



Standard Operating Procedure

SOP 2

Declaration

SOP 2—Declaration

Overview

This Standard Operating Procedure (SOP) outlines the procedure for declaring a State of Local emergency for Tauranga City.

This SOP conforms to;

1. Coordinated Incident Management System, 3rd Edition
2. Response Management; Directors Guideline for CDEM Group and Local Controllers (DGL 06/14).

Index

Content	Page
Declaring a Local State of Emergency	3
Authorising a Declaration	4
Duration of a State of Emergency	4
Extending a Declaration	4
Terminating a Declaration	4
Appendix 1: Checklist_Considerations regarding declaring a State of Emergency	5
Appendix 2: Form_Declaration of State of Local Emergency	6
Appendix 3: Form_Declaration extending State of Local Emergency	7
Appendix 4: Form_Declaration terminating State of Local Emergency	8
Appendix 5: provisions for non-COVID-19 State of Local Emergency (s70 restrictions to follow)	9-11

Declaring a Local State of Emergency

Declaring a state of local emergency provides for Controllers to direct and coordinate personnel, material and other resources made available and provides access to extra-ordinary powers to deliver an effective and timely response to an emergency. Some reasons for declaring a local state of emergency may include:

- does it appear to you that an emergency has occurred or may occur within the area?
- is the situation an emergency as defined in the CDEM Act 2002?
 - (a) is the result of any happening, whether natural or otherwise, including, without limitation, any explosion, earthquake, eruption, tsunami, land movement, flood, storm, tornado, cyclone, serious fire, leakage or spillage of any dangerous gas or substance, technological failure, infestation, plague, epidemic, failure of or disruption to an emergency service or a lifeline utility, or actual or imminent attack or warlike act; and*
 - (b) causes or may cause loss of life or injury or illness or distress or in any way endangers the safety of the public or property in New Zealand or any part of New Zealand; and*
 - (c) cannot be dealt with by emergency services, or otherwise requires a significant and coordinated response under this Act.*
- is the situation causing or has the potential to cause loss of life, injury, illness
- Is the situation causing or has the potential to cause distress to or endangerment of public safety
- do responding agencies (e.g. emergency services) agree that there is a requirement to declare – i.e. the event is beyond the capacity of the lead agency.
- are the powers of Section 86–94 required by the Local Controller to coordinate the response, such as ability to:
 - close or restrict access to roads or public places
 - remove or secure dangerous structures and materials
 - provide rescue, first aid, food, shelter etc.
 - conserve essential supplies & regulate traffic
 - dispose of dead persons and animals
 - enter onto premises e.g. to rescue people or save lives
 - evacuate premises/places
 - remove vehicles, vessels etc.
 - requisition equipment, materials and assistance.

Appendix 1 of this SOP shows an example of the declaration checklist that can be completed to determine if a declaration should be made for an event. This form is available on Objective.

If it is obvious that a situation requires an immediate declaration to be made without the need for discussion, the declaration should be made as soon as possible after the incident has occurred.

Authorising a Declaration

A declaration means instituting a “state of emergency” within a specific area, namely Tauranga City for this SOP.

In accordance with S25(5) of the CDEM Act 2002, the following individuals can declare a Local State of Emergency for Tauranga City:

- the Mayor
- in the absence of the Mayor, the Deputy Mayor or designated elected member to act on behalf of the mayor if the mayor is absent.
- In the absence of the Mayor, Deputy Mayor or designated elected member, the Chairperson of the Bay of Plenty CDEM Group Joint Committee can declare a state of local emergency for Tauranga City.

A person who declares a state of emergency, or extends or terminates a state of emergency, must do so using the appropriate form at Appendix 2.

A state of emergency comes into force on the date that it is made.

Duration of a State of Emergency

All declarations made are valid for 7 days from the time and date stated on the declaration form. After this, the declaration will no longer be in force and the statutory powers given to the Controller from the Act will no longer be available.

Extending a Declaration

If the original declaration requires an extension to enable a continued response, then the authorised person(s) can continuously extend the declaration for a further 7 days at a time using the form at Appendix 3.

Terminating a Declaration

A declaration can be terminated at any point by the person authorised using the form at Appendix 4.

Appendix 1: Checklist for Consideration of a State of Emergency

When considering a declaration, extension or termination of a state of local emergency the checklist below will aid in the decision-making process. Always start by considering whether an emergency exists and the emergency powers provided by the Act are required or may be required.

Considerations (This is not a declaration form)		Yes	No
Is the situation within the definition of an emergency as stated in the CDEM Act 2002?	Result of happening defined under 'emergency' in CDEM Act 2002 (s4).		
	Cause or may cause loss of life or injury or illness or distress or in any way endangers the safety of the public and property.		
	Cannot be dealt with by emergency services.		
	Requires a significant and coordinated response.		
Is there a need to evacuate?	No. of people:	Duration:	
Information only	Are lifeline utilities having or likely to have difficulties functioning?	Energy	
		Transport	
		Fuel	
		Water & Sewerage	
		Telecommunications	
	Are the 'Social Utilities' having or likely to have difficulties in functioning?*	Food Retailers	
		Medical Services	
		Schools	
Refuse Disposal			
Are the emergency powers provided by the CDEM Act 2002 required or likely to be required (s85 – s94)?			
Have the emergency services been consulted?	Police		
	FENZ		
	DHB/ PHU/ Ambulance		
Has the Group Controller been consulted?			
Have Local Authority Utility Managers been consulted?			
Has the NEMA REMA been consulted?			
Will a state of emergency add value to the response?			

Declaration of state of local emergency
Section 68, *Civil Defence Emergency Management Act 2002*

I, _____
[full name]

declare that a state of local emergency exists in _____
[specify names of Civil Defence Emergency Management Group area, districts, or wards]

owing to _____
[describe emergency]

The state of local emergency comes into force immediately on the making of this declaration, and expires 7 days after the time and date on which it comes into force (unless extended or terminated at an earlier time).

Declared by: _____
[signature]

Designation: [Select the applicable designation]

- Person appointed and authorised by the Civil Defence Emergency Management Group to declare a state of local emergency for its area.
- Representative of a member of the Civil Defence Emergency Management Group [select this designation where no appointed person is or is likely to be able to exercise the power to declare a state of local emergency].
- Mayor of the district for which the state of local emergency is declared.
- Elected member of the district for which the state of local emergency is declared (designated to act on behalf of the mayor when the mayor is absent).

Time and date of declaration:

Notes

1. Calculating “7 days after the time and date on which the state of emergency comes into force”: If a state of local emergency came into force at 9.35am on 1 January, it would expire at 9.35am on 8 January. If a state of local emergency came into force at 9.35am on a Friday, it would expire at 9.35am on the following Friday.
2. This declaration must be —
 - a. notified to the public immediately by any means of communication that are reasonably practicable in the circumstances; and
 - b. (published in the *Gazette* as soon as practicable. It is recommended that publication in the *Gazette* occur within 20 working days after the state of emergency is terminated.

Declaration extending state of local emergency
Section 71, *Civil Defence Emergency Management Act 2002*

I, _____
[full name]

extend the state of local emergency declared at _____
[specify time and date, and include times and dates when any extensions took effect]

for _____
[specify names of Civil Defence Emergency Management Group area, districts, or wards]

owing to _____
[describe emergency]

The state of local emergency is extended for 7 days. It will take effect immediately from the time the initial declaration of the state of emergency (or the last extension) was to expire.

Declared by: _____
[signature]

Designation: [Select the applicable designation]

- Person appointed and authorised by the Civil Defence Emergency Management Group to declare a state of local emergency for its area.
- Representative of a member of the Civil Defence Emergency Management Group *[select this designation where no appointed person is or is likely to be able to exercise the power to declare a state of local emergency]*.
- Mayor of the district for which the state of local emergency is declared.
- Elected member of the district for which the state of local emergency is declared (designated to act on behalf of the mayor when the mayor is absent).

Time and date of declaration:

Notes

1. Calculating the extension of “7 days” for a declaration extending the state of emergency: If the extension came into force at 9.35am on 1 January, it would expire at 9.35am on 8 January. If the extension came into force at 9.35am on a Friday, it would expire at 9.35am on the following Friday.
2. If this is a second or subsequent extension of a state of emergency, specify the time and date when each previous extension took effect, as well as the time and date when the state of emergency was first declared.
3. This declaration must be—
 - a. notified to the public immediately by any means of communication that are reasonably practicable in the circumstances; and
 - b. published in the *Gazette* as soon as practicable. It is recommended that publication in the *Gazette* occur within 20 working days after the state of emergency is terminated.

Declaration terminating state of local emergency
Section 72, Civil Defence Emergency Management Act 2002

I, _____
[full name]

terminate the state of local emergency declared at _____
[specify time and date, and include times and dates when any extensions took effect]

for _____
[specify names of Civil Defence Emergency Management Group area, districts, or wards]

owing to _____
[describe emergency]

The termination of the state of local emergency takes effect immediately on the making of this declaration.

Declared by: _____
[signature]

Designation: [Select the applicable designation]

- Person appointed and authorised by the Civil Defence Emergency Management Group to declare a state of local emergency for its area.
- Representative of a member of the Civil Defence Emergency Management Group [select this designation where no appointed person is or is likely to be able to exercise the power to declare a state of local emergency].
- Mayor of the district for which the state of local emergency is declared.
- Elected member of the district for which the state of local emergency is declared (designated to act on behalf of the mayor when the mayor is absent).

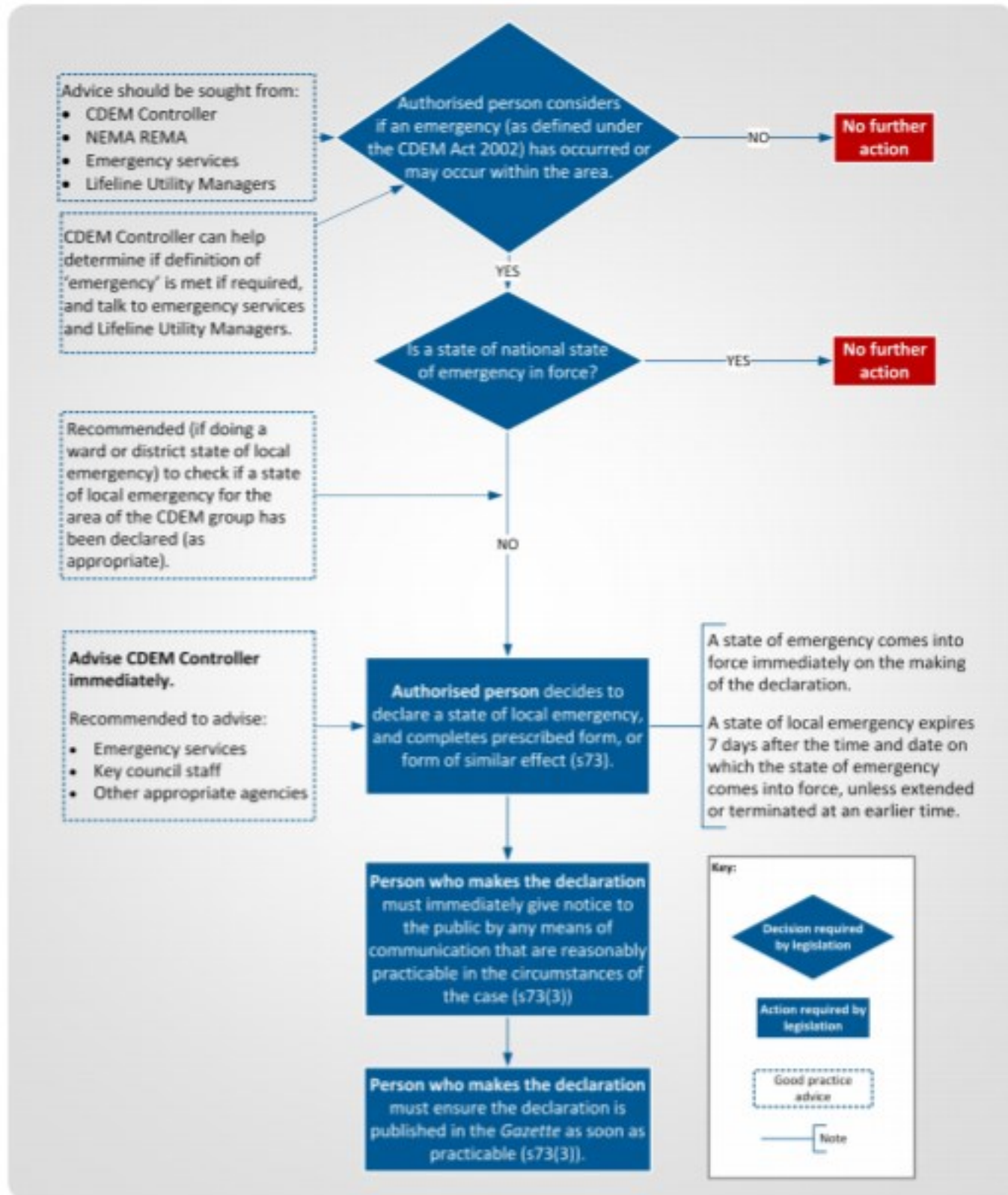
Time and date of declaration:

Notes

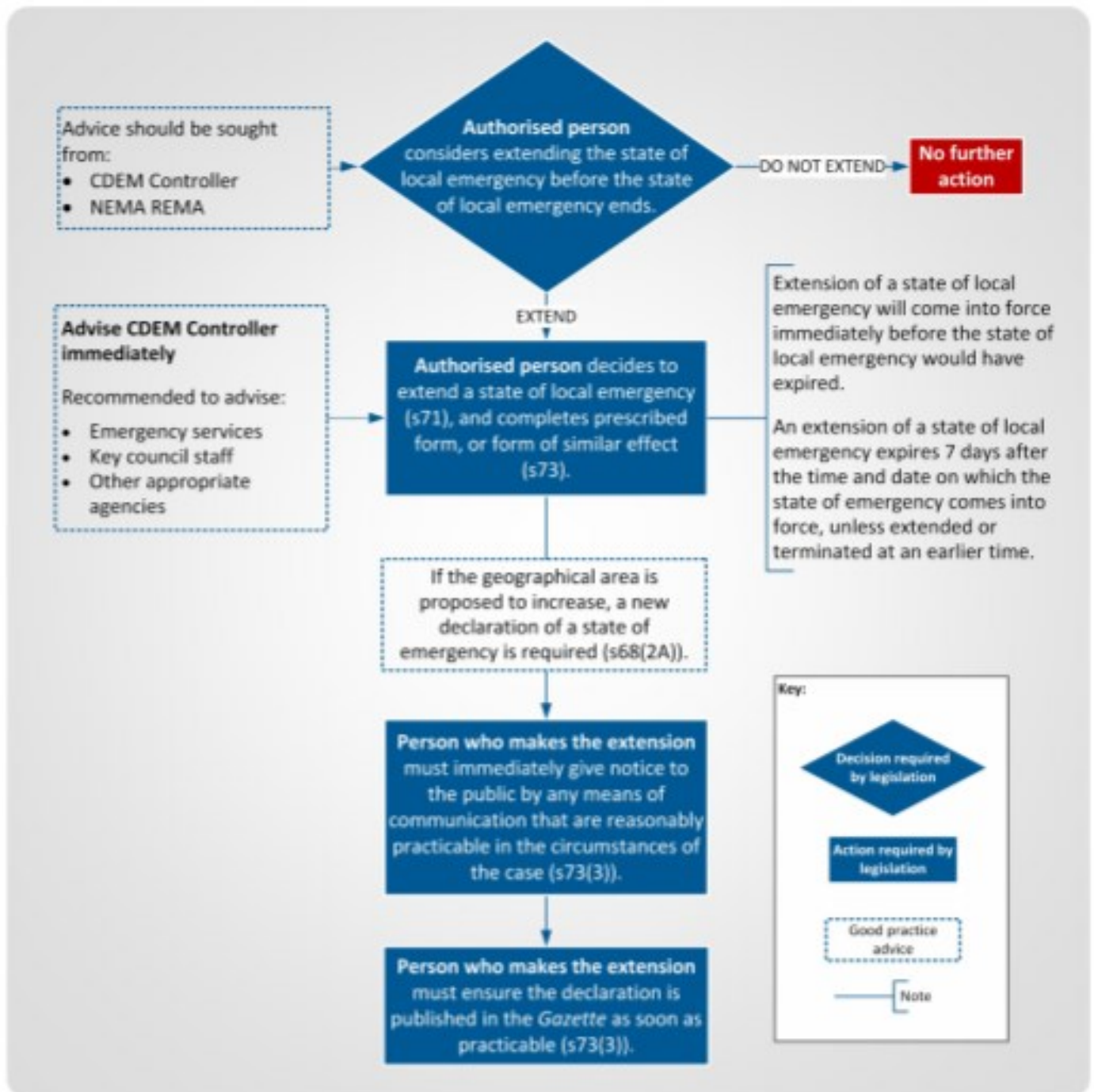
1. If any extension of the state of emergency was made, specify the time and date when each extension took effect, as well as the time and date when the state of emergency was first declared.
2. This declaration must be—
 - a. notified to the public immediately by any means of communication that are reasonably practicable in the circumstances; and
 - b. published in the Gazette as soon as practicable. It is recommended that publication in the Gazette occur within 20 working days after the state of emergency is terminated.

Process for Declaring a non-COVID-19 State of Local Emergency (s70)

The approval of the Minister of Civil Defence is required before a State of Local Emergency can be declared in relation to COVID-19. Contact your REMA immediately if you think you may need to make such a declaration.



Process for Extending Duration of non-COVID-19 State of Local Emergency (s70)



Process for Terminating non-COVID-19 State of Local Emergency (s70)

