

Memo

9 February 2023

TO: Mayor Wayne Brown
CC: Jim Stabback, Chair, Coordinating Executive Group; Mace Ward, Group Controller
FROM: Fleur Aldridge, Group Controller

SUBJECT: Advice on extension to the duration of the state of local emergency

1. Introduction and recommendation

- 1.1 The local state of emergency declared at 9.27pm on Friday 27 January 2023 and extended on Friday 2 February expires tomorrow evening at 9.27pm.
- 1.2 It is recommended that you **extend** the duration of the state of local emergency, and communicate the decision to the public and emergency response partners.
- 1.3 Please refer to the attached memorandum of 3 February for more information on the matters to be considered when extending the duration of a state of local emergency.
- 1.4 Note: The decision to extend the duration of the state of local emergency will also be published in the New Zealand Gazette.

2. Stakeholder views and reasons for an extension

- 2.1 The Incident Management Team, members of the Civil Defence Emergency Management Co-ordinating Executive Group and the National Emergency Management Agency (**NEMA**) again met this afternoon to consider options prior to the expiry of the state of local emergency.
- 2.2 All present were supportive of an extension to the duration of the state of local emergency. This is because:
 - 2.2.1 The response to the storm event of 27-28 January is active and not yet complete. Many people remain in emergency accommodation and the welfare response is ongoing.
 - 2.2.2 A further severe weather event is likely to occur in Auckland early in the week commencing 13 February 2023. At the time of writing, Cyclone Gabrielle which is currently in the Coral Sea is expected to move southeastwards and approach the North Island on Monday. MetService reports high confidence of warning amounts of rain, wind and consequential coastal storm surge in Auckland from Monday to Tuesday.

- 2.2.3 With land already saturated from previous downpours over the last two weeks there is a significant chance that if the severe weather event eventuates there will be further floods and land movement putting the public and property in danger. It is foreseeable that in these circumstances the Controller and those acting under his or her authority, including response partners, will need to exercise emergency powers.
- 2.2.4 There is also the potential for a substantial increase in those requiring emergency, food, shelter and clothing creating a significant and immediate welfare need which is likely to require a coordinated response from a number of agencies.
- 2.2.5 Section 68(1) of the CDEM Act provides that a state of local emergency may be declared if at any time it appears “that an emergency has occurred *or may occur* within the area.” This enables a state of emergency to be declared prior to the emergency occurring to enable preparation for the emergency or anticipation of the use of emergency powers. NEMA has confirmed that they consider that this also provides a reasonable basis for an extension of the state of local emergency.
- 2.2.6 An extension at this point avoids the risk of transitioning into recovery only to have to declare a further state of local emergency early week. The Group Controller, Controllers and the General Manager of AEM are concerned that this would impact on a successful transition and would prove disruptive for the emergency responders and confusing for the public.

3. Conclusion

- 3.1 Based on the above information, we consider you can be reasonably satisfied that there are good reasons to extend the duration of the existing declaration.
- 3.2 It is therefore recommended that you extend the duration of the state of local emergency in accordance with section 71(2) of the CDEM Act.