act 1974 promotes the principle that expenditure should be allocated in a manner consistent with economic efficiency and appropriate to the nature and distribution of the benefits generated, and that costs of any expenditure should be recovered in a manner that matches the extent to which the direct benefits of that expenditure is accrued.

Consider the following factors when setting an appropriate CDEM Group funding formula:

- Populations and/or net equalised rateable capital values
- Risk factors for each local authority
- Factors that influence potential costs (eg, response costs).

All CDEM Group members will often generate costs in similar ways. Cost sharing according to some generalised measure of who benefits (such as in proportion to population or capital value) may be appropriate.

In other cases a greater share of CDEM Group costs might be attributable to individual districts where the disproportionate costs arise. In such cases it might be more equitable to recover a larger share of costs from the particular areas involved.

In deciding how to allocate costs, CDEM Groups are expected to take a long-term view of how costs are generated. Non-uniform cost allocation may be appropriate only when a particular area generates a demonstrably greater share of costs over the long term.

Principle Three Expenditure is funded by appropriate mechanisms

Explicit in the Local Government Act 1974 is the principle that expenditure needs are funded by such (lawful) funding mechanisms as are considered reasonably appropriate. Terms for funding formulae should be broad enough to allow consideration of contributions in-kind and other funding arrangements. For example, the CDEM Group should include within the funding arrangements an agreed internal allocation of any central government funding or contributions from private sources.

Funding planning process

The decisions about funding made by the CDEM Group are made on behalf of the members and will be included in each member's own annual planning and financial strategy processes. This may be as simple as accepting a regional rating. Alternatively, where detailed funding formulae are required, a procedure such as the following can be used.

- 1 The CDEM Group goes through the public consultation procedure required by the proposed legislation independent of the annual planning cycles of members, but coordinated as to timing.
- 2 The CDEM Group Plan settles the basis for funding from members over the life of the plan.
- 3 The basis for funding set out in the plan becomes binding on members when adopted.
- 4 Each member records the basis for funding and the expected impact on its finances in its long-term financial strategy under other planning documents (normal provisions about forecasting assumptions apply).
- 5 If a local authority still has to decide how to allocate its share of costs within its district or region, it does so and records the results in its normal funding policy or annual plan process.
- 6 The dollar amount is included in the annual plan for the financial year when contributions are due and are calculable (eg, on capital values).
- 7 Where rates are used for funding the dollar amounts, this is fed into the calculations used for the rating resolution.

Funding levels

In addition to prior Civil Defence funding levels, there are two areas requiring new funding: structural establishment, and planning. The extent of each will vary between CDEM Groups, depending on current levels of commitment to the full spectrum of CDEM activities. Experience from other legislative frameworks now in operation suggests that early introduction and compliance costs are offset by subsequent long-term tangible and intangible benefits such as a reduction of risk to the community. Once CDEM Group delivery systems are in place, some visible savings may be identified, such as:

- rationalising numbers of emergency operations centres in a CDEM Group area of responsibility
- reviewing the functioning of those centres
- centralised planning processes replacing multiple efforts.

Seed funding

Responsibility for regional and local CDEM remains with local authorities and the communities they represent. The government will continue to fund national level capability via a range of votes (eg, Police, Fire Service, Ministry of Civil Defence & Emergency Management) but does not intend to provide seed funding for the establishment of CDEM Groups.

Funding reviews

The CDEM Group structure encourages rationalisation of effort. Potential services that could be provided by the CDEM Group on behalf of other agencies should therefore be reviewed to reduce duplication (eg, of public awareness and training). Note that CDEM Groups have an implied duty under s38 and s65 of the Act to perform such reviews.

The CDEM Group should also identify where member local authorities or agencies may contribute in-kind (non-financially), for instance through administrative support, research, or technical support. A dollar value for these activities as well as effectiveness criteria should be determined and these evaluations included when determining actual funding arrangements.

2.3 Voting Arrangements

Direction [s13(4), 15 & 19]

Each local authority must be represented by one person on the CDEM Group, being the chairperson, or elected member with delegated authority to act.

Each CDEM Group will follow the New Zealand Standard for standing orders (NZS9202: 1992) unless three quarters of the representatives agree to adopt other standing orders that must comply with existing statutory requirements.

The CDEM Group will appoint one of its members as its chair for a period as agreed among members.

Issues

While the voting system under s114J of the Local Government Act 1974 specifies that decisions are to be made by open voting and the majority rule, this Act and the Local Government Official Information and Meetings Act 1987 do not specify how many votes each of the single constituent member representatives should hold. This is clarified under NZS9202 section 2.22.3, which specifies that the method of voting is to be by show of hands or opinion of voice directly implying one vote per member. In addition, the CDEM Act 2002 clearly states that each authority has only one representative, further reinforcing the principle of equality of membership.

Should a CDEM Group desire a voting system that is aligned with patterns of cost and benefit, other standing orders will need to be adopted by agreement of three quarters of the members. The following suggested principles have been developed for review by CDEM Groups as they review voting arrangements, based on the funding principles from the Local Government Act 1974 as discussed in previous pages.

Principle One CDEM Group members have equal membership

A basic democratic voting system is a one vote per member approach. This endorses equality of membership and aligns with the fact that each authority has only one representative in the CDEM Group. To achieve this, the Group adopts NZS9202: 1992 as its standing orders.

Principle Two Voting aligns with funding matching patterns of cost and benefit

The approach under Principle One does not recognise that different members bring to the CDEM Group different levels of funding input and different levels of risk. Although more difficult to design, other options may be fairer and more appropriate.

Such alternative options include:

- voting linked to members' funding contributions, taking account of individual members' risk profiles and funding contribution levels
- voting linked to population, rated capital values, or a mixture of these
- different voting systems for different types of decisions – complicated or sensitive issues such as resource allocation, prioritisation, and financial decisions could be based on a funding-linked formula, whereas simpler administrative decisions could be based on a single vote per member system.

Any voting system will end up being a compromise between several objectives, but some of the matters that should be considered are:

- systems where the number of votes given to each member is calculated on strategic grounds to achieve a compromise between Principle One and Principle Two (eg, allocation to avoid single or multiple authority dominance)

- linking voting power to the costs that will be borne by members, so that funding implications act as a check on decisions.

The CDEM Group may elect to document the voting system (via inclusion of standing orders) within an adopted constitution.

The Constitution of Local Government New Zealand provides a model accounting for population but not other funding and risk factors. In this model, votes are allocated as follows:

- member authorities (other than regional councils) with populations over 50,000 – 3 votes
- member authorities with over 10,000 but less than 50,000 – 2 votes
- member authorities with less than 10,000 – 1 vote
- regional councils with over 250,000 – 3 votes
- regional councils with 100,000 to 250,000 – 2 votes
- regional councils with less than 100,000 – 1 vote.

It is important to note that the number of votes, whether single or multiple, exercised by a member authority, does not alter representation on the CDEM Group. Representation is set at a single member per authority. The Group determines the chair, and a rotating chair is suggested in support of equality of membership.

2.4 Compensation and Liability

Direction [s3(a), 107, 108 & 109]

The purpose of the Act in part is to improve and promote the sustainable management of hazards in a way that contributes to the safety of the public and to the safety and protection of property. Any person who has property requisitioned by a CDEM Group Controller (or any person authorised by a Group Controller) may seek reasonable compensation for use, loss or damage of the property.

Persons carrying out CDEM under the direction of a CDEM Group Controller suffering loss or damage to personal property may be entitled to compensation.

Where a Controller is exercising powers to enter premises, close roads or places or remove vehicles and a person suffers loss or damage, they may be entitled to compensation.

Issues

During the legislative process, a number of Select Committee submissions opposed the inclusion of property and general compensation for its loss in the Act. Concerns were expressed that:

- property should not be given, or seen to be given, equal status to the protection of life
- compensation for property could expose local authorities acting in good faith to substantial liability and the risk of litigation including excessive profiteering by claimants and claims for loss of profit or earnings.

Previous civil defence measures already deal with the protection of property in practice, even though this is not explicitly covered by the Civil Defence Act 1983. It was determined that protection of property and compensation for damage or loss should be a recognised purpose of the Act, but secondary to protecting life, if protections from liability are to apply. The Act establishes a hierarchy of priorities for CDEM with life as the top priority – in the Act's Purpose "safety of the public" precedes "protection of property" and the specified powers of Groups and Controllers place primary importance upon public safety.

The Civil Defence Act 1983 provided compensation for loss of, or damage to, personal property belonging to members of civil defence organisations and people who carry out civil defence work or duties during an emergency. It made no provision for compensation for the general public, other than for property that is requisitioned. Section 66 of the Civil Defence Act 1983 provided protection from liability except where private property has been requisitioned or where a local authority or the Crown acts in bad faith. To carry over section 66 of the Civil Defence Act 1983 would have been in breach of the fundamental principles of law as they have been developed over recent years.

It was determined that compensation should apply when a Controller makes a decision for the greater public good that results in a loss to a private individual or individuals, if that loss is disproportionately greater than the good done to that person. It is important that compensation is available only for loss of real property, including livestock; for uninsured property; or to make up for any shortfall if property had been underinsured. Such compensation must be: secondary to any private insurance or cover that has been taken out; restricted to direct, uninsured loss; and only up to replacement value.

If a decision is made to sacrifice property for the greater public good, yet the mitigation fails and damage to other property occurs regardless, compensation will not apply for the property that is sacrificed in the decision-making. The damage is considered caused by the hazard, regardless of the action taken. In the unlikely event that authorities can influence where damage will occur but cannot prevent damage (such as with a flood), the courts will have discretion to decide if compensation is applicable. In the event of such an unlikely scenario, local authorities still have discretion as to whether to pay compensation.

Compensation for damage or loss to personal property as a result of a decision for the greater public good should be available, but local authority exposure is limited to a maximum of \$20,000 less any existing insurance cover, as responsibility for personal property must lie with the owner. The effect of the inclusion of property in the Act and compensation for its loss is that Controllers need to be well trained in their roles and able to exercise their powers during an emergency for the public good in the most diligent of manners. CDEM Groups should limit their exposure by placing an emphasis on the selection and training of Controllers and avoiding any tendency to over-delegate control or to utilise under-skilled personnel.

Part 3: CDEM Group Formation Process

3.1. CDEM Group First Steps

Direction [s12(1)]

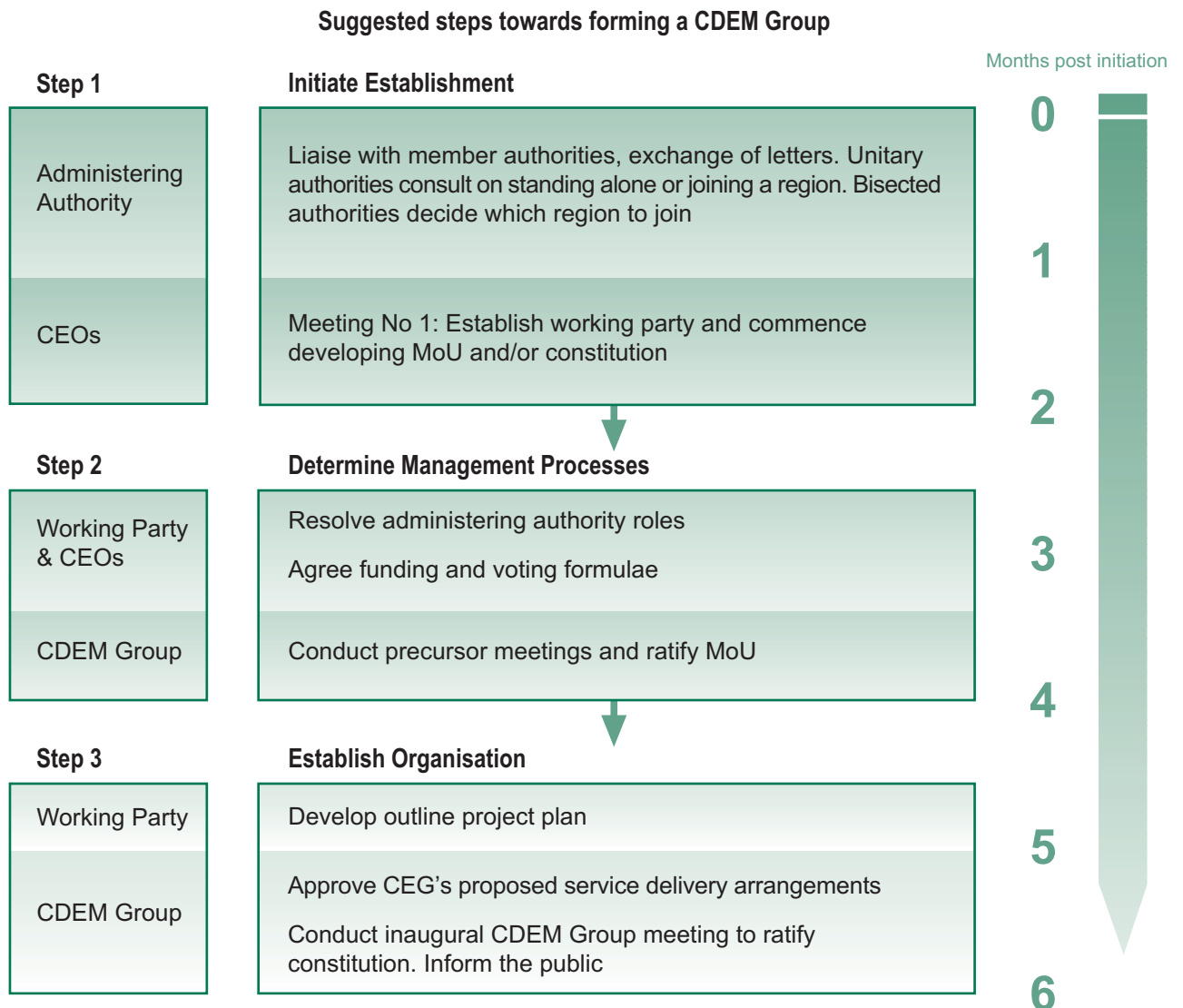
CDEM Groups are to be established as joint standing committees of elected representatives within six months of commencement of the CDEM Act 2002 (by 1 June 2003).

Issues

The requirement will be to hold a meeting of the CDEM Group (elected representatives) and the implication is that the public will be informed of the formation of the CDEM Group.

A lot of work is required before this important step and it is possible that much will have been done prior to commencement. Under the Civil Defence Act 1983 it was possible to group into consortia of local authorities for the purposes of CDEM, and to form structures and mechanisms that were consistent with the CDEM Act 2002.

The suggested broad steps towards CDEM Group formation are outlined below.



3.2 Step 1: Initiate Establishment

The regional council, as administering authority, should initiate the establishment process. While the Act mandates involvement of all authorities, the regional council should seek written commitment to a formal meeting process from all local authorities within the region. All relevant adjacent unitary authorities and/or bisected authorities should be included.

The first visible step towards CDEM Group formation is a meeting of chief executive officers of the local authorities within the region (including the regional council) and regional heads of emergency services. This early meeting at the chief executive or regional commander level is intended to gain initial understanding of the CDEM Group formation process and ensure communication. The meeting membership may eventually translate into the CEG.

It is suggested that the first two meetings follow these formats:

CEOs Meeting # 1	
1	Review the CDEM Act 2002.
2	Consider any Ministerial statements.
3	Consider Ministry information such as this guideline.
4	Agree on the need for, and best approach to forming a working party and develop terms of reference for CDEM Group approval.
5	Start developing a memorandum of understanding (MoU) for CDEM Group ratification to cover the period until formal Group formation (use an MoU where limited prior progress exists, or the degree of cooperation between members is limited and the full period of informal Group meetings and development is required pre-formation)
OR	
6	Start developing a formal constitution for ratification immediately upon Group formation (use a constitution where prior progress and cooperation between members exists and the CDEM Group is ready to form well within the six month timeframe required).
<i>(See following examples of MoU and constitution)</i>	
7	Report to respective local authorities and emergency services on agreed position and gain individual organisation commitment via resolutions.
<i>(See example of a resolution on page 39)</i>	

CEOs Meeting # 2	
1	Agree or negotiate the draft MoU.
2	Direct the working party to develop a constitution and endorse it.
<i>(See example of a constitution on page 38)</i>	

Note that an MoU should be adequate to notify interim arrangements between commencement and formation, and a charter is therefore not required. A constitution is subsequently developed for ratification at CDEM Group formation between members for the purposes of recording high-level visions, goals and strategies, and to record administrative and functional issues such as funding, voting formula and other procedural arrangements and agreements.

MEMORANDUM OF UNDERSTANDING

1 Intention of the Parties

1.1 This Agreement is between:

- Eastland Regional Council
- Tara City Council
- Uckby District Council
- New Zealand Fire Service – Tara District Rural Fire Committee
- New Zealand Police
- Tara District Hospital Board
- Eastland Public Health Protection Service

1.2 This agreement is for the purposes of:

- establishing a consortia of local authorities and emergency services to give effect to a Civil Defence Emergency Management (CDEM) Group in the Eastland region
- improving emergency management effectiveness and efficiencies for the benefit of communities, through horizontal and vertical integration of resources
- setting out the collaborative nature of this regional approach to civil defence emergency management
- defining responsibilities, obligations and cost sharing arrangements for each party.

1.3 Term, amendment, and renewal of this Memorandum of Understanding (MoU).

- This MoU serves for the period until formal formation of the CDEM Group is notified and takes effect between the parties named in Section 6, as they execute the document.
- This MoU may be amended from time to time by agreement between the parties.
- This MoU remains in effect until superseded or suspended by mutual agreement by all parties or such time as formation of the CDEM Group is notified.
- The parties agree that this MoU may be reviewed at any time agreed to by the parties.

Notwithstanding the term of the agreement any party may withdraw from the agreement by providing notice in writing to the other parties of its intention to do so, not less than three months prior to the end of that current financial year.

1.4 Partnering principles

This agreement records the partners' desire to meet the requirements of the CDEM Act 2002. More specifically, the agreement creates the platform of cooperation amongst constituent parties sought by the Act. It records an acknowledgement that the parties have differing abilities to resource a regional approach to CDEM; notwithstanding it is agreed that a CDEM Group approach is ultimately more effective than each organisation maintaining individual capabilities, and that all parties will make best endeavours to meet an equitable share of the regional resource requirement according to an agreed formula to be developed.

1.5 Administration

This agreement shall be administered by the Eastland Regional Council, being the CDEM Group administering authority under section 23 of the Act, on behalf of the signatories.

2 Responsibilities

2.1 Local authority obligations. Each local authority will:

- contribute funding in accordance with an agreed CDEM Group Plan and each local authority's approved annual plan
- contribute to and agree a CDEM Group Plan for the region
- contribute to the maintenance of emergency operations centres under an agreed rationalised CDEM delivery structure
- contribute technical expertise and resources to maintain a satisfactory local level response capability
- appoint one elected representative each to the CDEM Group together with a designated alternate
- appoint the CEO or senior manager of each council to the Coordinating Executive Group (CEG).

2.2 Emergency services obligations. Emergency services entering into this MoU will:

- contribute to and agree a CDEM Group Plan for the region
- contribute technical and planning expertise and other in-kind support in the manner established in the Group Plan
- appoint the CEO or senior representative to the CEG.

2.3 Generally agreed contributions. The parties agree to undertake best endeavours to provide the following resources to assist in planning for, responding to, and recovering from significant emergencies:

- appropriate professional and technical expertise
- community leadership
- dedicated emergency operations centres, situated and resourced in accordance with the Group Plan
- equipment and facilities dedicated for emergency management purposes
- ancillary equipment sourced from any contingent/external capability, for the purpose of responding to and recovering from emergencies.

3 Specific Contributions

3.1 Eastland Regional Council. The Eastland Regional Council shall provide:

- the facilities and services of a CDEM office, to be subsequently funded by member contributions via a regional general rate once the CDEM Group is formed
- administrative servicing and support for of the CDEM Group and CEG

- a repository for plans and schemes of arrangement, hazards information, and relevant databases for CDEM Group access
- a regional overview to ensure an effective and comprehensive CDEM Group Plan.

4 Limitations

4.1 This agreement shall not:

- remove or suspend a local authority's responsibility for maintaining an adequate emergency response capability
- enable a local authority to enter into contractual obligations or incur debts or liabilities on behalf of another constituent party
- in any way detract from the statutory responsibilities imposed upon the CDEM Group under the Act.

5 Disputes

5.1 This Agreement acknowledges that the partnering approach is utilised to avoid surprises and expeditiously resolve disputes at the lowest possible level; therefore informal conflict management procedures and alternative dispute resolution practices will be used.

5.2 If a party believes that there is a dispute concerning this agreement, that party will promptly notify the other parties giving details of the dispute. If it is not resolved within 10 working days, it will be referred to mediation carried out by a mediator to be agreed between the parties or, failing agreement, appointed by the President of the Mediators Institute of New Zealand.

5.3 If the dispute is not resolved by mediation, then any party may submit the dispute to arbitration in accordance with the Arbitration Act 1996. The Arbitrator will be appointed by agreement or, if that cannot be done, the President of the Arbitrators Institute. The result of the arbitration will be final and binding.

6 Acceptance

The undersigned parties hereby accept the terms of this Memorandum of Understanding.

Chairman	Eastland Regional Council
CEO	
Mayor	Tara City Council
CEO	
Mayor and CEO	Uckby District Council
Regional Commander	New Zealand Police
Regional Commander	New Zealand Fire Service
District Commander	Tara District Rural Fire Committee
Chief Executive Officer	Eastland District Health Board
Medical Officer of Health	Eastland Public Health Protection Service

CONSTITUTION

1 Name and Office

The Name of the Civil Defence Emergency Management (CDEM) Group shall be the Eastland CDEM Group. The office of the CDEM Group shall be located within the Eastland Regional Council buildings.

2 Parties [CDEM Act 2002 s13]

eg, Eastland Regional Council, Tara City Council etc

3 Term of Agreement

eg, At CDEM Group formation, or at a review period as the Group decides.

4 Definitions [s4]

5 Objectives [s3, 17]

- Purpose of the Constitution
- Mission, roles, goals, strategies, functions

6 Composition and Structure

- Membership of Group [s13 – 18]
- Delegated authorities
- Structure of CDEM Group (CEG [s20], CDEM office, emergency operations centres, Group & Local Controller, Recovery Manager
- Administering authority name and responsibilities

7 CDEM Group Appointment Requirements

- Declaration [s25]
- Control [s26] (powers, functions)

8 Meetings and Procedure [s13,15,19]

- Frequency
- Chair arrangements
- Meeting procedures
- Standing orders (voting formula, casting vote)

9 Finance [s16]

- Accounting arrangements
- Authorisations
- Funding share arrangements/agreements
- Budget approval process (accounts payable, contractual arrangements etc)

10 Arbitration and Good Faith

Signatories

RESOLUTION

- 1 The Tara City Council hereby recognises that the Eastland CDEM Group is to be established over the six-month period from 1 December 2002 to 1 June 2003.
- 2 Whereby the Tara City Council wishes to be a formal member of the Eastland CDEM Group, as required by the CDEM Act 2002, the Tara City Council hereby resolves to formally participate in the Eastland CDEM Group.
- 3 The Tara City Council authorises its Mayor to be its permanent representative on the Eastland CDEM Group, pursuant to the CDEM Act 2002 section 13.
- 4 In absentia, the Tara Deputy Mayor is authorised as the City's representative.
- 5 The mayor or deputy mayor, is delegated full authority to commit to action and expenditure on behalf of the Council without recourse to the Council with the following limitations, etc
- 6 The mayor (on behalf of the Tara City Council) is authorised to enter into contractual agreements between the Eastland CDEM Group and other parties with the following limitations, etc
- 7 The Tara City Council hereby undertakes to publish in its annual plan the relevant extracts of the Eastland CDEM Plan detailing annual financial expenditure and such CDEM Group plans and projects that may affect the Tara City's communities and wider interests.

Etc

3.3 Step 2: Determine Management Processes

Mayoral Forum then CDEM Group meetings

Initial meetings at mayoral level (as convened by the administering authority) aim to secure members' commitment to an MoU and work towards convening an inaugural CDEM Group meeting.

Regional heads of the emergency services should be involved in these early meetings. Direction should be provided to chief executives and the working party for developing the constitution for review at a subsequent CDEM Group meeting.

Suggested agenda items for the inaugural and subsequent CDEM Group meetings are outlined in the box overleaf:

AGENDA FOR EASTLAND REGION MAYORAL FORUM

XX January 2003, Xam/pm,
at Eastland Regional Council Chambers

Attendance:

Mayors, chairs or delegated elected representatives of regional council and all constituent territorial authorities (including any adjacent unitary authority and any bisected adjoining territorial authorities seeking CDEM Group membership). Attendance of heads of regional emergency services for ratification of MoU as appropriate.

General Business

- **Item 1** Ratification of MoU: Ratify and sign MoU as developed by CEOs (including addressing issues of membership, accepting unitary or bisected authorities).
- **Item 2** Governance definition: Agree Standing Orders – adopt NZS 9202:2001 unless three-quarters of Group members agree to adopt other standing orders (administering authority or other members) complying with Local Government Act, Local Government Official Information and Meetings Act 1987 and other relevant statutes. Appoint one member as interim chair.
- **Item 3** Constitution: Develop constitution between member authorities for recording procedural arrangements and agreements for ratification at formation.
- **Item 4** Project Plan: Provide milestones and direction for CDEM Group formation for incorporation in project plan based upon CEO recommendations.
- **Item 5** Direct working party by providing guidance on:
 - ratifying CEO direction on establishing working party and Terms of Reference
 - defining basis for agreed funding formula
 - determining which members of the CDEM Group will act on its behalf for such purposes as entering into contracts and public relations..
 - deciding relationship with working party and other parts of the CDEM Group (who will initiate work, what level of guidance will be given, how the CDEM Group agencies will interact)
 - determining if members should identify additional funding or if the working party is to commence project within existing resources. Identify specific funding for project manager
 - commencing a draft communications plan and public consultation process.

PROPOSED AGENDA FOR INAUGURAL EASTLAND CDEM GROUP MEETING

- Ratify constitution.
- Notify public of intended formation of the CDEM Group.
- Review additional specific project work and division that the CDEM Group believe require elected level direction prior to working party and project manager action, eg:
 - direct any requirements for review of structural elements (eg, required number of EOCs).

3.4 Step 3: Establish Organisation – Project Plan (example only)

The structures outlined in Section 2 are progressively established according to milestones within a project plan. The formation process must link with the development of the CDEM Group Plan and internal Group and individual authority project work.

Example only: The following example provides a checklist of issues to be addressed based upon the following assumptions:

- The Eastland CDEM Group will be formed over a 6 month period following agreement of all members
- A sound degree of prior cooperation exists between members. Some process issues have been resolved and an MoU is not required (or is already in place).

Working Party Review

Timing

Immediate. Duration three months maximum.

Composition

The working party will be established by agreement between the authorities comprising the Group, to review the Act's requirements and make recommendations on the structure and agreements that are needed to form the CDEM Group.

Members of the working party should be senior managers (from local government) relevant to the different issues being considered, with delegated authority to make various decisions on behalf of their local authorities. Ideally those senior managers will also possess CDEM experience or knowledge.

Working party membership could be comprised to reflect three different purposes. It could be developed as:

- 1 the future CDEM Group CEG – this increases buy-in and establishes an early working relationship, but may lessen external input
- 2 a sole purpose working party comprising a range of people not traditionally involved in civil defence
- 3 a top-level working party with CDEM experience. In this instance smaller sub-level working parties would be established to bring in specific external experience to address particular issues.

For example, the hypothetical Eastland CDEM Group favours the use of sole purpose groups, rather than forming a working party to become a part of the future Group. This approach reduces the risks of restricting advice or pre-empting later decisions about the structure and functions of different parts of the Group.

Terms of reference and tasks

The chief executive officers and elected members of the Eastland CDEM Group will provide the working party with terms of reference that set out tasks, including those in the following checklists.

CHECKLIST: WORKING PARTY																			
Appoint project manager (funded by CDEM Group combined resources, administered by administering authority). Requisite skills as manager, facilitator, and coordinator.	✓																		
Following appropriate external consultation, develop project plan for CDEM Group review and approval, including timelines, milestones and outline format for deliverables a) and b) below.	✓																		
a) Constitution document including mission, roles, goals, strategies, structure, milestones, local authority roles, governance and agreements and funding issues (refer to DGL 2/02 ¹⁰ for issues related to goals, strategies). Deliver to chief executive officers for endorsement, then CDEM Group for approval.	✓																		
b) Structural definition (outline) studies of: <ul style="list-style-type: none"> • CDEM office structure, locations, functions • EOC numbers, location, functions • declaration, extension, and termination processes • Group and Local Controller numbers, locations, functions • Recovery Manager numbers, locations, functions • detailed definition of administering authority role • specific coordinating executive group functions and subcommittee structures. <p><i>[Note – these arrangements should be in draft format only as operational principles from the CDEM Group Plan strategic risk analysis should precede finalising organisational arrangements.]</i></p>	✓																		
Identify suitable regional or local projects for CDEM Group adoption in Phase 2.	✓																		
Develop external consultation process for common use in CDEM Group efforts.	✓																		
Establish monitoring and reporting procedures for projects and finance.	✓																		
Identify funding to facilitate project commencement.	✓																		
Develop an outline of CDEM Group Plan (refer to DGL 2/02 ¹¹).	✓																		
Identify mechanisms for conduct of cost benefit analysis of proposed CDEM Group Plan.	✓																		
Identify external agencies and commence memoranda of understanding, exchange of letters or mutual aid agreements: <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: left;">Core</th> <th style="text-align: left;">Extended</th> </tr> </thead> <tbody> <tr> <td>Local authorities</td> <td>Professional groups</td> </tr> <tr> <td>Welfare agencies</td> <td>Private enterprise</td> </tr> <tr> <td>Emergency services</td> <td>Volunteer sector</td> </tr> <tr> <td>Lifeline utilities</td> <td>Community leaders</td> </tr> <tr> <td>Health sector</td> <td>State Owned Enterprises</td> </tr> <tr> <td>Defence Force</td> <td>Research institutions</td> </tr> <tr> <td>Key community groups, eg, Maori and Pacific island groups</td> <td></td> </tr> <tr> <td>Quangos (quasi autonomous non-governmental organisations)</td> <td></td> </tr> </tbody> </table>	Core	Extended	Local authorities	Professional groups	Welfare agencies	Private enterprise	Emergency services	Volunteer sector	Lifeline utilities	Community leaders	Health sector	State Owned Enterprises	Defence Force	Research institutions	Key community groups, eg, Maori and Pacific island groups		Quangos (quasi autonomous non-governmental organisations)		✓
Core	Extended																		
Local authorities	Professional groups																		
Welfare agencies	Private enterprise																		
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Lifeline utilities	Community leaders																		
Health sector	State Owned Enterprises																		
Defence Force	Research institutions																		
Key community groups, eg, Maori and Pacific island groups																			
Quangos (quasi autonomous non-governmental organisations)																			
Commence developing CDEM Group standards and auditing system.	✓																		

¹⁰ The Ministry of Civil Defence & Emergency Management, *Working Together: Developing a CDEM Group Plan, Director's Guidelines for local authorities and emergency services, 2002 (DGL 2/02)*

¹¹ Ibid

CDEM Group Organisation

Timing

No later than three months post commencement (or earlier as outcomes permit). Duration – three months.

Tasks

The CDEM Group (elected representatives) and CEG meet on a regular basis and consider the following checklists.

CHECKLIST: CDEM GROUP	
Establish and maintain coordinating executive group (disbanding or transition of working party).	✓
Publicise CDEM Group formation to Group communities and promote wide stakeholder engagement in Group processes.	✓
Approve system for monitoring and reporting on compliance with applicable Acts and Regulations.	✓
Ensure coordinating executive group planning and project work addresses a range of detailed issues including: <ul style="list-style-type: none"> • conducting training exercises • issuing and controlling badges, insignia, and signage • provision, maintenance, and control of warning systems • recruiting and training volunteers • provision of communications, equipment, accommodation, and facilities during an emergency. 	✓
Promote the integration of the Group Plan with city or district plans (under the Resource Management Act 1991) and other plans and policies under other relevant legislation (refer DGL 2/02 ¹²).	✓
Establish funding arrangements and approve delegated authorities.	✓
Ensure relevant education and training for individuals, businesses and communities are provided for.	
Implement declaration, extension, and termination processes, as specified in the CDEM Act 2002.	✓
Approve and appoint suitably qualified personnel to fulfil the roles of Group and Local Controllers and recovery manager (and alternates).	✓

¹² The Ministry of Civil Defence & Emergency Management, *Working Together: Developing a CDEM Group Plan, Director's Guidelines for local authorities and emergency services, 2002 (DGL 2/02)*

CHECKLIST: COORDINATING EXECUTIVE GROUP	
Interim CDEM office is established in the agreed agency or administering authority with project manager.	✓
Project manager and CDEM office commence developing CDEM Group Plan from working party outline including public consultation (refer DGL 2/02).	✓
Group and Local Controllers' roles defined in detail within legislative requirements.	✓
Finalise review of EOCs' functions, numbers, locations and interaction with all other Group partners. <i>[Note – these arrangements should be in draft format only as operational principles from the CDEM Group Plan strategic risk analysis precede final organisational arrangements]</i>	✓
CDEM Group-wide projects are commenced under project teams eg, reviews of contingent capability, welfare training, and emergency operations centre standardisation. Note that teams are expanded to include external specialists as required.	✓

Projects may be controlled or grouped in the following manner:

<i>Area</i>	<i>Review (Project)</i>
Governance	Financial CDEM Group funding Coordinating executive group function CDEM office function
Reduction	Risk mitigation projects Hazard identification programmes
Readiness and Response	Training CDEM Group staff professional development Local Controllers' functions EOC requirements Systems review – eg, warning, transport Lifeline utilities, memoranda of understanding
Recovery	Recovery manager functions Social services functions
Public education and information	Community awareness Schools programme

The division between regional council and CDEM Group (CDEM office-managed) projects will need to be agreed. They could be based upon classifying projects by benefit, for example:

- *Functional applicability* Joint projects for CDEM Group funding occur where project benefits functionally accrue to all members (eg, the benefits of public awareness reviews of regional volcanic warning system accrue to all members).
- *Statutory responsibility* Individually funded projects are those assigned by statutory responsibility – specified as a regional council's or territorial authority's individual responsibility (eg, hazard identification under the Resource Management Act 1991 as part of a regional policy statement). Note that these individual projects require coordination under CDEM Group arrangements (see IS 2/02).

CDEM Group Operation

Timing

Six months post Act commencement (by 1 June 2003). Duration – from formation at six months post Act commencement, through to 24 months post formation when the CDEM Group Plan is approved.

Tasks

Checklists for the CDEM Group and CEG:

CHECKLIST: CDEM GROUP	
Monitor performance of the CDEM Group.	✓
EOCs are established and operational as per draft CDEM Group Plan.	✓
Continuance of CDEM Group projects is ensured.	✓
Memoranda of understanding are active.	✓
A process is developed to conduct cost-benefit analysis of proposed CDEM Group Plan.	✓
CDEM Group is formally established – (six months post-Act commencement)	✓
CDEM Group formally approves plan – (24 months post Group formation).	✓

CHECKLIST: COORDINATING EXECUTIVE GROUP	
Ensure Group and Local Controllers and alternate(s) appointed, trained, resourced.	✓
Coordinate bringing relevant resource holders together.	✓
Promote comprehensive emergency management, integrated emergency management and risk management.	✓
Initiate intra- and inter-CDEM Group memoranda of understanding.	✓
Initiate external agency memoranda of understanding.	✓
Prepare service level agreements between CDEM office and constituent authorities.	✓
Define declaration and control processes for single, multiple authority, CDEM Group-wide and cross-CDEM Group boundary emergencies according to legislative requirements.	✓

Develop, fund, implement, and monitor a coordinated annual work plan that individual member organisations or subgroups are to achieve.	✓
Identify key agencies that require consultation with or incorporation in the CDEM Group formation process, from other CDEM Groups, government departments and agencies, emergency services, lifeline utilities, key infrastructure agencies, volunteer groups, and other interest groups.	✓
Provide any necessary infrastructure such as emergency communication systems and administrative support for lifelines.	✓
Determine how to absorb, or accommodate, existing committees such as emergency service coordinating committees within new arrangements (senior members of these committees and emergency service members are likely to become coordinating executive group members).	✓
Determine how to accommodate hazardous substances technical liaison committees within new arrangements (eg, at sub-coordinating executive working group level).	✓
Provide annual reporting to the CDEM Group.	✓
Appoint and employ staff on behalf of the CDEM Group using the administering authority.	✓
Recommend appointments such as Group and Local Controllers and Recovery Managers to the CDEM Group.	✓
Provide recommendations to the CDEM Group on structural issues such as the establishment of the CDEM office and the EOC(s).	✓
Develop and deliver the Group Plan to the CDEM Group (elected representatives) for approval and provide advice on how the plan is integrated with other strategies, policies, legislation.	✓
Monitor and evaluate the Group Plan.	✓
Obtain independent peer reviews of plans and project deliverables.	✓
Present an annual operating plan to the CDEM Group.	✓
Conduct cost-benefit analysis of proposed CDEM Group Plan.	✓
Promote CDEM Group adoption of the coordinated incident management system.	✓
Prepare performance standards for management of emergencies.	✓
Specify and arrange for conduct of regular audits of the capability of constituent authorities.	✓
Provide overall policy coordination between operational EOCs where appropriate, including standards for multiple EOCs and linkages to national capability.	✓
Provide for specialist assistance to CDEM Group-wide projects (eg, develop CDEM Group-wide regional public information systems).	✓
Provide for public education programmes across the CDEM Group.	✓
Provide for training programmes across the CDEM Group.	✓

Ministry Contacts

For more information, Ministry of Civil Defence & Emergency Management staff are available for advice and support to those who are involved in forming a CDEM Group. Other resources, including guidelines on CDEM Group Planning and lifeline utility involvement, can be found on the Ministry's website at:

www.civildefence.govt.nz

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