

**Six monthly report on
operation of the Severe Weather Emergency Recovery Legislation Act 2023
since 13 April 2025**

**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**

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Introduction

The Severe Weather Emergency Recovery Legislation Act 2023 (the Act) is the second Act 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 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 Events Recovery Review Panel.

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.

Since the last report in April 2025, the Severe Weather Events Recovery Review Panel (the Panel) was reappointed by the Minister for an additional term from 1 May 2025 to 31 March 2028. The previous Associate Minister for Cyclone Recovery appointed a Panel to scrutinise draft Orders and provide advice to responsible Ministers, for a term of 2 years (expiring on 30 April 2025).

Orders can be made until 31 March 2026, and the Panel must be in place until then, although there is unlikely to be any work due to the timeframe. It is sensible to retain the Panel until the Act is revoked in March 2028, if any stand-alone advice to responsible Ministers on existing Orders is required.

Orders in Council enacted

Since 13 April 2025, one Order in Council was enacted.

Severe Weather Emergency Recovery (Hawke's Bay Flood Protection Works) Amendment Order 2025

This Order is an amendment to the Severe Weather Emergency Recovery (Hawke's Bay Flood Protection Works) 2024 (the 2024 Order). The 2024 Order modifies the Resource Management Act 1991, streamlining the resource consent process for specified flood protection works in Hawke's Bay, including in Wairoa.

The 2024 Order was enacted following preliminary design work on flood mitigation solutions. The Hawke's Bay Regional Council, after consultation with landowners and the Wairoa community, identified its preferred solution. However, part of the preferred solution fell outside the location for flood works described in the 2024 Order.

The amendment replaced the map and description of the location for the Wairoa flood protection works to include additional areas. This enables the Regional Council to pursue its preferred flood protection solution.

This solution is intended to minimise impacts on whenua Māori and it has the greatest level of support across the community compared to other solutions.

The amendment Order came into force on 22 August 2025 and all Orders will be revoked on 31 March 2028.

Orders in Council revoked

Since 13 April 2025, one Order has been revoked.

Severe Weather Emergency Recovery (Waste Minimisation) Order 2023

The Order modified, provided exemptions, and extended legislation relating to waste minimisation in response to the severe weather events. It expired on 24 July 2025.

Unprecedented amounts of waste were generated (and disposed of), including waste that might normally be recyclable. Due to the unprecedented amount of waste generated, the policy intent of the waste levy (to incentivise waste minimisation) was not fit-for-purpose. Waste disposal facilities were struggling to manage business-as-usual during the recovery. The reporting requirements were an unreasonable administrative and potential cost burden on waste facilities.

The Order had four parts:

- giving waste operators exemptions from some levies
- enabling some disposal facility operators to provide amended or updated returns
- allowing the Secretary for the Environment to waive financial and reporting requirements for some operators, and
- providing for some territorial authorities to receive levy money (at the discretion of the Secretary).