



Report 04.517
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Committee Policy, Finance and Strategy
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Continuance of the Wellington CDEM Group after the elections

1. Purpose

For the Committee to consider the effect of clause 30(7) of schedule 7 of the Local Government Act 2002 in relation to the Wellington Civil Defence Emergency Management Group (CDEM) Group, and to resolve to recommend that the CDEM Group not be deemed to be discharged on the coming into office of the members of the Council elected at any triennial local election.

2. Background

The Civil Defence Emergency Management Act 2002 (CDEM Act) requires every regional council and every territorial authority of that region to establish a CDEM Group. Each CDEM Group is established as a joint committee under the Local Government Act 2002 (LGA 2002).

Section 12(2) of the CDEM Act states:

- (2) [Clause 30(5) of Schedule 7 of the Local Government Act 2002] must not be read as permitting, during a term of local government or as a consequence of a local government election, the discharge or reconstitution of a Civil Defence Emergency Management Group established for the purposes of this Act.

The purpose of Section 12(2) is to ensure is that CDEM Group joint committees remain in existence following local elections. The intention is to ensure that political oversight can be provided should an emergency occur between the time councils go out of office and the subsequent appointment of local authority members to their respective CDEM Groups.

However, clause 30(7) of schedule 7 of the Local Government Act 2002 produces a potential conflict with section 12(2) of the Civil Defence Emergency Management Act 2002. Clause 30(7) requires that all committees of local authorities be discharged after local elections unless the local authority resolves otherwise.

3. Comment

A solution to the conflict described above is for each member authority to pass a resolution to not discharge the Wellington CDEM Group following a triennial local election. Each member authority of the Wellington CDEM Group was advised by the Co-ordinating Executive Group of the CDEM Group to pass a resolution that deems the CDEM Group not to be discharged. It is therefore recommended that the Council pass such a resolution.

4. Communication

Each member territorial authority of the Wellington CDEM Group will be advised of resolutions made in respect of the Group by the Council.

5. Recommendation

That the Committee:

1. **recommend** to Council that, pursuant to clause 30(7) of schedule 7 of the Local Government Act 2002, the Wellington Civil Defence Emergency Management Group and any subcommittee constituted by that group shall not be deemed to be discharged on the coming into office of the members of the council elected or appointed at a triennial general election of members.
2. **note** that each member authority of the Wellington Civil Defence Emergency Management Group will be asked to pass a resolution that has the same effect as 1. above.

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