



Headquarters
New Zealand Defence Force
Defence House
Private Bag 39997
Wellington Mail Centre
Lower Hutt 5045
New Zealand

17th
June 2025

OIA-2025-5360

Dear [REDACTED]

I refer to your email of 23 April 2025 requesting, under the Official Information Act 1982 (OIA), the following:

1. *Any information pertaining to the use of NZDF civilian staff during Cyclone Gabrielle, including how and when they were used.*

The New Zealand Defence Force's (NZDF) purpose is set out in section 5 of the Defence Act 1990. New Zealand's Armed Forces are raised and maintained for, among other things, defending New Zealand and protecting its interests, whether in New Zealand or elsewhere, and providing assistance to the civil power in time of emergency in New Zealand or elsewhere. With respect to the latter, this includes humanitarian assistance and disaster relief (HADR).

NZDF civilian staff are employed under a contract of service to perform work that is within the scope of their position descriptions. The functions undertaken by civilian staff enable military personnel to perform military duties, including HADR. Most NZDF position descriptions include reference to such other duties as may be required, but these would be duties reasonably within the skills, expertise, and training associated with the position for which the person is employed. For instance, Defence Public Affairs staff were sent alongside military personnel to document the NZDF response to Cyclone Gabrielle.

The NZDF has obligations under sections 36(3)(c) and (f) of the Health and Safety at Work Act in relation to its civilian staff. If all civilian staff were requested, or expected, to deploy on HADR operations, this would generally be outside the scope of employment for most staff. It would also place an unreasonable risk on both the individuals and the NZDF because the NZDF could not be certain that the individuals had the requisite training and experience and physical fitness to enable them to participate in HADR operations safely.

2. *Any information pertaining to the use of reserve forces during Cyclone Gabrielle, including how and when they were used.*

5/7 RNZIR Army Reserve soldiers were used initially as drivers, and co-drivers alongside members of the New Zealand Police. Their commitment started at 03:00 on the day of the cyclone when significant flooding occurred. They worked for two to three days straight, using a relief system.

Reserve Force personnel also worked as liaison officers at Napier, Hastings, and Gisborne Civil Defence and Emergency Management (CDEM) Headquarters. In addition, Reserve Force officers worked in the national CDEM Headquarters in Wellington as liaison officers, to relieve Regular Force personnel.

Over the two-week span of tropical cyclone Gabrielle, a number of Reserve Force personnel continued to assist with liaison, driving and stores movement. At various times their chain of command changed to include operating under a Regular Force command structure.

3. *Any internal or external correspondence (including by not limited to emails, briefings, minutes, or messages) referring to or discussing NZDF civilian staff:*
 - *expressing willingness to be deployed in response to Cyclone Gabrielle,*
 - *being prevented from deploying to Cyclone Gabrielle,*
 - *or raising the issue of collective agreements or contractual restrictions on such deployment to Cyclone Gabrielle.*
4. *All briefings, memos, advice, reports, or any other documents referring to or discussing NZDF civilian staff:*
 - *expressing willingness to be deployed in response to Cyclone Gabrielle,*
 - *being prevented from deploying to Cyclone Gabrielle,*
 - *or raising the issue of collective agreements or contractual restrictions on such deployment to Cyclone Gabrielle.*

Despite reasonable efforts, no information relevant to these parts of your request was located. As a result, these parts of your request are declined in accordance with section 18(e) of the OIA because the information does not exist or cannot be found.

5. *Copies of all relevant employment agreements or collective agreements in force during that time, including those that refer to the conditions under which NZDF civilian staff may or may not be deployed for emergency response work (including Cyclone Gabrielle).*

Copies of relevant employment agreements that were in place in February 2023 are at Enclosures 1 to 5. These comprise the NZDF's Individual Employment Agreement, and Collective Employment Agreements for: the Public Service Association (PSA); the National Union of Public Employees (NUPE); and, the Defence Technology Agency Staff Association (DSA). While some of these agreements had expired, they were still in force over this specific time.

6. *Any advice, documents or briefing material provided to the Minister of Defence or NZDF leadership referencing the inability of civilian staff to assist with the Cyclone Gabrielle response due to contractual restrictions.*
7. *Any formal requests from NZDF civilian staff to participate in Cyclone Gabrielle response efforts and records of how those requests were handled.*
8. *Any documents, reports, debriefs, or presentations following Cyclone Gabrielle that discuss all impacts of civilian staff not being able to assist with Cyclone Gabrielle.*

These parts of your request are also declined in accordance with section 18(e) of the OIA for the same reason as noted above.

9. *Any past or present criteria used to determine when and how NZDF civilian staff can and have been used during domestic emergency response work.*

I refer you to the answer to the first part of your request. If civilian staff wish to volunteer for HADR work, they are able to join other organisations as volunteers, such as their local Civil Defence group, or Fire and Emergency New Zealand. As volunteers for such organisations, they will undertake training specific to the range of functions that these organisations are likely to undertake in a HADR situation.

RNZAF Base Woodbourne has a Base Contingency Force that comprises 12 members (3 civilian staff and 9 military personnel). The role of the civilian staff is voluntary and the staff are provided with the necessary training. Staff do not receive any additional remuneration as they are volunteers, and they are not employed to perform such work.

You have the right, under section 28(3) of the OIA, to ask an Ombudsman to review this response to your request. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that responses to official information requests are proactively released where possible. This response to your request will be published shortly on the NZDF website, with your personal information removed.

Yours sincerely

GA Motley

Brigadier

Chief of Staff HQNZDF

Enclosures:

1. Individual Employment Agreement
2. PSA Collective Employment Agreement part 1
3. PSA Collective Employment agreement part 2
4. NUPE Collective Employment Agreement
5. DSA Collective Employment Agreement