

From: "Wayne Allan"
Sent: Wed, 15 Mar 2023 14:55:19 +1300
To: "David.Falconer@mfe.govt.nz" <David.Falconer@mfe.govt.nz>
Cc: "Tony Quickfall" <Tony.Quickfall@waipadc.govt.nz>; "Karl Tutty" <Karl.Tutty@waipadc.govt.nz>
Subject: FW: (ECM:10982191) External Sender: MfE update on emergency legislation

Hi David,

Thanks for sending this Severe Weather Emergency Legislation Bill through to us.

Some points we note from Waipa District which is part of the Waikato Region. Waipa District did not need to declare a State of Emergency.

The comments are as follows:

- The definition of “affected food business” is too broad as it surely means a food business **affected** by the events listed. For example a premises in the Waikato during Cyclone Gabrielle, there doesn’t seem to be any element of whether they were indeed “affected”. So for arguments sake a premises in Te Awamutu operating as normal could be an “affected food business” under the Bill.
- The Bill also reads as if this is an automatic application to all businesses. There is no application or notification requirement, so no means for Council to administer what if any premises this applies to. The staff have read this in that this is a blanket provision “no food business in the Waikato will require a verification visit between the specified dates” which they find extraordinary if that is the case, as times of emergency are when we need increased awareness of food safety issues, but only in premises that are actually affected.
- In terms of operational matters, if the staff aren’t doing food verifications for up to seven months, that will effectively half our income. Are we reading this wrong?
- Are exemptions to the Building Act required to make things safe – thinking extensive cladding removal
- There is a possibility of some rural landowners trying to undertake non-emergency works under these provisions (e.g. earthworks, river works, vegetation clearance), requiring more vigilant monitoring which may need the regional to do more active monitoring around

non-emergency discharges, river and earthworks and local councils to consider any proactive monitoring required to ensure there is no non-emergency earthworks/clearance of SNA sites.

Regards

Wayne

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From: David Falconer <David.Falconer@mfe.govt.nz>
Sent: Tuesday, 14 March 2023 1:46 pm

[REDACTED]

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Kia ora koutou,

FYI The first bill (the *Severe Weather Emergency Legislation Bill*) which will amend the emergency powers in section 330 of the Resource Management Act 1991 (along with some changes to other Acts), is being introduced into Parliament today ([New legislation to streamline Cyclone recovery | Beehive.govt.nz](#)). A copy of the bill can be found here [Severe Weather Emergency Legislation Bill 235-1 \(2023\), Government Bill Contents – New Zealand Legislation](#).

Kā mihi

David

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