

**Report on**  
**Operation of the Severe Weather Emergency Recovery Legislation Act 2023**  
**since 13 October 2023**

**Presented to the House of Representatives by the Minister for Emergency Management and Recovery pursuant to section 33 of the Severe Weather Emergency Recovery Legislation Act 2023.**

# Report on Operation of the Severe Weather Emergency Recovery Legislation Act 2023 since 13 October 2023

## Introduction

The Severe Weather Emergency Recovery Legislation Act 2023 (the Act) was passed in response to the heavy rain events in the upper North Island and Cyclones Hale and Gabrielle in January and February 2023. The single broad policy for the Act is to ensure that Government agencies and Crown entities, and affected local authorities and communities, can appropriately respond to, or recover from the recent severe weather events (or both) including by providing the Government with flexibility to facilitate, enable, and expedite the recovery.

The Act enables the Governor-General to make Orders in Council (Orders) to modify other statutes to provide those affected by the North Island severe weather events with relief from legislative requirements that are overly burdensome in this context. Modifications are also permitted where necessary to enable prompt action for an efficient and timely recovery.

Prior to the finalisation of an Order, the Act requires the relevant Minister to provide a copy of the draft Order to the Regulations Review Committee and the Severe Weather Recovery Review Panel.

Agencies responsible for their Orders have been keeping them under review, in accordance with section 12. In conducting these reviews, relevant Ministers confirm they remain satisfied in relation to the matters specified in section 8(1)(a).

As the Minister responsible for the administration of the Act, I am also required under section 33 to present a report on the operation of the Act to the House of Representatives (the House) at least every six months. These reports must, for the period covered by that report, include a list of the Orders made under the Act during that period and a brief description of those orders.

This report provides information that no Orders were made under the Act between 13 October 2023 and the date this report is presented to the House, in accordance with section 33.

## Orders in Council

No Orders were made under the Act between 13 October and the date this report is presented to the House. The following Order was subject to revocation, in line with the enactment and revocation provisions of the Order.

### **Severe Weather Emergency Recovery (Resource Management—Burning of Waste) Order 2023**

The Order made the burning of waste in the open air on certain land (permitted burn land) a permitted activity. The burning of waste in the open air would otherwise have been a prohibited activity under the Resource Management Act 1991, the Resource Management (National Environmental Standards for Air Quality) Regulations 2004, and the Hawke's Bay Regional Resource Management Plan, the Hawke's Bay Regional Coastal Environment Plan, or the Tairāwhiti Resource Management Plan (the relevant legislation).

The Order came into force on 5 July 2023 and was revoked on the close of 15 December 2023.