

// **SUBMISSION**



Emergency Management Bill

// Local Government New Zealand's submission

// February 2026





About LGNZ

LGNZ champions, connects and supports local government. We represent the national interests of councils.

Local government is at the front line of emergency management. Councils lead work across the 4Rs of reduction, readiness, response, and recovery: from mapping local hazards, investing in flood resilience and running community readiness programmes, to coordinating on-the-ground response and recovery operations.

LGNZ wants to ensure that local government's roles in all phases of emergency management are supported and empowered by central government.

Key points

Local government supports emergency management reform

- LGNZ supports the intent of the Emergency Management Bill and agrees reform is necessary.
- However, councils are under pressure from increasingly frequent and severe climate-driven storms, floods, landslides and coastal hazards – while simultaneously facing a wave of reforms.
- The new emergency management system must be workable, affordable, and deliverable for all councils, as well as being aligned with climate adaptation and wider system reforms.

Funding

- The Bill introduces significant new responsibilities for councils with no additional funding and an estimated \$82.8 million in implementation costs over four years (not counting costs of meeting higher standards).
- Without sustainable funding, the Bill risks shifting costs onto councils and ratepayers and undermining its objectives.

Rates capping will constrain council spending

- Councils face rising infrastructure costs, limited capacity and multiple overlapping reforms.
- The proposed rates cap will reduce councils' ability to fund emergency preparedness, risk reduction and resilience.
- A focus on post-event funding risks crowding out pre-event investment in hazard mitigation, particularly in small and rural councils.

Councils need additional funding tools

- LGNZ calls for broader funding mechanisms beyond rates, including:
 - value-capture tools,

- an emergency management levy, and
- pooled risk arrangements (e.g. a Local Government Risk Agency).
- Existing funding such as the Regional Infrastructure Fund is welcome but insufficient on its own.

We support clear roles and responsibilities, and system clarity

- LGNZ supports clearer roles and responsibilities across national, regional, and local levels.
- Clear operational guidance is needed on direction, control, and escalation during complex emergencies.

Iwi Māori and community participation requires funding

- Strengthening iwi Māori and community roles is strongly supported.
- Meaningful participation requires dedicated funding and resourcing, not reliance on unfunded goodwill.

Reimbursement arrangements need certainty

- Reimbursement of emergency management costs is critical but currently relies on changeable government policy.
- Greater certainty is needed through legislation or regulations, including direct reimbursement for iwi Māori and community organisations.

Essential infrastructure providers should be included

- LGNZ supports recognising essential infrastructure providers.
- River management, flood protection, and waste services should be explicitly included as essential infrastructure.

Regulations can't be 'one-size-fits-all'

- National minimum standards are supported but must be risk-based and proportionate, not one-size-fits-all.
- Councils should be formally consulted, with practical guidance, templates, and targeted support for smaller and rural councils.

Civil liability protections need further work

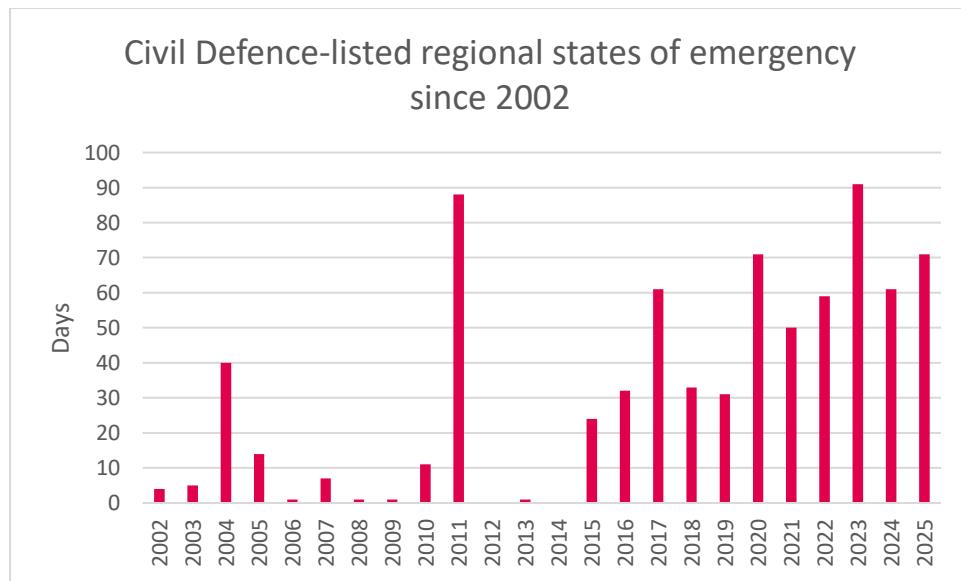
- LGNZ supports modernised powers and declarations.
- Civil liability protections should extend to good-faith preparatory actions taken before formal declarations.

Our submission

Councils support reform but are under pressure

LGNZ supports the intent of the Emergency Management Bill and agrees that reform is needed to address gaps in capability, coordination and consistency. Reform must be aligned with climate adaptation and resource management settings.

Recent LGNZ-commissioned work shows states of emergency are becoming more frequent. Climate-driven storms, floods, landslides and coastal hazards are occurring more often and with greater impact, exposing interdependencies across water, transport, power, telecommunications and waste. Recent research from Earth Sciences New Zealand demonstrates the scale of exposure, with approximately 750,000 New Zealanders living in areas exposed to one-in-100-year rainfall flooding events, alongside 26,800 kilometres of roads and 14,100 kilometres of stormwater pipelines. The financial and operational burden of managing these risks will fall disproportionately on smaller and rural councils – and on areas subject to more-frequent emergency events. The emergency management system must be ready to meet this growing challenge.



The Government is advancing this reform alongside multiple overlapping system reforms, including climate adaptation, resource management, water services, infrastructure to support housing growth, and of the local government system. It is not clear the impact these reforms will have on

councils' ability to resource emergency management given the significant costs being placed on local government by the wider system reforms.

In particular, the Government's proposed rates capping system, will see councils without the means to meet any additional responsibilities and expectations they face under this Bill. Councils are facing rising costs and cannot fund new costs. This lack of consideration risks undermining the Bill's objectives and creating uneven outcomes across the country.

A well-functioning emergency management system needs appropriate funding arrangements

The Regulatory Impact Statement (RIS) estimates this legislation will cost local authorities \$82.8 million over the first four years, primarily to update CDEM plans and to engage meaningfully with iwi Māori and disproportionately affected communities. While we support that work, it will add unanticipated cost and workload to councils.

Constraints on local government spending will constrain councils' ability to deliver emergency management

This reform arrives amid severe capacity and affordability constraints for local government. Councils face sharply rising costs and intense pressure to keep rates low, forcing tough decisions on the services and levels of service they provide. Infrastructure costs have risen faster than CPI, pushing up the price of core resilience infrastructure investments such as stopbanks, stormwater, roads, bridges and emergency facilities. The Government's proposal to cap annual rates increases at 4% only compounds this pressure and will reduce the ability of councils to invest in readiness and risk reduction. Councils will be forced to trade off proactive measures — such as flood defences, stormwater upgrades and hazard-mitigation works — against other pressing responsibilities.

While variations to rates caps are proposed for "unforeseen and urgent" situations such as major weather events, this will reduce constraints only on response and recovery activities. The design and administration of this exemption framework will be critical: if the variations process is slow, narrow or difficult to access, councils' ability to respond to emergencies and fund recovery will suffer. This is particularly concerning for communities repeatedly affected by storms or flooding, who cannot afford the ever-increasing clean-up bills.

How variations to the rates cap are designed will shape councils' ability to maintain risk-reduction infrastructure, manage major incidents, and prepare for long-term adaptation. Given variations are proposed to be primarily available after a significant event has occurred, this jeopardises pre-event investment in risk reduction.

The RIS notes that every dollar spent on disaster preparedness, saves at least \$4 in response and recovery. While a rates-cap exemption framework may function as an “ambulance at the bottom of the cliff,” it is critical that sufficient attention is given to how ongoing climate adaptation and hazard-reduction measures will be funded in advance of emergencies.

Councils are also navigating multiple overlapping system reforms that will each increase expectations, responsibilities and costs. These include climate adaptation planning, resource management reform, water services delivery, and the provision of infrastructure to support housing growth.

These pressures are compounded by New Zealand’s increasing hazard risk.

Additional funding tools for local authorities are needed to offset this legislation’s cost shifting

The RIS estimate that councils will spend \$82.8 million across four years implementing this legislation does not include costs from meeting higher standards that could be imposed under this legislation.

LGNZ considers that additional government support will be required to ensure some communities can meet the new standards and requirements proposed in the Bill. As New Zealand’s weather events become more frequent and extreme, councils are increasingly bearing the brunt of emergency events. Currently councils fund civil defence activities through rates, receiving some central government support to respond to and recover from civil defence events.

Councils want to keep rates down. But rates are the only realistic way they can fund costs imposed by central government. The Bill only adds to the costs being placed on local authorities, with no new additional funding being allocated to implement these new requirements.

The same communities are repeatedly impacted by major weather events, putting a huge strain on a small ratepayer base. Places like Tairāwhiti experience high-frequency, high-impact storms, and these emergencies are becoming more intense and affect the community for longer periods of time. These communities are vulnerable and cannot afford to deliver minimum standards on their own.

Councils need access to more funding tools, such as value capture tools and a civil defence levy, to reduce their reliance on rates to fund new emergency management requirements and climate adaptation and risk reduction measures.

Through the establishment of a Local Government Risk Agency, collective resources could be pooled and coordinated to support reduced exposure to asset risk and manage the financial impacts of disasters more effectively. In addition, an emergency management levy could help councils fund

preparedness and response activities and help offset the significant costs incurred during extreme weather events. A levy modelled on natural hazards cover, potentially collected alongside insurance premiums, could provide a more stable and predictable funding source for emergency management.

While we support the commitment to further investment in adaptation through the Regional Infrastructure Fund (RIF), and are already seeing the success of investment through RIF in flood infrastructure throughout New Zealand, this alone will not solve the funding gap faced by councils.

We are also supportive of the intention signalled in the National Adaptation Framework to share the costs from natural hazards and climate adaptation across society. However, further discussion is needed to ensure the framework is equitable and does not leave councils footing the bill.

The design of any new funding arrangements should embed a locally led approach to recovery, provide clarity about funding eligibility and access, and support — rather than duplicate — the role of local government.

LGNZ welcomes greater clarity about roles and responsibilities in the proposed system

LGNZ supports improved clarity about roles and responsibilities at the national, regional, and local levels to ensure faster decisions are made by the right people. The Bill places a range of new statutory functions on local authorities, including detailed planning, risk assessment, community engagement, compliance monitoring, and recovery duties. Councils will require clear implementation guidance and adequate resourcing to deliver these obligations effectively.

In particular, additional guidance will be needed to ensure there is sufficient operational clarity about how direction, control and escalation will work in complex, multi-agency emergencies. Ambiguity about who holds decision-making authority at different stages of an event can delay action and undermine confidence across the system.

LGNZ recommends that a clear hierarchy and escalation framework for direction and control be developed, supported by model role descriptions and schedules. This should clearly articulate the respective responsibilities of Ministers, the Director-General, regional emergency management committees, Controllers and local authorities to support certainty and consistent practice across the system.

Strengthening the role of communities and iwi Māori is an important step, but requires support to deliver equitable outcomes across the system

LGNZ supports strengthening the role of communities and iwi Māori in emergency management, recognising their vital contributions across the four Rs — risk reduction, readiness, response, and recovery — and their role as first responders in many events.

The requirement that the Coordinating Executive Group include members with knowledge of local Māori communities and expertise in the interest and needs of rural communities will support better planning, governance, and decision-making.

In addition, the requirement for regional emergency management plans to address how offers of emergency assistance from people and communities be managed will help streamline information-sharing and coordinating efforts.

However, these mechanisms do not fully recognise or support the scale, consistency and operational importance of iwi Māori and community involvement across all phases of emergency management. Without stronger structural and resourcing support, there is a risk that engagement remains uneven and overly reliant on voluntary effort, rather than being embedded as a core part of the system.

The RIS acknowledges that some iwi Māori currently lack the resources to participate fully in CDEM Groups, planning processes, and preparedness activities. To be effective, this participation must be properly resourced. Without targeted funding support, there is a risk that the Bill's aspirations for meaningful partnership and engagement will not be realised in practice. The additional engagement expectations would add significant costs to councils and should be supported by funding, guidance, and capability-building, rather than relying on unfunded goodwill.

LGNZ recommends establishing a dedicated, centrally administered funding mechanism to support iwi Māori and community participation in emergency management, scaled according to risk exposure and council size.

Reimbursement of expenses should be provided for in legislation rather than government policy

LGNZ supports the continuation of the provision allowing the Crown to reimburse councils and water organisations for expenses incurred in emergency management activities. Given the capacity and resourcing constraints facing councils, this reimbursement mechanism enables essential work required to support communities during emergencies.

However, the scope and level of reimbursement are subject to government policy in force at the time of the emergency. These policies are neither primary nor secondary legislation and can be amended relatively easily. While flexibility can be beneficial, this also creates uncertainty, as future



governments could substantially limit reimbursable activities or amounts. LGNZ's preference would be for arrangements for government financial support to be provided for through the National Emergency Management Plan (or regulations made under the Bill) to create greater certainty for councils.

LGNZ also notes that, unlike the previous Emergency Management Bill, the current Bill does not provide for direct reimbursement of iwi Māori and community organisations. In the absence of this mechanism, councils will face additional administrative burdens coordinating reimbursement claims during and after response periods, potentially diverting attention from urgent operational matters. In addition to reducing administrative burdens for councils, this mechanism also reflects the key role of iwi Māori and community organisations in emergency management. LGNZ recommends reinstating a mechanism for direct reimbursement to iwi Māori and community organisations.

River management and waste services should be included as essential infrastructure providers

LGNZ supports the principle-based approach to recognising essential infrastructure providers, and the direction in the Bill that they contribute to the development of sector response plans. These measures will help to ensure an efficient and coordinated approach to restoration of critical infrastructure following an event.

However, we note that some critical infrastructure functions have not been provided for in the list of essential infrastructure providers (Schedule 3), notably entities providing waste management services, river management and stopbank and flood protection. LGNZ also notes that recognition of these functions was explicitly recommended (*recommendation 12*) in the *Government Inquiry into the Response to the North Island Severe Weather Events report*.

Failure to explicitly recognise waste management and river management as essential infrastructure risks creating avoidable delays, uncertainty, and public health and environmental harm during response and recovery.

By including these additional essential infrastructure providers, these functions and entities can more readily be included in planning and readiness activities supporting a more integrated, coordinated and planned approach between councils, CDEM groups, and infrastructure providers.

New planning requirements and minimum standards will make emergency management better and more consistent, but regulations are not a 'one-size-fits-all' solution

LGNZ supports the introduction of national minimum standards to lift consistency and performance across the emergency management system. However, Minister-made rules and assurance mechanisms must be calibrated to local context, hazard profiles and capability. Councils should be formally consulted in the development of new standards and regulations to ensure they are proportionate to risk and supported by practical tools and guidance. LGNZ recommends that formal consultation with affected local authorities be explicitly required in the legislation.

We caution against one-size-fits-all standards that risk diverting limited capacity away from managing material hazards. Standards should be calibrated by hazard exposure and organisational capability, with a focus on practical outcomes such as exercised and up-to-date plans, maintained staff and volunteer rosters, and functional emergency operations and coordination centres.

The provision of standard templates for plans, delegations, notices, memoranda of understanding, and public communications — alongside clear operational guidance — would significantly improve deliverability and consistency.

In addition, standardised data-sharing agreements and clear guidance on privacy and commercial sensitivity are needed to support effective information-sharing between councils, utilities, and central government agencies during emergencies.

Targeted support will be particularly important for small and rural councils, which have more limited staffing and specialist capability. LGNZ recommends the development of baseline emergency management toolkits, shared services, and centrally supported capability resources to ensure minimum standards are achievable across all council types.

New requirements to address animal management are supported

LGNZ is supportive of the proposed requirement for regional emergency management plans to address how animals will be managed during emergencies. However, councils note that meeting these expectations is likely to require additional capability, resourcing, and coordination with partner agencies. Clear guidance, defined agency roles, and access to specialist capability will be needed to ensure these requirements are achievable in practice and do not create unfunded operational risk for councils.

The definition of “disproportionately affected community” is broad and creates uncertainty for councils

LGNZ supports the Bill’s intent to ensure that emergency management planning engages with communities that may be disproportionately affected by emergency events. However, the definition of “disproportionately affected community” in the Bill’s explanatory material is very broad.

In practice, councils often find it challenging to determine which communities may be disproportionately impacted by specific hazards, as there is no consistent threshold or test against which impact can be assessed. It is also unclear what the consequences would be for EM Committees if consultation is deemed insufficient. Given the breadth of the proposed definition, there is a risk of legal challenge if some groups believe they should have been consulted but were not.

Greater clarity is needed to reduce uncertainty and support consistent application across the country. LGNZ also notes the potential for duplicated engagement effort, given that clause 86 also requires the Director-General to identify and engage with disproportionately affected communities at a national level. To reduce engagement fatigue and inefficiency, LGNZ recommends explicit mechanisms for coordinated and aligned engagement between central and local government.

Civil liability protections, powers and declarations require further refinement

LGNZ is supportive of the modernisation of the declaration process for states of emergency, including enabling statutory forms to be completed using electronic signatures. These changes reflect operational realities and will support timely decision-making.

LGNZ also supports clause 203, which provides immunity from civil claims in relation to issuing — or failing to issue — a warning about a hazard. This protection is important to ensure that decision-makers are not unduly constrained by liability concerns during rapidly evolving situations.

However, it is noted that civil liability protections largely apply during a state of emergency or transition period and do not extend clearly to actions taken prior to a declaration. This creates uncertainty for activities commonly undertaken in good faith before a state of emergency is declared, such as clearing streams or opening river mouths. Similarly, where individuals or organisations are acting in good faith but not under formal direction, clause 202 does not appear to provide clear protection.

LGNZ recommends further consideration of whether civil liability protections should be extended to cover good-faith preparatory actions undertaken prior to a formal declaration, where those actions are consistent with emergency management objectives and undertaken within an established planning framework.