Name of Council, logo

Record of powers exercised during the local transition period for the xxx emergency

*Replace yellow highlights with relevant information or delete if not applicable.*

*This template from MCDEM’s Recovery Toolkit aims to help CDEM Groups and local authorities prepare and support their communities to recover after an emergency, meet their legislative duties and elevate recovery preparedness across New Zealand. Please email* *MCDEMRecovery@dpmc.govt.nz* *with your feedback and suggestions.*

Powers used during a transition period must be reported to the Director CDEM and copied to the CDEM Group. A regularly updated document (eg weekly) will be helpful for reporting. See [Advice on recording powers used during a transition period](https://www.civildefence.govt.nz/assets/Uploads/cdem-amendment-act-2016/Factsheet-Recording-use-of-transition-period-powers.pdf) for more information.

| Reporting requirements – explanation of powers used  | Factors considered by the Recovery Manager for tests of exercise of powers |
| --- | --- |
| Power used (section of the CDEM Act and description of power) | Number oftimes power exercised | Date  | By whom (name, title, Territorial Authority) | Reason for use | In the public interest | Necessary or desirable to ensure a timely and effective recovery | Proportionate in the circumstances |
| Section 94K: power to exclude any persons or vehicles from any premises or place for the preservation of human life during the flooding event.  | 1 | 1 March 2018 | John Smith, Local Recovery Manager | To protect public safety while buildings were being assessed |  |  |  |
| Section 94H(a)(iii) to examine buildings for the risk of structural collapse.  | 5 | Date – | John Smith, Local Recovery Manager |  |  |  |  |
| Section 94L: power of entry, to enter flood affected buildings for the purposes of assessments under section 94(H)(a)(iii). | 3 | Date –  | John Smith, Local Recovery Manager |  |  |  |  |
| Section 94N: power to require an engineering assessment. | 12 | 1 March 2018 | Joan Jones, Building Control Manager, Coastal District Council, who the Local Recovery Manager delegated powers to under [xxx eg 30A(3)] | To determine if buildings have structural damage after the [specify] earthquake. | Important to check buildings are safe to occupy. | Power is necessary as some building owners are not commissioning engineering assessments or providing them to the Recovery Manager. | The exercise of the power is considered proportionate in the circumstance. An Engineering panel assessed which buildings might be at risk, and only those where there are significant concerns of risk of injury or to the safety of life are required to be assessed. |
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Date last updated