

5 February 2026

Governance and Administration Committee
Parliament Buildings
WELLINGTON

Via email: ga@parliament.govt.nz

Tēnā koe

DUNEDIN CITY COUNCIL SUBMISSION ON THE EMERGENCY MANAGEMENT BILL (NO. 2)

1. Thank you for the opportunity to submit on the Emergency Management Bill (No. 2) (the Bill).
2. The Dunedin City Council (DCC) plays a key role as a territorial local authority as the Civil Defence and Emergency Management (CDEM) controller for the city of Dunedin.
3. The DCC also plays a key role in CDEM planning and response in the Otago region, as a partner in the management and implementation of the Otago Civil Defence and Emergency Management Group Plan 2018 -2028 (the Group Plan) along with the Otago Regional Council and other local authorities in Otago.

Submission Summary

4. The DCC notes that its partnership role with other local authorities in the Group Plan becomes auditable and enforceable under the proposed changes, and seeks clarity around the statutory expectations of this should the Bill be enacted.
5. The DCC notes that the proposals in the Bill materially change the expectations of councils, Chief Executives, and governance arrangements, and seeks clarification on how these arrangements will be designed and implemented in practice.
6. The statutory expectations on councils are significantly increased through the proposed changes in the Bill. The Regulatory Impact Statement prepared for consideration alongside the Bill notes that there will be an estimated \$82.8 million in costs for local government if the proposed changes are enacted, which are largely unfunded in the modelling for the Bill.
7. The DCC seeks more information on how these additional costs will be reconciled, particularly as the Bill is open for consultation at the same time as rates capping options for local councils are being mooted by central government.
8. The DCC also seeks clarification on how councils will be supported by central government to implement the proposed changes in the Bill, including in how new requirements are monitored and evaluated, and any potential repercussions for councils if expectations are not met.

9. The DCC recognises that the Bill expands the accountability of councils for readiness and preparedness for emergency management, and is concerned that the Bill does not demonstrate how central government will support councils in these expectations.
10. Specifically, the Bill increases financial and reputational exposure for councils, and has direct implications for long term plans, resourcing, and Chief Executive assurance.
11. The DCC identifies a number of risks if emergency management becomes a core activity for local government as proposed in the Bill. At a high level, these include: governance and funding, compliance and assurance, and capacity across councils to deliver on new expectations. The DCC requests information on how central government will support local authorities in mitigating risks arising from new mandated emergency management obligations.
12. The DCC is committed to the Treaty of Waitangi and its principles. It notes that the Treaty of Waitangi is not included in the Bill and requests that the Bill be amended to reference it.
13. The DCC notes with concern that the Bill is open for submissions alongside a tranche of other, related government legislation such as the Natural Environment, Planning, and Public Works Act Amendment Bills. The DCC seeks assurance that if these Bills are enacted, central government will take a joined-up approach to the implementation of any changes and how these affect local authorities.
14. The DCC also notes that the Bill is open for submissions at the same time as the Simplifying Local Government consultation. It seeks clarification about how enactment of new emergency management requirements at a regional and local level will be reconciled with any changes to regional council governance and management.

Stronger Engagement for Communities and Iwi Māori

15. The DCC supports mandatory engagement with Māori and disproportionately affected communities. It strengthens the role of iwi and hapū in Emergency Management Committees and Coordinating Executive Groups. This aligns with Treaty of Waitangi principles and Te Taki Haruru, the DCC's Māori Strategic Framework. It is consistent with the approach the DCC is taking with its citywide climate resilience framework, which emphasises equitable outcomes, community engagement, partnering with mana whenua, and a just transition.
16. The DCC strongly supports the recognition that some communities (Māori, rural, or otherwise) face greater risks to emergencies. Furthermore, having representatives within these communities that can feed information and specialist knowledge to the wider Emergency Management Committee is also strongly supported.
17. DCC supports and notes that the Bill formalises central governments understanding of the nature and value of the knowledge Māori communities have about the areas they whakapapa to and reside in.

18. The DCC requests information as to what resource support looks like for representatives on the Emergency Management Committee before, during, and after an emergency.
19. In the development of regional management plans, DCC recommends altering “...engage with and involve representatives of iwi and Māori...” to “working in partnership with hapū, iwi, and Māori” as working with these communities to strengthen them is an on-going commitment.
20. Additionally, DCC advises including hapū in the partnership/engagement would be appropriate to account for different iwi and their respective structures on who to work with at the regional level depending on the size and significance of the emergency.
21. The DCC would like confirmation on who specifically would be an appropriate member within “...Co-ordinating Executive Group member with knowledge of the interests and values of local Māori communities”. Specifically, if they would be mana whenua, mātāwaka, or anyone deemed to have knowledge of that area, in regard to clause 39(2)(f) of the Bill.
22. The DCC would like clarification around who would be considered as hapū/iwi representatives. That is, would it be hapū, rūnaka, rūnaka chairs, iwi rūnaka, iwi chairs, or another entity/group/person.
23. The DCC also enquires if this role would be separate from the rural community’s role, or if these roles could be undertaken by the same person.
24. The DCC supports the acknowledgement in the Bill that the hardest effect of natural disasters is on our most vulnerable communities.
25. The DCC supports the requirement for emergency management leadership (the Director-General of Emergency Management and Emergency Management Committees) to directly engage with representatives from these specific communities, as previously this hasn’t always happened in a coordinated way and can be very reactive, despite any training and pre-planning having occurred.
26. The DCC supports the community engagement aspects outlined in Section 94 of the Bill. It requests further detail of how emergency plans will be executed in practice, and how the non-compliance part of the legislation will be enforced.

Risk Reduction Emphasis

27. The DCC supports the Bill’s stronger emphasis on risk reduction than the current Civil Defence and Emergency Management Act 2002, specifically stating that the functions of Emergency Management Committees include identifying, assessing and coordinating the management of hazards and risks. This reinforces the DCC’s climate adaptation and resilience objectives. It supports the collaborative approach the DCC is taking with the citywide climate resilience framework in Ōtepoti Dunedin

Clarity of Roles and Modernisation

28. The DCC supports how the Bill clarifies roles and responsibilities between levels of government and essential infrastructure providers. It allows for concurrent declarations if more than one event was to affect an area at the same time. Most critically, it provides civil

liability protection for issuing warnings and requires taking a precautionary approach to risk despite uncertainty. Those two provisions will facilitate implementation of the citywide climate resilience framework by removing potential legal barriers to future climate actions by council.

Resourcing and Capacity

29. The DCC is concerned that the Bill places new duties (equity engagement, animal management, offer management, compliance reporting) on local government. Central government has not indicated that it intends to offer any support for implementation costs or training. This concern is amplified because this Bill is just one of many legislative changes currently re-shaping local government. The combined effect is to significantly increase requirements on council, while reducing local control and spending authority – in effect requiring council to do significantly more with even fewer resources.

Ministerial Planning Standards and Direction Powers

30. The Bill grants the responsible Minister the authority to issue regional emergency planning standards. While the DCC sees benefit in a consistent planning approach across regions and minimum requirements that will raise the quality of emergency management plan, it recognises there is a risk that the proposed language will result in one-size-fits-all standards that do not reflect local hazard profiles. Requirements intended to raise the quality of plans may become a ceiling rather than a floor – unduly limiting the scope of regional emergency management plans.

Compliance Orders and Enforcement Powers

31. The Bill provides the Director-General of Emergency Management with broad powers to serve compliance orders to enforce or prevent contravention of legislative requirements. The DCC agrees that accountability is important, but is concerned that the Bill could result in central government imposing punitive measures on local government without addressing systemic funding and capability gaps that prevent compliance. The DCC recommends a more collaborative compliance approach that would work to address those gaps before enforcement.

Chief Executive Responsibilities

32. The Bill requires the chief executive of a local authority to coordinate resources for emergency management purposes at all times (not just when there is a state of emergency or transition period in force). While the DCC supports greater emphasis on preparedness, this requirement will have significant operational impact. The DCC recommends central government provide guidance to clarify the scope of this requirement and funding to support its implementation.

Essential Infrastructure Obligations

33. The Bill requires the providers of essential infrastructure to maintain emergency response plans and contribute to developing sector response plans as required by the Director-General of Emergency Management. It also requires essential infrastructure providers to

ensure their infrastructure is able to function to the fullest possible extent during and after an emergency. DCC is an essential infrastructure provider as defined in Schedule 3 of the bill (providing roading and water services). The DCC recommends further clarity on this requirement and guidance on its application, particularly given the Bill's approach to compliance and enforcement.

34. The DCC is aware that Ōtepoti Dunedin's essential infrastructure requires or will require resilience upgrades to fully meet this standard. The DCC is developing a citywide climate resilience framework, which will guide prioritisation and planning the city's climate adaptation and resilience responses. It recommends that central government provide national co-investment for resilience upgrades to avoid disproportionate burden on ratepayers.
35. The DCC is concerned that The absence of waste services from Schedule 3 of the Bill represents a significant gap in emergency preparedness and recommends that waste services be included as critical infrastructure in Schedule 3 of the Bill.

Animal Management Requirement

36. The Bill requires regional emergency management plans to include arrangements for managing animals during an emergency. While the DCC support this requirement in principle, it raises practical challenges if local government is made responsible for the transport, housing and care of livestock and domestic animals during an emergency. The DCC recommends central government provide guidance and funding to support implementation of this provision.

Taonga Māori and Other Cultural Heritage

37. The DCC has a strong and active commitment to preserving the unique heritage of Ōtepoti Dunedin. It is concerned to see that the proposal in the Regulatory Impact Statement prepared for the Bill — enable secondary legislation to support improved recovery planning for taonga Māori and other cultural heritage — has not been included in the Bill itself and would like to see the Bill amended to include this.

Transition Timelines

38. The Bill contains multiple provisions that commence within 6 or 12 months after Royal Assent. Again, the DCC's concern is amplified because this Bill is just one of many legislative changes currently re-shaping local government. The DCC recommends central government provide transitional support and establish realistic timeframes for plan reviews and engagement given the cumulative pressure on councils already managing multiple reforms.

Conclusion

39. Thank you again for the opportunity to provide feedback on this consultation.
40. The DCC would welcome the opportunity to provide feedback at any hearings on the Emergency Bill (No. 2), and to participate in any relevant engagement with how new emergency management legislation can be effectively implemented by local government.

Nāku noa, nā

A handwritten signature in blue ink, consisting of stylized letters that appear to be 'SB' followed by a flourish and a period.

Sophie Barker
MAYOR OF DUNEDIN
TE KOROMATUA O ŌTEPOTI