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2026 NR:MR

Committee Secretariat  
Governance and Administration Committee  
Parliament Buildings  
Wellington  
via: [ga@parliament.govt.nz](mailto:ga@parliament.govt.nz)

Dear Governance and Administration Committee,

## **HORIZONS REGIONAL COUNCIL SUBMISSION – EMERGENCY MANAGEMENT BILL (NO 2)**

Thank you for the opportunity to submit on these proposals. Horizons wishes to speak to this submission.

Horizons Regional Council (Horizons) is the regional authority for the Manawatū-Whanganui Region, extending from south of Levin to north of Taumarunui and from Whanganui across to the east coast, covering an approximate 22,000km<sup>2</sup> in total. Horizons' responsibilities include coordinating our region's response to natural disasters, flood control, managing the region's natural resources, monitoring air and water quality, pest control, facilitating economic growth, and leading regional land transport planning.

Horizons is broadly supportive of the submissions made by the Manawatū-Whanganui Civil Defence Emergency Management (CDEM) Group, and Te Uru Kahika.

### **EXECUTIVE SUMMARY**

1. Horizons is broadly supportive of the intent and direction of the Emergency Management Bill (No 2). We support the move toward a modernised and clear emergency management system that strengthens community wellbeing and public safety across the 4 Rs (reduction, readiness, response, and recovery). We recommend targeted amendments to improve clarity, strengthen system integration, and reduce the risk of unintended or perverse outcomes during implementation.
2. Resourcing and funding are critical to successful implementation. Horizons is concerned that the Bill introduces significantly expanded responsibilities to local government without clear provision of central funding for implementation. The Regulatory Impact Statement (RIS) estimates implementation costs of \$82.8 million over four years (not counting costs of meeting higher standards), falling on councils. This creates a material risk to implementation, particularly in the context of proposed rates capping and other concurrent legislative reform programmes. Without central funding support, there is a risk that the objectives of the Bill will not be fully realised, and that impacts will fall disproportionately on rural, smaller, and higher-risk regions. An additional key driver for how successfully the Bill will be implemented will be the how well the Emergency Management System Improvement Programme is funded,

and the assurance requirements that will be set later to drive audit and performance checking.

3. The Manawatū-Whanganui Region covers a large geographic area, faces a wide range of natural hazards, and includes a number of rural and small councils. Horizons considers that the cumulative effects of increased planning scope, governance responsibilities, and resourcing implications under this Bill are likely to have a disproportionate impact on our region. Central funding, national consistency where appropriate, and regional flexibility will be important to ensure equitable and effective outcomes nationally.
4. Meaningful participation of iwi/hapū and communities requires resourcing. Horizons strongly supports strengthening iwi/hapū participation in the emergency management system and recognises iwi/hapū as having valuable and unique knowledge, capability, and experience in emergency management. To be effective, this participation must be properly resourced. We recommend central funding mechanisms to support participation in planning processes and to reimburse costs incurred in emergencies. This would align with Cabinet's reform objectives, the findings of Government Inquiry into the Response to the North Island Severe Weather Events, and the National Disaster Resilience Strategy.
5. Horizons supports the strengthened role of Emergency Management Committees (EMCs) and Coordinating Executive Groups (CEGs) within the emergency management system. Given their expanded functions and responsibilities under the Bill, clarity of role, appropriate representation (such as iwi/hapū), and equitable resourcing of districts within each region are critical. We recommend that the Bill better recognise the advisory, support, and coordination functions that sit behind EMCs and CEGs.
6. Effective planning relies on clear, aligned roles, responsibilities, and processes across legislation. Emergency management functions operate alongside a range of statutory roles and responsibilities under other legislation, much of which is under reform or substantive amendment such as resource management and local government legislation. Horizons considers that inconsistent terminology, shifts in hazard management responsibilities, and unclear relationships between national, regional, and local roles risk creating uncertainty in how emergency management functions are carried out in practice. Clear, aligned roles must be supported by robust and transparent engagement and submission processes, with adequate timeframes and a requirement that decision makers meaningfully consider submissions received.

## GENERAL FEEDBACK

7. Horizons made a submission on the 2023 Emergency Management Bill. While some of our submission points are reflected in this iteration of the Bill, we note that, disappointingly, many are not. Particularly those around resourcing of iwi/hapū to participate in emergency management processes.
8. We recommend that clauses 25 and 26 of the previous Emergency Management Bill (2023) which broadened membership of the Committee to include Māori representation be carried through to this iteration of the Bill.
9. Horizons is concerned that clause 149 of the previous Emergency Management Bill to provide for central funding to reimburse iwi for expenses incurred in connection with an emergency has not been carried through to this iteration of the Bill. The welfare support that iwi and hapū provide, through marae in particular, are invaluable

in emergency events. Reimbursement of expenses should be provided for in legislation rather than government policy to ensure marae are not left carrying the costs of that welfare provision. Horizons would like to see this clause included, with an expansion to include hapū, and additional service providers and social organisations, such as Pasifika and rural communities. This recommendation would align with the reform objective to strengthen the participation of communities and iwi Māori in emergency management that Cabinet agreed to. This recommendation would also align with focus area 1.2: recognise and enable the significant contribution of iwi and Māori in emergency management to the benefit of all people in New Zealand, and focus area 1.4: improve how communities access funding after an emergency, from Strengthening disaster resilience and emergency management – Government response to the Report of the Government Inquiry into the Response to the North Island Severe Weather Events (Government response report), and recommendations 3: optimise the effort of iwi Māori to benefit all people in an emergency, and 14: update the policy settings, criteria, and process for funding and distributing response costs from the Government Inquiry into the Response to the North Island Severe Weather Events (NISWE Inquiry).

10. Horizons Regional Council's strategic framework, adopted through our 2024-34 Long-term Plan (LTP) also includes a strategic priority of Te whakakaha whanaungatanga ki te tangata whenua | Strengthening partnerships with tangata whenua and a community outcome of He whanaungatanga wai mana | Our region's relationships with iwi and hapū are respectful and mana-enhancing. We would like to see this intent reflected in the Bill.
11. The cabinet paper on these proposals noted that legislation on its own will not fully strengthen the emergency management system, and that it needs to be backed up by assurance and by increasing the capacity and capability of the system, including for local government and NEMA. Horizons agrees that legislation alone will not strengthen the system, and that this legislation must be implemented, which is reliant on the ability for councils to resource that implementation.
12. While we recognise the \$4:1 return on investment for disaster preparedness, there is still an up-front cost to councils, estimated at \$82.8 million over four years in the Regulatory Impact Statement (RIS). This will be extremely difficult in an environment where rates capping of 2-4% is proposed for councils, and there is a raft of other legislative change, such as resource management reform, for councils to implement. We note that the rates capping proposal includes exceptions where permission will be granted to increase rates beyond the upper end of the range in extreme circumstances such as a natural disaster, however, there is no provision in the proposals to increase spending to facilitate disaster preparedness. This may create a perverse outcome where councils are disincentivised or unable to facilitate disaster preparedness. This is especially prevalent in situations where councils are already experiencing a lack of central government investment to support disaster preparedness. A prime example in our region is the lack of a rain radar which severely compromises our ability to prepare for and respond to short notice extreme weather events. We are the only region in the country without a rain radar, despite being exposed to a wide range of natural hazards.
13. Horizons notes that this cost burden will not be distributed evenly across councils, and those rural and smaller councils, and those with higher hazard risks will be disproportionately impacted. This is also true, to a greater or lesser extent, for the other significant reforms proposed by central government. The Manawatū-Whanganui region covers a significant land area, is exposed to a breadth of natural

hazards, and contains rural and small councils. We expect that the costs of implementation are likely to disproportionately affect our region.

14. The RIS also identifies a risk to the proposal: lack of resource, capacity and capability to implement all requirements fully and/or in a timely manner will delay realisation of expected benefits of improved system. Horizons agrees that this is a risk. We note that no mitigation is proposed to this risk, purely a note that costs will fall to local government. We consider that central funding would go a long way to mitigating the risk.

#### **Recommendations**

Include in the Bill a mechanism for central funding of iwi/hapū involvement in emergency management processes.

Include the inclusion of Māori representative(s) as member(s) of Emergency Management Committees.

Include a clause similar to, but broader than, c149 of the 2023 Emergency Management Bill to provide for central funding to reimburse iwi/hapū, Pasifika and rural communities, and additional service providers and social organisations, for expenses incurred in connection with an emergency.

Provide central funding to mitigate the additional cost burden on councils to implement the new legislation.

#### **ALIGNMENT WITH OTHER LEGISLATION**

15. Hazard management functions of local government currently span a range of legislation, including the Civil Defence Emergency Management Act 2002, Local Government Act 2002, and the Resource Management Act 1991 (RMA), all of which are currently being reformed or amended. It is imperative that this suite of legislative change is consistent, integrated, and without duplication to avoid implementation issues and unintended consequences.
16. Some of the terms used in the Bill have been removed or not included in other Bills. For example, clause 3 refers to "social, economic, cultural, and environmental wellbeing" which has been removed through the Local Government (System Improvements) Bill, and "sustainable management" which has not been included in the Planning Bill (PB) and Natural Environment Bill (NEB).
17. There are also overlaps in functions and planning between the Bills. Under this Bill, emergency management strategies and plans will be made to provide for hazards and risks to be managed, under clauses 82(2) and 91(1). The Planning Bill requires regional spatial plans to include constraints on the use and development of land and the coastal marine area, including natural hazards, through clause 3(1)(a) of Schedule 2 to that Bill. There is a risk of unintended consequences if these plans deal with hazards in different ways or have conflicting objectives or outcomes. We recommend that the scope of hazard management functions be refined to avoid duplication.
18. The NEB enables the Governor-General to make emergency response regulations for the purpose of responding to a natural hazard event or other emergency in an area and enabling recovery efforts in the affected area (including any work required to improve the resilience or standard of assets). This is a significant overlap with the

National Emergency Management Strategy and National Emergency Management Plan functions proposed through this Bill and conflicts with the Government response report focus area 2.3: clarify operational roles and responsibilities in emergency management.

19. In addition, there are changes proposed to the functions and responsibilities of regional councils and territorial authorities through the NEB and PB to replace the RMA. Currently, under section 30 of the RMA, regional councils are responsible for the control of the use of land for the purpose of the avoidance or mitigation of natural hazards. Territorial authorities, through s31 RMA are responsible for the control of any or potential effects of the use, development, or protection of land, including for the purpose of the avoidance or mitigation of natural hazards. The NEB and PB as drafted propose to amend these responsibilities so that territorial authorities, under clause 184 of the PB, must regulate and manage effects of natural hazards as they relate to land use, while regional councils, under clause 221 of the NEB, must regulate and manage natural hazard risks as they relate to natural resources. This division of responsibilities might constrain the ability of local authorities, in their role in clause 42 of this Bill, to effectively identify and manage those hazards and risks within their region or district and, ultimately, to achieve the purpose of the Bill set out in clause 3. Additionally, this may lead to a perverse outcome where the types of information that local authorities gather within their resource management planning function become less aligned with the information required to implement this Bill.
20. We note that paragraph 329 of the RIS identified previous feedback on weak alignment between emergency management plans and other statutory planning. The Bill, alongside these other legislative changes, does not improve this.

#### **Recommendations**

Ensure consistent, integrated, and non-duplicative functions and planning of local government, and terms used across the reform of the local government, emergency management, and resource management systems.

#### **CONTENTS AND PART 1 – PRELIMINARY PROVISIONS**

21. Horizons considers that the commencement of provisions relating to engagement with disproportionate communities under clauses 2(3)(d) and (e), should be addressed by rules or regulations made by the Minister under subpart 6 of Part 5 and commencement be dependent on those rules being made.
22. We question the need, under clause 2(4) for the commencement of the identification of lead agencies in the NEMP to be up to two years. Agencies or clusters with roles and responsibilities under the National CDEM Plan 2015 are already identified in Appendix 3 of that plan, and clause 88 provides for a targeted amendment to that plan in order to identify led agencies. We recommend this be amended to six months.
23. Establishing the new roles within Emergency Management Committees will require a lead in time. We recommend this be included under clause 2(2) or (3) to provide a minimum of six months for implementation.
24. We strongly support the focus of the Bill on supporting community wellbeing and public safety across the '4 Rs'.

25. Horizons recommends a consolidated reference for “authorised persons” for clarity as authorised person is defined in various ways across Part 4 of the Bill.
26. The definition for disproportionately affected communities requires clarity, particularly noting that inconsistencies in defining these communities across government departments. Identifying these communities creates difficulties, particularly if those communities have varying capacities to engage with planning processes. Some communities may only be disproportionately affected within a particular district or ward, and not at a regional scale. Addressing the concerns of individual communities should sit within the functions of individual local authorities.
27. We generally support the definitions in clause 7 but wonder if the definition of an essential infrastructure provider (including the list/description in Schedule 3) is broad enough to capture an essential service under clause 7(2)(e): a service that underpins or is necessary for the functioning of the economy or society of the whole or part of New Zealand. We support the NISWE Inquiry recommendation 12: recognise a wider group of critical infrastructure entities.
28. We oppose the exclusion of entities that provide flood protection infrastructure from the definition of essential infrastructure provider (in that these are not listed in Schedule 3). We recommend entities that provide flood infrastructure be added to Schedule 3.
29. Horizons is generally supportive of clause 13 which enables a cautious approach to managing risk under an emergency management plan, though we suggest this should enable a precautionary approach to managing risk, as per the clause title.

#### **Recommendations**

Align the commencement of provision relating to disproportionately affected communities with the availability of rules or regulations made by the Minister under subpart 6 of Part 5.

Amend the commencement date for the identification of lead agencies in the NEMP to six months.

Allow at least six months for Emergency Management Committees to establish the new roles.

Provide a consolidated definition for authorised person.

Provide greater clarity in the definition for disproportionately affected communities.

Broaden the scope of essential infrastructure providers to ensure clause 7(2)(e) is captured.

Add entities that provide flood protection infrastructure to Schedule 3.

Amend “cautious” to “precautionary” in clause 13(2).

## **PART 2 – EMERGENCY MANAGEMENT SYSTEM ROLE HOLDERS**

### **Subpart 1 – National role-holders**

30. Horizons is supportive of subpart 1 to the extent that it carries over existing roles and functions and provides improvements for clarity. We caution that the centralisation of authorities and powers provided to the Director-General, as both the national

controller and national recovery manager, must be used proportionately and transparently, with clear safeguards. When these powers are used, we suggest they should be used in conjunction with local input from Emergency Management Committees.

## Subpart 2 – Regional role-holders

31. Horizons supports the adjustment from Joint Committees to Emergency Management Committees under the Bill, the powers and duties set out in clauses 29 and 30, the use of standing orders adopted under the Local Government Act 2002, rather than the NZS, and the provisions for attendance at Emergency Management Committee meetings by audio or audiovisual link in clause 34. This supports modern current practices.
32. As aforementioned, we are concerned that clauses 25 and 26 of the previous Emergency Management Bill (2023) which broadened membership of the Committee to include Māori representation has not been carried through to this iteration of the Bill. We agree with the RIS that iwi Māori have unique, knowledge, skills, and resources to contribute to emergency management across the 4 Rs which comes from their experience responding to and recovering from emergencies in New Zealand for centuries; and there is also a need for stronger recognition of iwi Māori as Treaty partners in the emergency management system. We recommend that Emergency Management Committees may include iwi/hapū representation through amendments to clause 24.
33. We are broadly supportive of the functions set out in clause 27 but request a minor amendment to (1)(b), from “including volunteers” to “which may include volunteers”, in the event that there are suitably trained and competent personnel even in the absence of volunteers. We also suggest an additional responsibility for Emergency Management Committees to ensure minimum and equitable resourcing and service levels across the districts in its region.
34. We suggest, given the power of the Minister to require amendments to a proposal for a regional emergency management plan under clause 96(4) if the plan would fail to meet the requirements of the Act or the national emergency management plan, that “and the national emergency management plan” should be added to clause 31.
35. It is important to note in relation to clauses 37 and 38 that the Manawatū-Whanganui CDEM Joint Committee (to become the Emergency Management Committee) is supported by a Group Manager and team of emergency management professionals who provide advice to the Committee and Coordinating Executive Group. This is a more significant and consistent function than represented in the Bill. We recommend the Bill recognise and provide for this service.
36. Horizons generally supports the appointments and functions set out in clause 39. In particular, we support the requirement for the coordinating executive group (CEG) to include Māori expertise in clause 39(2)(f). Through Horizons’ role in the management of our region’s CEG, there is already an iwi representative, so this clause is in alignment with current practice.
37. However, we are concerned that the appointment of persons with ‘knowledge of the interests of communities related to emergency management’ in clause 39(2)(g) is extremely vague. While this allows for more regional and local knowledge, the inconsistent nature of the application of this will result in fragmented representation across the country. We recommend this align with the terminology used elsewhere

in the Bill of 'disproportionately affected communities', and CEG representation of these would sit with current regional representative of appropriate central government departments (such as the Ministry of Social Development) unless specified by the Committee. This current description does not align with the NISWE recommendation 5: clarify roles in emergency management.

38. We support the roles and requirements of clauses 40 and 41 of Emergency Management Co-ordinating Executive Groups, however, we suggest an amendment to clause 38 to enable financial remuneration outside of the EMC. This would enable remuneration of CEG members, such as the rural and iwi representatives, with duties that sit outside organisational responsibilities.
39. Horizons is comfortable with the roles and duties set out for local authorities in clauses 42 and 43.
40. We support the intent of clause 45 to reimburse or pay costs incurred by local authorities or water organisations in connection with an emergency. However, the Bill as drafted does not set a mechanism for the reimbursement/payment to occur, nor does it specify that the reimbursements/payments will be centrally funded. These aspects should be clarified in the Bill to support the Government response report focus areas 2.1: NEMA will increase its focus on the provision of resources that local authorities need; and 2.4: strengthen the regional tier of emergency management.
41. We support the clarity as set out in this subpart as they relate to the role holders of controllers and recovery managers in separate response and recovery phases. We note that all appointments require suitably qualified and experienced persons and request that this level of suitability be prescribed through rules or regulations made by the Minister under subpart 6 of Part 5, to support recommendation 5 of the NISWE Inquiry.
42. We note that the Report of the Government Inquiry into the Response to the North Island Severe Weather Events included a recommendation that regional and local authority chief executives become the primary controller and can delegate to suitably qualified individuals, while retaining overall accountability. Horizons' chief executive is a named group controller, and we have a group manager named as the group recovery manager. In our experience, the chief executive does not need to be a primary controller to retain strategic oversight. In fact, this role may compromise the role of chief executives in business continuance during emergency and transition periods as required under clause 43 of this Bill.

#### **Recommendations**

Amend clause 24 to enable the inclusion of iwi/hapū representation on Emergency Management Committees.

Amend clause 27(1)(b) from "including volunteers" to "which may include volunteers". Include a mechanism for the reimbursement/payment of costs for the training and exercising of volunteers and specify that this will be centrally funded.

Add to clause 27 an additional responsibility for Emergency Management Committees to ensure minimum and equitable resourcing and service levels across regions.

Add "and the national emergency management plan" to clause 31.

Recognise and provide for the current practice in service of administering authorities in clauses 37 and 38.

Amend the requirement in clause 39(2)(g) to require knowledge of “disproportionately affected communities”, to align with terminology used elsewhere in the Bill.

Include a mechanism for the reimbursement/payment of costs for representatives specified in clause 41 and specify that this will be centrally funded.

Include a mechanism for the reimbursement/payment of costs through clause 45 and specify that this will be centrally funded.

Prescribe the qualifications and experience required for a person to be suitable for the roles of controllers and recovery managers through rules or regulations made by the Minister under subpart 6 of Part 5.

### Subpart 3 – Other parties

43. Horizons supports the clearer approach to the role of lead agencies in the response phase through clauses 69 and 70, particularly when compared to the status quo which is reliant on national plan provisions. We see a need, however, to make these roles more explicit for the recovery phase, in alignment with the response phase.
44. We support the direction for emergency services to participate in the development of plans through clause 72(b), however it is not clear whether these are national, regional or local level emergency management plans.
45. We support clause 74 with regard to the provision of information by essential infrastructure providers. We are pleased to see water service providers included in essential infrastructure providers in Schedule 3, however, we provide suggestions of how these providers could be refined in our comments on Schedule 3.
46. We are concerned to see the roles and responsibilities for support agencies that were included in the 2023 Bill, omitted in this Bill. Support agencies make important contributions to social and cultural wellbeing and their roles and responsibilities should be set out in the Bill.

### Recommendations

Retain the clear approach to the role of lead agencies through clauses 69 and 70 for response. Clarify the role of lead agencies in recovery.

Clarify the level of planning that emergency services are required to participate in the development of under clause 72.

Include the roles and responsibilities for support agencies in the Bill.

## PART 3 – EMERGENCY MANAGEMENT SYSTEM PLANNING

### Subpart 1 – National emergency management strategy

47. Horizons notes that in clause 79, the Minister is not required to explicitly consult local authorities on a national emergency management strategy, nor are they required to give any thought to submissions that are received. Reasonable time is not specified. We recommend that clause 79 be amended to state the Minister must give interested

persons, including local authorities, Emergency Management Committees and iwi/hapū, at least 20 working days to make submissions on the proposal. The national emergency management strategy will inform both the NEMP, and regional emergency management plans. It is important that the strategy is fulsome and does not result in implementation issues.

48. We provide commentary on the progression of the NEMS to replace the current National Disaster Resilience Strategy within the section on Schedule 1 to the Bill.

#### **Recommendations**

That the Minister must give interested persons, including local authorities, Emergency Management Committees, and iwi/hapū, at least 20 working days to make submissions on the proposal, under clause 79.

### **Subpart 2 – Emergency management plans: duties relevant to making of national plan and regional plans**

49. Horizons is supportive in principle of the duties set out in subpart 2 which retain the status quo.

### **Subpart 3 – National emergency management plan**

50. While there is a process to prepare and approve a proposal for the review of a NEMP, there is a clause missing from the Bill to provide a mechanism to make a national emergency management plan (NEMP). Only clause 82(3) mentions the recommendation of the making of a NEMP and it only requires the Minister be satisfied that the plan is consistent with the NEMS. A clause should be added to set out the process to make a NEMP. It should include that the Minister must have particular regard to submissions on the proposal for a NEMP and must give reasons for accepting or rejecting submissions.
51. We support the identification of lead agencies through clause 83, to introduce a clearer lead-agency framework than the status quo.
52. Clause 86 requires the Director-General to engage with and seek advice on Māori interests and knowledge. Horizons supports this requirement but notes there is no provision to resource Māori to engage in this process. We recommend, to meaningfully seek Māori engagement in the process, a requirement for central funding of Māori involvement.

#### **Recommendations**

Include a clause to provide a mechanism to make a national emergency management plan.

Require that the Minister must have particular regard to submissions on the proposal for a NEMP and must give reasons for accepting or rejecting submissions.

Centrally fund Māori engagement with the Director-General as set out in clause 86.

### **Subpart 4 – Local and sector plans**

53. Horizons is generally supportive of the approach to regional emergency management plans, subject to amendments. However, we note the scope of these plans has increased which will add a considerably increased resourcing burden to

prepare and make the plans, and that the RIS does not provide a mitigation for this implementation risk.

54. National consistency could be achieved through moving clauses (l) and (m) of clause 91(1) to the requirements of the NEMP under clause 82(2). Arrangements for how offers of assistance will be managed in an emergency could be set nationally to ensure that processes are the same for individuals offering to help even if they are away from their home region when an emergency occurs. MPI is the agency responsible for animal welfare in an emergency so it would be appropriate for the arrangements under (m) to be set nationally. We note that amendments may be required to clause 15 to enable these recommendations.
55. Horizons is broadly supportive of the process to review regional emergency management plans under clause 93. However, we note that an Emergency Management Committee, under clause 93(1)(c) may at any time review part of the plan. We request that this be amended to include the plan in full. Changes to the NEMS or NEMP may mean that an Emergency Management Committee might want to review the entire plan early.
56. Additionally, we suggest an amendment to 93(1) to require that reviews of regional and local plans should be initiated within 1 year of the replacement of the NEMP to ensure national consistency with the national plan.
57. Horizons is generally supportive of clause 94(a), particularly the wording “that the Committee considers”, as the definition for disproportionately affected community is very broad. The Committee can only act on known information as to who could be disproportionately affected by an emergency.
58. As noted earlier in our submission, some of these communities may only be disproportionately affected in particular districts of wards and not at a regional scale. In this case, addressing the concerns of individual communities should sit within the functions of individual local authorities.
59. We support clause 94(b) which requires the Emergency Management Committee to engage with and involve representatives of iwi and Māori in the Committee’s area as this aligns with current practice.
60. Horizons supports the process for public notification of a proposal for a regional emergency management plan in clause 95.
61. Under clause 96(4), the Minister may require amendments if the minister considers the plan would fail to meet the requirements of the NEMP. However, there is no requirement in clause 90(3) for a regional plan to be consistent with the NEMP, only the NEMS. We recommend either clause 96(4) be amended to reference the NEMS rather than the NEMP or add to clause 90(3) the requirement for a regional plan to be consistent with the NEMP.
62. We support the processes set out in clauses 98 and 99 for amending regional emergency management plans as the clauses align with the national process, allow for additions as new information is obtained, and allow for corrections if required.
63. Horizons supports the process to prepare regional emergency management planning standards in clause 101 and welcomes the opportunity for the public, local authorities, Emergency Management Committees, and iwi/hapū to submit within an

adequate timeframe. We suggest this timeframe should be specified as at least 20 working days.

64. Under clause 103, the Minister only *may* give public notice and reasons for the withdrawal of regional emergency management planning standards (REMPS). There might be situations where the REMPS are withdrawn during a regional planning process. It is important that those involved in the planning be given notice and the reasons for the withdrawal of all or part of the standards.

#### **Recommendations**

Move clauses (l) and (m) of clause 91(1) to clause 82(2) to provide national consistency.

Include the ability for an Emergency Management Committee to at any time review the plan in full under clause 93(1)(c), and require under 93(1) that reviews of regional and local plans should be initiated within 1 year of the replacement of the NEMP.

Either amend clause 96(4) to reference the national emergency management strategy rather than the emergency management plan; OR add to clause 90(3) the requirement for a regional plan to be consistent with the national emergency management plan.

Specify in clause 101 that the timeframe for submissions should be at least 20 working days.

Require, in clause 103, the Minister to give public notice and reasons for the withdrawal of regional emergency management planning standards.

#### **PART 4 – EMERGENCY RESPONSE AND RECOVERY: STATES OF EMERGENCY AND TRANSITION PERIODS**

65. Horizons is generally supportive of Part 4 of the Bill. We particularly support the progression from section 66(3) of the CDEM Act, in which the declaration of a national state of emergency causes any other state of emergency in the area to cease to have effect, to clauses 109 and 110, which enable the Minister to specify where the national state of emergency applies to, and do not cause any other state of emergency to cease to have effect.
66. We are broadly supportive of the provisions for transition periods but suggest that the extension of the duration of a transition period under clause 152(1)(b)(ii) be extended to 90 days to avoid administrative burden in a significant recovery situation, noting the transition period can be terminated earlier by declaration if appropriate.
67. We are generally supportive of clauses 167 and 169. Our comments in relation to clause 168 are captured under our section on Schedule 4.

#### **Recommendations**

Extend the extension of the duration of a transition period under clause 152(1)(b)(ii) to 90 days.

#### **PART 5 – INFORMATION, ENFORCEMENT, COMPENSATION, APPEALS, AND SECONDARY LEGISLATION**

68. Horizons supports clauses 170 and 171 in subpart 1, particularly to clarify the roles enabled to require information.

69. We note that there is no compliance order regime within the current legislation. While Horizons acknowledges there is merit in having stronger intervention tools available where necessary, their introduction raises questions about central overreach and procedural fairness. There is a risk that the relationships between emergency management officers and their communities could be undermined if the two are working together to find a solution for compliance and then a compliance order is issued over top of that process. It is important there is clear direction, which could be in the form of guidelines issued under clause 15(4), on when compliance orders can be used. This issue is also identified in paragraphs 308 and 309 in the RIS, including that commonly, inadequate or non-performance of obligations is due to a resourcing issue.
70. Horizons is generally supportive of the changes to the offences in subpart 3 from the status quo. In particular, that the regime has been modernised and provides for a range of fines based on the severity of the offence.
71. Horizons is concerned about the offences involving failure to comply with a requirement in an emergency management plan under clause 179. It might be the case, for example, that councils are unable to fully fund implementation of the national emergency management plan, in the face of rates capping and other legislative reform. Clarity is required as to the scope of the requirements captured under this clause.
72. We support the clarity provided in the compensation and cost recovery provisions of clauses 191-201. Unclear compensation and cost recovery can significantly impact councils financially following an emergency.
73. Horizons supports extending civil liability protections to reflect real world response behaviours clauses 202 and 203. We are pleased to see this protection covers good faith actions within emergency management and includes state of emergencies, transition periods, and the issue, or failure to issue, warnings.
74. We address the regulations or rules that we recommend be made by the Minister under subpart 6 of Part 5 throughout this submission. In regard to the process to make rules and regulations, we recommend the Minister must, before recommending the making of regulations under clause 211(2), and before making a rule under clause 213(1), give local authorities, Emergency Management Committees, and iwi/hapū to submit on the rule or regulation, respectively, within an adequate timeframe. We suggest this timeframe should be specified as at least 20 working days.
75. Horizons notes that the Minister's power to make rules prescribing performance under clause 212(1)(b) will be a key driver for how successfully the Bill will be implemented.
76. We recommend an amendment to clause 212 to require that the Minister *must* make rules prescribing technical and data standards for natural hazard information. This would ensure national consistency in data collection and natural hazard planning. These standards should include clear direction on which climate change scenarios should be used when obtaining natural hazard information. We recommend a consequential amendment to clause 213 to require the Minister to consult the Minister responsible for the Planning Act and Natural Environment Act on these rules to ensure consistency across the emergency management and resource management systems when collecting data for natural hazards.

#### Recommendations

Clarify the scope of the requirements captured under clause 179.

Amend clauses 211(2) and 213(1) to require the minister to give local authorities, Emergency Management Committees, and iwi/hapū at least 20 working days to submit on the rule or regulation, respectively.

Amend clause 212 to require that the Minister must make rules prescribing technical and data standards for natural hazard information. Amend clause 213 to require the Minister to consult the Minister responsible for the Planning Act and Natural Environment Act on these rules.

## SCHEDULES

### Schedule 1 – Transitional, savings, and related provisions

77. Horizons supports the carryover of matters initiated and the ability to amend matters to update to the new legislation, as provided in clause 2 of Schedule 1.
78. Clarity is required in clause 3 of Schedule 1 as to what “to the extent necessary to reflect sensibly the intent of the enactment or document” means in practice. The intent of the enactment/document is open to interpretation. An amendment to state “to the extent necessary to achieve the objectives of the enactment or document” would be more transparent.
79. We support the carryover of officers and bodies under clauses 4-11 of Schedule 1 for efficient continuity.
80. We suggest that a NEMS to replace the current National Disaster Resilience Strategy be progressed within one year of commencement. The Bill provides for the initiation of a review of the NEMP within two years of commencement under clause 14 of Schedule 1 to the Bill. The NEMP must be consistent with the NEMS, and it is entirely appropriate for a new NEMS and corresponding NEMP to assist in implementing the replacement legislation.

#### Recommendations

Clarify in clause 3 of Schedule 1 what “to the extent necessary to reflect sensibly the intent of the enactment or document” means in practice; OR amend to state “to the extent necessary to achieve the objectives of the enactment or document”.

Amend Schedule 1 to require progression of the NEMS within one year of commencement.

### Schedule 2 – Legislation relevant to emergency management

81. Horizons notes that the Climate Change Response Act 2002 is missing from the list of legislation relevant to emergency management. Given this Act provides for the national climate change risk assessment and national adaptation plan, it is highly related to the Bill. We recommend it be included in Schedule 2.
82. We also note that the Land Drainage Act 1908 is also absent from Schedule 2 and recommend it be included due to the flood control and drainage powers it includes.
83. We recommend the Local Government Official Information and Meetings Amendment Act 2023 and Local Government (Natural Hazard Information in Land Information Memoranda) Regulations 2025 be added to Schedule 2. Together, these

require the provision of natural hazard information in Land Information Memoranda which standardises natural hazard disclosure.

#### **Recommendations**

Include the Climate Change Response Act 2002, Land Drainage Act 1908, Local Government Official Information and Meetings Amendment Act 2023, and Local Government (Natural Hazard Information in Land Information Memoranda) Regulations 2025 in Schedule 2.

### **Schedule 3 – Essential infrastructure providers**

84. As aforementioned, we recommend entities that provide flood infrastructure be added to Schedule 3.
85. We are pleased to see water service providers included in the list of essential infrastructure providers. However, we suggest this list not include water service providers that provide only a minor aspect of a water service (as set out in s219 of the Local Government (Water Services) Act 2025). The current interpretation is broad and captures small supplies that are likely not essential.
86. There are also duties, such as the duty under s74(b) to develop and maintain a plan to ensure the infrastructure that it is responsible for providing is able to function to the fullest possible extent. The costs of implementing this requirement would likely outweigh the benefits for minor aspects of a water service. To provide an example, Horizons, among other small-scale water services, provides a long drop which disposes of sewage at the fern walk in our regional park. The functionality of a long drop does not seem essential in an emergency.

#### **Recommendations**

Add entities that provide flood protection infrastructure to Schedule 3.

Exclude water service providers that provide only a minor aspect of a water service (as set out in s219 of the Local Government (Water Services) Act 2025).

### **Schedule 4 – Reporting requirements for states of emergency and transition periods**

87. We are generally supportive of the requirements as set out for reporting after a state of local emergency or local transition period. These will provide nationally consistent factual accounts of the event and the exercise of powers and provide transparency for the community.
88. We note there is no requirement to assess the effectiveness of a response and recovery in terms of process nor outcomes. We suggest the development of a “lessons learned” system could be developed at the national level.

#### **Recommendations**

Develop a national “lessons learned” system in order to assess effectiveness of responses and recoveries.

### **Schedule 5 – Consequential amendments to other legislation**

89. Horizons is comfortable in principle with the amendments to other legislation proposed through Parts 1 and 2 of Schedule 5 as these largely seek to update references to the new terms in, and name of, the replacement legislation.

90. The Planning Bill proposes to amend Schedule 10 of the Local Government Act 2002 to require long-term plans to implement regional spatial plans, but the Emergency Management Bill No 2 does not make a similar amendment in relation to emergency management plans. We recommend the Emergency Management Bill amend the Local Government Act 2002 to require long-term plans to implement emergency management plans. We also recommend the review cycles for emergency management strategies, spatial plans, and long-term plans be aligned to reduce duplication and create funding efficiencies.

**Recommendations**

Amend Schedule 10 of the Local Government Act 2002 to require long-term plans to implement emergency management plans.

Align the review cycles for emergency management strategies, spatial plans, and long-term plans.

Thank you again for the opportunity to submit on these proposals. For further information, please contact Matthew Putt – [Matthew.Putt@horizons.govt.nz](mailto:Matthew.Putt@horizons.govt.nz).

Yours sincerely,



Nikki Riley, JP | BBS | MInstD  
**CHAIR**