

Memorandum of Understanding

BETWEEN

Emergency
Management Otago,
and
Fire and Emergency
New Zealand

**MANAGEMENT OF AIRCRAFT IN A
DECLARED STATE OF EMERGENCY**



**Emergency
Management Otago**
Te Rākau Whakamarumarū Ōtākou



Purpose

The purpose of this Memorandum of Understanding (MoU) is to formalise the protocols, processes and accountabilities around the engagement under best endeavours for the deployment, tasking, and management of certain aircraft on Emergency Management Otago's (EMO) behalf during declared states of emergency and in alignment with Fire & Emergency New Zealand's (Fire and Emergency) role as described in the National Civil Defence Emergency Management Plan Order 2015 – Fire Services.

In particular, the utilisation by EMO of Fire & Emergency's experience and expertise in the management of aircraft as defined in the Interagency Standard for Use of Aircraft, Use of Aircraft at Wildfires, and Unmanned Aerial Systems (UAS) supplements.

This MoU is intended to be a living document. It will evolve over time as we work together and as our priorities continue to develop and change.

Background

The parties to this agreement are Emergency Management Otago and Fire and Emergency New Zealand, (Fire and Emergency).

FIRE AND EMERGENCY

Fire and Emergency is a Crown entity under the Fire and Emergency New Zealand Act 2017. Its principal objectives are;

- To reduce the incidence of unwanted fires and the associated risk to life and property.
- To protect and preserve life, to prevent or limit injury, to prevent or limit damage to property and land, to prevent or limit damage to the environment.

EMERGENCY MANAGEMENT OTAGO

Emergency Management Otago has Guiding Principles, under which all the Emergency Management Team work;

- Collaboration: A broad and sincere relationship is created and sustained between organisations and individuals to ensure trust, good communication, consensus building and team atmosphere.
- Coordination: CDEM activities of all relevant organisations and individuals will be to an agreed level of service and synchronised within the framework of a common goal.
- Integration: Unity of effort among all levels of Otago CDEM and all parts of our communities.
- Professionalism: Knowledge-based approach based on science and knowledge, education, training, experience, best practice and continuous improvement.
- Risk driven: Sound risk management principles (hazard identification, risk and impact analysis) are used in assigning priorities and tasks.
- Accountability: Collective and individual responsibility for the delivery of CDEM measured through regular monitoring, evaluation and reporting against targets and project-based outcomes.

The Group has Emergency Management officer's resident in each of the districts who are responsible for development and delivery of civil defence and emergency management services to their communities. These officers are led by the Director of Emergency Management who is also one of the Group Controllers during declared events. The Group Controller operates from the Emergency Coordination Centre (ECC), located in Dunedin.

SHARED OBJECTIVES AND OUTCOMES

Each organisation has a strong interest in fire and emergency reduction, readiness, response and recovery (the 4Rs). EMO and Fire and Emergency recognise that we both serve the same communities.

Legislation

EMO, its group controllers and local controllers will work with FENZ, who will assist EMO to comply with its obligations under the Civil Defence & Emergency Management Act 2002 (In particular section 85 (1) (a), (b), (c), (d), (e) & (f)) to enable Fire & Emergency personnel to manage aircraft movements in accordance CDEM plans and guidelines, with Fire & Emergency's own aviation operating procedures and the operating procedures of certain aviation operators. CDEM Controllers have other related powers that can be enacted in support of the MoU.

Intent

Its intent is to formalise the collaborative roles that EMO and Fire & Emergency would undertake when fulfilling their respective responsibilities under the CDEM Act 2002 and the National CDEM Plan Order 2015, Section 46 – Role of fire services during response & recovery.

Functions and Responsibilities

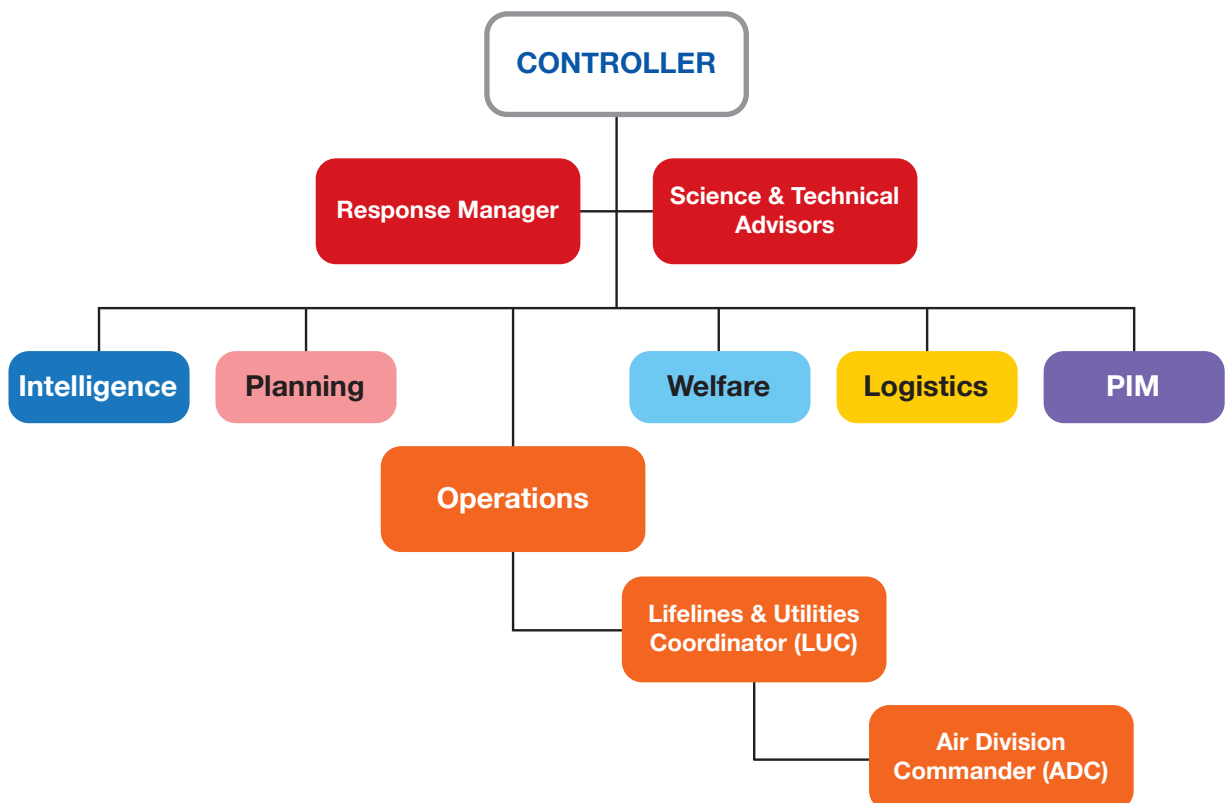
AVIATION PLAN

EMO has in place an aviation emergency support plan (AESOP) which gives direction and guidance to all aviation operations in the Otago region during a declared state of emergency. It is foreseen that Fire & Emergency will adhere to the guidance of the plan and its tactical objectives.

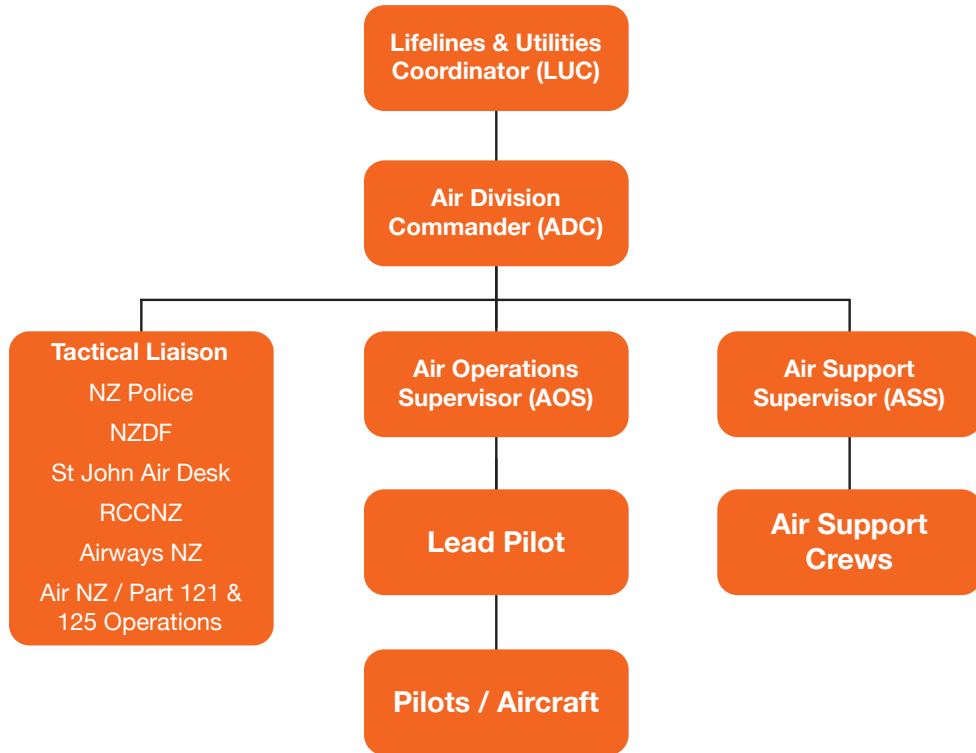
COMMAND, CONTROL & COORDINATION

Command, control, and coordination will align with the nationally mandated Coordinated Incident Management System (CIMS) 3rd Edition. It should be noted in the command, control & coordination structure the role and responsibilities of lifeline and utilities coordinators (LUC's).

COMMAND, CONTROL & COORDINATION STRUCTURE



TACTICAL COMMAND STRUCTURE



FLIGHT TIME RECORDING AND PAYMENT

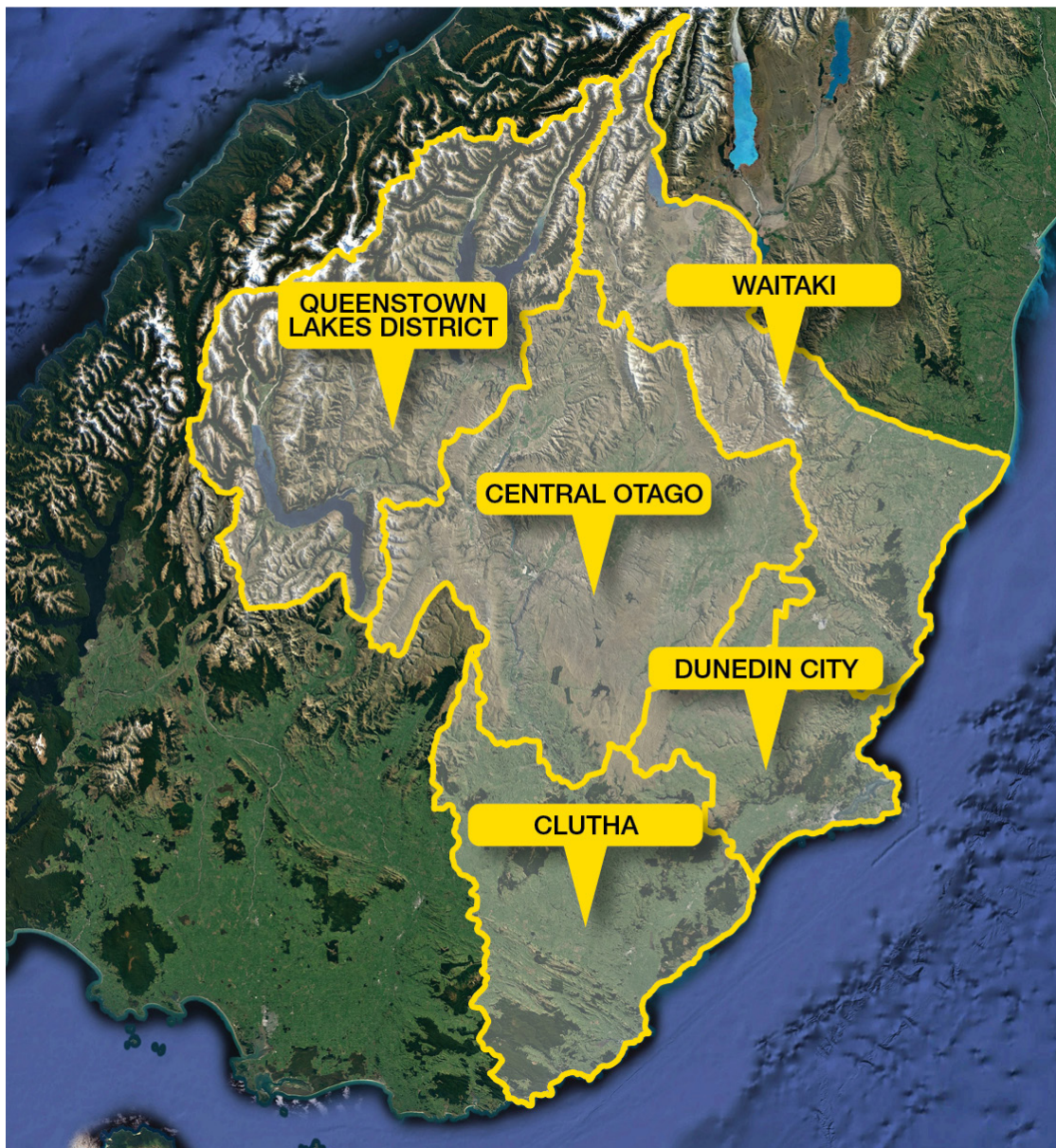
Fire & Emergency will not be required to reimburse aircraft operators for services rendered on behalf of EMO. It is assumed that Fire & Emergency will provide, on best endeavours basis, appropriate personnel to fulfil the expectations of this MoU on an “in kind” basis as part of their role under the CDEM Act 2002 and in the collaborative spirit of this MoU.

Search & rescue and medevac flights will be the direct responsibility of dedicated air ambulance, rescue helicopter or Defence Force aircraft. Agencies such as the Rescue Coordination Centre of NZ, NZ Police, St John, District Health Board EOC staff, Department of Conservation (DoC) or NZDF personnel may authorise and task mercy, medevac, or search & rescue flights independently.

AREAS OF OPERATIONS (AoO)

EMO consists of the five Territorial Local Authorities (TLA's) / Districts with the Otago Regional Council being the administering body. Each district can exercise the powers of the CDEM Act 2002 separately and independently.

In line with CIMS principles of manageable spans of control and the division (sectorisation) of effort, Otago has been divided into five (5) areas of operations (AoO's) consisting of the district areas. These AoO's are further divided into zones, divisions, and sectors [Refer to the Otago Aviation Emergency Support Plan for further detail].



REGIONAL AIR DESK & AVIATION COORDINATION CENTRES

In the case of national or regional states of emergency, or multiple TLA's declaring states of emergency simultaneously, the EMO emergency coordination centre (ECC) will coordinate the regional air operations function through the Regional Air Desk (RAD).

Each of the district AoO's will be managed by their respective emergency operations centres (EOC's), with air operations run from their respective aviation coordination centres (ACC's).

Relationship Management

The following agency representatives will form a relationship management group, responsible for managing this Memorandum of Understanding. The group will meet regularly to ensure the relationship and the objectives set out in the MoU remain on track.

Membership of the relationship management group is as follows:

EMERGENCY MANAGEMENT OTAGO

- Otago CDEM Manager
- Otago CDEM Planning & Development Manager

FIRE AND EMERGENCY NEW ZEALAND

- Region Manager delegated to Business Operations Manager
- Otago District Manager

The Relationship Management Group will determine an appropriate frequency of meetings.

Where a member cannot attend a meeting, it is expected that a delegate will attend in their place.

Health and safety

Each participant acknowledges its responsibilities to comply with all relevant laws including the Health and Safety at Work Act 2015 and the Hazardous Substances and New Organisms Act 1996. Each participant will, so far as reasonably practicable, ensure that their respective personnel have the appropriate level of training and awareness to understand and deal with any situation concerning dangerous goods, hazardous substances and health and safety risks.

Each participant will discharge its duties under the Health and Safety at Work Act 2015 during the conduct of any activities undertaken pursuant to this MoU, including their respective duty to, so far as is reasonably practicable, consult, cooperate with, and co-ordinate activities with each other where they have a duty in relation to the same matter.

Term and legal status

This Memorandum of Understanding will commence on the date of signing by both parties and continue until withdrawn or superseded by a new agreement. Either party can withdraw from this Memorandum of Understanding by providing four weeks' written notice.

This Memorandum of Understanding is not legally binding. In no case shall this Memorandum of Understanding be understood to require either party to carry out measures at variance with its legal obligations.

The provisions of the Memorandum of Understanding are to be read subject to any Chief Executive, Board, Ministerial or Cabinet directives, and any enactment.

Review

FENZ are presently undertaking work to review how MoU's are developed internally. In keeping with this work, this MoU will be reviewed by 1 April 2022. FENZ will ensure that EMO are kept up to date with this process and on potential changes in approach. The relationship management group will be responsible for managing this review process.

The agencies may vary this agreement. Any changes must be in writing and mutually agreed.

Each variation is effective from the date agreed by the parties, regardless of whether it has been included in a version of the Memorandum of Understanding that the identified signatories have re-signed.

Dispute Resolution

If there is any dispute between the parties, the relationship management group will meet in good faith to resolve the dispute as quickly as possible.

If the matters are not resolved within a reasonable time, the agency that raised the dispute may refer the matter to their chief executive for resolution with the other agency's chief executive.

Definitions

Certain aircraft operators that are certified under Fire & Emergency use of aircraft at wildfires supplement.

Publication

The parties will ensure all personnel can access an up to date and signed copy of the MOU, by publishing it on either their local Internet site or their external website.

Signatories to the Memorandum of Understanding

**SIGNED FOR AND ON BEHALF OF EMERGENCY MANAGEMENT OTAGO
AND FIRE AND EMERGENCY NEW ZEALAND**

NAME

SIGNATURE

DESIGNATION

DATE



**Emergency
Management Otago**

Te Rākau Whakamarumarū Ōtākou

NAME

SIGNATURE

DESIGNATION

DATE

