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Policy Unit  
National Emergency Management Agency  
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Attention Policy Unit

Tēnā Koe

**Rangitikei District Council Submission to the National Emergency Management Agency  
Strengthening New Zealand's Emergency Management Legislation**

Rangitikei District Council (Council) thanks the National Emergency Management Agency for the opportunity to submit on Strengthening New Zealand's Emergency Management Legislation.

**Issue 1: Meeting the diverse needs of people and communities**

Council supports **Option 2 (non-legislative)**: Develop guidance on meeting diverse needs.

**Issue 2: Strengthening and enabling iwi Māori participation in emergency management**

Council supports **Option 2 (non-legislative)**: Address the roles of iwi Māori in plans, guidance, and other policy settings.

There are many groups representing Māori that are already active within our communities who have been called upon in emergencies. These groups all have varying mandates, representation, resourcing and capacity. Legislation has the potential to cause more division, resistance and expenses than expected. This option will also allow for local variations with CDEM groups.

**Issue 3: Strengthening and enabling community participation in emergency management**

Council supports **Option 2 (non-legislative)**: Develop and update guidance and strengthen public education.

Emergency management in New Zealand is based on the principle of everyone playing a role in managing their own risks and helping their families, neighbours and wider networks. Communities make important and significant contributions in the immediate aftermath of an emergency and have a vital role in risk reduction and resilience. Past events have shown us that communities can

*Making this place home.*

experience difficulty connecting to the formal emergency management system. Change is needed to enable people to have a greater understanding of the system.

#### **Issue 4: Recognising that people, businesses and communities are often the first to respond in an emergency**

Council supports **Option 2 (legislative)**: Provide for protection from civil liability.

Many people within the wider community, including businesses and other organisations, are often the first to respond in an emergency, which can frequently be prior to the formal emergency management system being stood up. This action can save lives or property well before formal help can be arranged. While undertaking these actions, people or businesses may need to use personal property to save lives, such as using privately owned inflatable boats to rescue stranded people.

There are numerous examples from previous events of people trying to help but being turned away or ignored. The current legislative environment encourages a risk adverse approach when considering aid offered by the community. Council believes that change is required, which could lead to better outcomes, especially during any initial response.

#### **Issue 5: Clearer direction and control during an emergency**

Council supports **Option 3 (legislative)**: Require Group Controllers (local emergency) or the Director (national emergency) to be the “Controlling agency.”

Council supports option 3, noting that we would like to see more emphasis placed on investment in training at all levels.

The discussion document identifies the problem associated with the term ‘emergency’ as without an overarching command structure to which all participants subscribe – with one entity directing and leading the response – the result will always be confusion, duplication, and even conflict.

In Councils experience, the root cause of the confusion appears to stem from a misunderstanding of the difference between Command and Control. While the discussion document defines ‘control,’ it indicates that the CDEM Act does not clearly state this definition. However, Council would like to point out that the term ‘control’ is clearly outlined within the Coordinated Incident Management System. Council believes that much of this confusion could be addressed through greater investment in training in CIMS, at all levels.

Training should also include personnel from different parts of the emergency management system, and those that regularly support emergency management responses, meeting and identifying strengths and weaknesses of each arm to streamline responses during emergencies.

Of the four proposed options, option 3 is the only option that identifies an increase in investment and training. Any of the identified options would require investment in training to ensure success of the chosen option. As option 3 is an enhanced version of the status quo, this option would lessen the training burden, by building on the existing lessons learned, training and investment of the last 24 years.

## **Issue 6: Strengthening the regional tier of emergency management**

### **6.1 Resolving overlapping CDEM Group and local authority roles and responsibilities**

Council **does not support** any of the options identified in the discussion document.

Council would prefer to see a fourth option considered, an **enhanced status quo**.

The Government's response to the Inquiry acknowledged that the locally led delivery of emergency management is a strength, and that local authorities are better placed than central government when it comes to understanding and managing risks within local communities. This appears to contradict the 2018 Technical Advisory Group report into better responses to natural disasters and other emergencies findings which states that approaches are not always collaborative and that some local authorities do not buy into the joint planning and implementation activities.

In Council's opinion, the options presented in the discussion document do not support the findings of the Government's response to the Inquiry, particularly that locally led delivery of emergency management is a strength of our system.

Council would prefer to see a fourth option considered, an **enhanced status quo**. An enhanced status quo would play to the strengths of the current system by using a locally led delivery, to enhance the status quo. Council would like to see more emphasis placed on the key performance indicators required of the Co-ordinating Executive Group (CEG). Council believes this group would be more efficient and effective if members were required to send their Chief Executives (but enabling the ability for Chief Executives to delegate where required). A strengthened and more accountable CEG would improve efficiency, effectiveness, and drive more coordinated CDEM activities within a Group boundary.

### **6.2 Providing for clear and consistent organisation and accountability for emergency management**

Council supports **Option 1: Status quo**.

Council would also support Option 2 (non-legislative): Update guidance and provide models for how CDEM Groups and local authorities could organise emergency management in their region.

If either of these options were to progress, Council would like to see more emphasis placed on building the capabilities and responsibilities of the CEG.

As previously identified, locally led delivery of emergency management is a strength of the current system. Only Option 1 and potentially Option 2 will provide for the continuation of local delivery of emergency management, and true engagement with the community, at the community level.

Council believes that the risks identified in the discussion document for these options could be suitably addressed by building more accountability within the CEG.

### **6.3 Strengthening the performance of Coordinating Executive Groups**

Council supports **Option 4 (legislative)**: Remove the ability for Coordinating Executive Group members to delegate membership or require these entities to have a single, specified delegate.

The discussion document identifies the issue of varying levels of engagement in the CEG throughout the country. In Council's opinion, this is one of the root causes of the perceived failure of the current CDEM system in many circumstances.

In Council's opinion, of the four options identified, Option 4 would provide the CEG with the impetus needed to address many of the perceived failings.

#### **Issue 7: Keeping emergency management plans up to date**

Council supports **Option 2 (legislative)**: Enable targeted, 'more than minor' amendments to the National CDEM Plan and CDEM Plan and CDEM Group Plans.

Council supports this option as it allows National and Group plans to be amended to respond to changes in the emergency management environment in an efficient and timely manner.

#### **Issue 8: Stronger national direction and assurance**

##### **8.1 Strengthening the Director's mandate to set expectations and monitor performance**

Council supports **Option 3 (legislative)**: Enable a wider range of mandatory standards to be set through rules **or Option 4 (legislative)**: Give the Director the function of monitoring the performance of the emergency management system.

Council raises concern that if Option 1 or Option 2 were to be implemented, despite the intention of these options, they would not adequately address the identified issues.

##### **8.2 Strengthening the mandate to intervene and address performance issues**

Council supports either **Option 2 (legislative)**: Provide the Director with the power to issue compliance orders, **or Option 3 (legislative)**: Expand the Minister's existing powers or intervention.

Council believes that legislative changes are required to ensure that parties failing to carry out their functions and duties effectively, and if not, provide the ability to take immediate action to address performance issues.

#### **Issue 9: Strengthening local hazard risk assessment**

Council supports **Option 4 (legislative)**: Enable the form and content of CDEM Group plans to be prescribed through secondary legislation.

Council believes that in order to achieve national consistency and avoid a minimally amended version of the status quo, legislative change is required.

#### **Issue 10: Strengthening due consideration of taonga Māori, cultural heritage and animals during and after emergencies**

## **10.1 Considering taonga Māori and other cultural heritage during and after emergencies**

Council supports **Option 2 (non-legislative)**: Develop guidance on considering taonga and other cultural heritage.

In Council's opinion, work in this space is progressing well regionally without the need for legislative changes.

Council would also like to highlight, that while it is extremely important to consider Iwi in the emergency management system, there are other ethnic groups that make up large portions of the population. For example, the Pacifica population makes up a large portion of the Rangitikei population. These communities should also be recognised in our emergency management response.

## **10.2 Considering animals during and after emergencies**

Council does **not support any** of the identified options.

Council recognises that the Ministry for Primary Industries (MPI) is the lead agency for animal welfare concerns. Council believes that MPI should be encouraged, through the implementation of Key Performance Indicators, to manage and fund the response to animal welfare concerns at local, regional, and national level.

### **Issue 11: Reducing disruption to the infrastructure that provides essential services**

### **Issue 12: Strengthening central government business continuity**

### **Issue 13: Managing access to restricted areas**

Officers do not have the capacity to respond to Issues 11 – 13, however wish to note that Council supports legislative change in these areas.

Council would also like to take the opportunity to note that the Rangitikei District has a number of vulnerable people spread across an expansive rural environment which can make it difficult to communicate and share important messages with these isolated communities. It is vital that there are reliable direct lines of contact to these vulnerable communities.

### **Issue 14: Clarifying who uses emergency powers at the local level**

Council supports **Option 2 (legislative)**: Tidy up existing functions and powers related to CDEM Groups, Controllers, and Recovery Managers.

Council believes that it is important that the inconsistent descriptions of functions and powers between CDEM Groups, Controllers and Recovery Managers, is tidied up to clarify roles and responsibilities.

### **Issue 15: Modernising the process to enter a state of emergency of transition period**

Council supports **Option 2 (legislative)**: Enable authorised persons to use electronic signatures.

The current requirement for a physical signature can be impractical in some situations. During an emergency, this requirement could delay crucial access to emergency powers needed to respond,

including those that could save or protect life and property. Obtaining a physical signature could also waste resources that could be better utilised.

#### **Issue 16: Mayors' role in local state of emergency declarations and transition period notices**

Council supports **Option 2 (legislative)**: Mayors have primary responsibility for declaring a local state of emergency or giving notice of a local transition period for their district or wards.

The current overlap in those who have the ability to declare a state of emergency or give notice of a transition period has the potential to cause confusion and delay. Council believes that it is important to have a clear understanding of who will make the declaration or notice to streamline the process.

#### **Additional Comments**

Council would like to take the opportunity to reiterate the importance of emergency management being led by local authorities. Local authorities have greater local knowledge than central government and can better understand and manage risks that communities face during these events.

It is often believed that the CIMS Incident Command System (ICS) is not fit for purpose and needs significant changes. Council notes that many ICS system around the world are similar to the CIMS system. The significant number of reviews from around the world all point to that fact that the ICS system is only as good the training invested in it. Council is of the opinion that the Coordinated Incident Management system is fit for purpose, but more training is required to ensure the system is able to work as it is intended.

Council would also like to acknowledge the resources that have already been produced, but have no funding to utilise them. An example of this is the excellent brochure that Horizons Regional Council (Horizons) has developed that provides information on what to do during an emergency. However, Horizons have stated that they do not have the funds to distribute the brochure. If provided the funding, this brochure could be an important resource to support vulnerable people during an emergency.

Council would like to finish our submission by highlighting the diverse and rural nature of most of our country. Outside of the larger cities within New Zealand, it is extremely important that the response to an emergency utilises the local knowledge and hands on help offered by community groups and individual people. It is vital that the emergency management system recognises these people and organisations, and supports this locally-led response when appropriate.

Yours sincerely



Andy Watson  
Mayor – Rangitikei District Council