

30 October 2023

Governance and Administration Committee
Parliament Buildings
Wellington
By email: ga@parliament.govt.nz

Tēnā koe,

DUNEDIN CITY COUNCIL SUBMISSION: EMERGENCY MANAGEMENT BILL

1. The Dunedin City Council (DCC) welcomes the opportunity to provide feedback on the Emergency Management Bill. The DCC generally supports the Bill as it makes practical improvements to ensure the system can meet the current and future needs.

Support for the Civil Defence Emergency Management Groups name change

2. The DCC supports the name change from 'Civil Defence Emergency Management Groups' to 'Emergency Management Committees'.

Roles and responsibilities across the Emergency Management system

3. The DCC supports the clarification of roles and responsibilities of Emergency Management Committees and local authorities, as introduced by clauses 29 and 37.
4. The DCC agrees that the lack of clarity about roles and responsibilities of Emergency Management Committees and local authorities has impacted the effectiveness of the emergency management system. A consistent approach at a regional level, which is supported at a national level, will better enable integration of staff resources that can be brought in from outside a region to support emergency events.
5. The DCC acknowledges the clarification given in the Bill that Emergency Management Committees are not PCBU (Person Conducting a Business or Undertaking) under the Health and Safety at Work Act 2015.

Māori participation in Emergency Management

6. The DCC supports the legislative recognition of the role and enhancement of participation of Māori in Emergency Management, as introduced by clauses 20, 21, 26, 33 and 144. The various levels of involvement and inclusion of Māori in the Emergency Management Committee, and at a national level (appointment of a National Māori Emergency Management Advisory Group), is in line with the principles of the Treaty of Waitangi.
7. The DCC requests further clarification on how each Māori member would be chosen and would like some commentary around who each Māori member on each level of Committee/Executive/Advisory Group represents (i.e., is it hapū, iwi, or "area" based?).

8. The DCC notes that Māori are regularly asked to contribute to committees and groups. If the Act requires that Emergency Management Committees and Emergency Management Co-ordinating Executives are to have Māori representatives, the DCC would like clarification on attendance fees and/or expenses for Māori participation.
9. The DCC supports the permanent legislative authority introduced by clause 149 so that iwi and Māori organisations can be reimbursed directly for welfare costs incurred during an emergency. However, the DCC would like to know what consideration has been given to the costs of preparedness undertaken by iwi and Māori organisations before an event.
10. The DCC supports the requirement introduced by clause 29(1) for Emergency Management Committees to recognise and plan for the needs and contribution of Māori.
11. The DCC requests further clarification on clause 67(2)(a)(iii) (the process for co-development of national-level planning arrangements with Māori) as to why this clause “may” be addressed in the national emergency management plans rather than a “must”.

Engagement

12. The DCC supports the requirement introduced by clause 143(h) for Emergency Management Committees to identify and then engage with communities in their area that are likely to be disproportionately impacted by emergencies.
13. The DCC supports the requirement introduced by clause 76 for Emergency Management Committees to engage with representatives of communities that are likely to be disproportionately impacted by emergencies in the development of their Emergency Management Committee Plan.

Infrastructure

14. The DCC supports the following points of the critical infrastructure components of the Bill.
 - the purpose in managing risks relating to critical infrastructure in planning and contributing to Emergency Management
 - the expansion of the definition of critical infrastructure to include services essential for everyday life.
 - the requirement for entities to develop response plans
 - the widening of the interpretation and ability for agencies and organisations to be added as critical infrastructure provides clarity and flexibility around who should be included and can be included.
15. The DCC notes that, currently under clause 147, the Director of Emergency Management can make rules and must consult as per subsection 3 of the clause. It has the provision that no consultation needs to take place under subsection 4 when a ‘minor change’ is made. The DCC suggests that the wording of subsection 5 detailing the meaning of ‘minor change’ should also include the words ‘direct cost’. If the minor change is going to incur a direct cost on a local authority, then this should be consulted upon with the affected local authority/ies. Overall, the DCC asks that the definition

of 'minor change' should be detailed, as this would also safeguard what could be change to rules that impact Māori or other minority groups.

16. The DCC requests further consideration of funding arrangements. Reimbursement is currently dispersed within a number of legislative instruments and cabinet decisions. The DCC asserts that clarifying reimbursement is important, particularly for smaller councils as costs can be large and disproportionately burdensome. For example, consideration should be made to allow for contractors and surge staff in certain circumstances to be reimbursable.

Conclusion

17. The DCC thanks members of the Governance and Administration Committee for consideration of the above comments on the Emergency Management Bill.

Nāku noa, nā,



Jules Radich
MAYOR OF DUNEDIN