

**Minutes of the Civil Defence Emergency Management Group
Joint Committee Meeting held in Council Chambers, Rotorua
Lakes Council, Civic Administration Building, 1061 Haupapa
Street, Rotorua on Friday, 2 June 2017 commencing at 12.30
p.m.**

Present:

Chairman: Mayor G Brownless (Tauranga City Council)

Deputy Chairman: Councillor D Love

Appointees: Mayor J Forbes (Opotiki District Council), Mayor M Campbell (Kawerau District Council), Deputy Mayor D Donaldson (Alternate, Rotorua Lakes Council), Mayor A Bonne (Whakatane District Council), Deputy Mayor F Tunui (Alternate, Kawerau District Council)

In Attendance: T Corser (Policy Analyst Local Government Regulation, Department of Internal Affairs); C Naude (Director, Emergency Management Bay of Plenty), C Morris (Recovery & Special Projects Manager), D Llewellyn (Legal Specialist), M Harrex (Manager, Planning and Development), A Thompson (PA to Director BOP Emergency Management), S Collins (Senior Emergency Management Advisor - Planning), R Garrett (Committee Advisor); P Baunton (Manager, Emergency Management, Tauranga City Council); S Vowles (Regional Emergency Management Advisor (MCDEM))

Apologies: Mayor S Chadwick, Mayor G Webber; G Poole, C Jensen, Inspector K Taylor

1 General Business and Tabled Items

The following item were tabled:

Tabled Document 1	Agenda Item 7	Interim Report on Whakatane District Recovery and Record of Exercise of Powers
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2 Declaration of conflicts of interest

None declared.

3 Previous Minutes

3.1 Civil Defence Emergency Management Group Joint Committee minutes - 24 February 2017

Resolved

That the Civil Defence Emergency Management Group Joint Committee under its statutory authority:

- 1 Confirms the Civil Defence Emergency Management Group Joint Committee minutes, 24 February 2017**
- 2 Resolves to record the confirmation of the Public Excluded Civil Defence Emergency Management Group Joint Committee minutes, 24 February 2017 in the public minutes as no reason for withholding this information from the public exists.**

**Love/Donaldson
CARRIED**

3.2 Civil Defence Emergency Management Group Joint Committee Extraordinary minutes - 11 April 2017

Resolved

That the Civil Defence Emergency Management Group Joint Committee under its statutory authority:

- 1 Confirms the minutes of the Civil Defence Emergency Management Group Joint Committee Extraordinary meeting, 11 April 2017**

**Love/Donaldson
CARRIED**

4 Reports

4.1 Costs incurred supporting the Kaikoura earthquake response

Director, Emergency Management Bay of Plenty Clinton Naude explained the recommendation to absorb the Kaikoura earthquake costs incurred by the Civil Defence Emergency Management Group, and noted that this was in line with accepted emergency response practice.

Resolved

That the Civil Defence Emergency Management Group Joint Committee under its statutory authority:

- 1 Receives the report, Costs incurred supporting the Kaikoura earthquake response;**
- 2 Resolves to absorb the costs incurred by the Group supporting the response to the Kaikoura earthquake through members' existing budgets and**

confirms the Group does not seek to recover costs from the agencies the Group were supporting.

**Bonne/Donaldson
CARRIED**

4.2 Bay of Plenty Civil Defence Emergency Management Group Funding Model

Director, Emergency Management Bay of Plenty Clinton Naude updated members on the development of the Group Funding Model. Mr Naude explained that, while the recommendation for a regional targeted rate to be adopted as the new funding model had been unanimously endorsed by the Bay of Plenty Civil Defence Emergency Management Group Coordinating Executive Group (CEG), recent feedback received from Rotorua Lakes Council (RLC) was that RLC would only support a regional targeted rate to fund Group services not shared services and that a split funding model might be required.

Members acknowledged the concerns raised by RLC regarding the cost implications of a regional flat targeted rate on its ratepayers and the risk of “double rating”, as RLC had opted out of the shared service model and was rating separately for those services. Members also expressed concern about the equity of applying a flat targeted rate across every rateable property with no differentiation based on demand for civil defence services, which varied with property size and function.

Members agreed to refer the report back to the Bay of Plenty Civil Defence Emergency Management Group CEG for further consideration, and noted the need to ensure that local authority CEG members were fully briefed.

Resolved

That the Civil Defence Emergency Management Group Joint Committee under its statutory authority:

- 1 Receives the report, Bay of Plenty Civil Defence Emergency Management Group Funding Model;**
- 2 Refers the report back to the Civil Defence Emergency Management Group Coordinating Executive Group for further consideration to take account of the concerns raised by Rotorua Lakes Council regarding the differential between the Group service and the shared services and the further issue raised by Ōpōtiki District Council regarding rating equity.**

**Love/Forbes
CARRIED**

4.3 Whakaari/White Island Memorandum of Understanding

Director, Emergency Management Bay of Plenty Clinton Naude outlined the main points of the proposed Memorandum of Understanding between the Minister of Local Government and the Bay of Plenty Civil Defence Emergency Management Group for the delivery of emergency management activities for Whakaari/White Island, and sought members' approval of the Memorandum. Mr Naude explained that, although the Minister was the territorial authority for the Island, emergency management

services had been provided by Emergency Management Bay of Plenty rather than the Department of Internal Affairs and that the Memorandum formalised the current arrangement.

Mr Naude introduced Department of Internal Affairs Policy Analyst Tom Corser. Mr Corser briefly addressed the members, acknowledged the work put into the Memorandum and highlighted the importance of formalising the arrangement. Mr Corser noted the Minister's interest in having officials regularly attend Civil Defence Emergency Management Group meetings and in exploring similar arrangements for other Bay of Plenty offshore islands.

Members queried the enforceability of the Minister's contribution to costs under the Memorandum. Mr Corser clarified that the Department's understanding was that the Memorandum was not a contract so therefore was not enforceable although the expectation was that the Minister would meet reasonable costs and expenses incurred. Members invited the Minister to attend their meetings and suggested that Department representation on the Bay of Plenty Civil Defence Emergency Management Group Coordinating Executive Group was appropriate.

Members noted that while the Island tour operator had not been consulted regarding the proposed Memorandum, the existing Emergency Response Plan for Whakaari/White Island had been developed with participation by the tour operator.

Resolved

That the Civil Defence Emergency Management Group Joint Committee under its statutory authority:

- 1 Receives the report, Whakaari/White Island Memorandum of Understanding;**
- 2 Approves the Memorandum of Understanding between the Bay of Plenty Civil Defence Emergency Management Group and the Minister of Local Government;**
- 3 Approves the Chair of the Bay of Plenty Civil Defence Emergency Management Group Joint Committee to sign the Memorandum of Understanding between the Bay of Plenty Civil Defence Emergency Management Group and the Minister of Local Government on behalf of the Bay of Plenty Civil Defence Emergency Management Group.**

**Forbes/Love
CARRIED**

4.4 Controller Appointments and Delegations

Director, Emergency Management Bay of Plenty Clinton Naude sought approval from members to reconfirm or revoke resolutions made at the extraordinary meeting held on 11 April 2017 in response to the Edgumbe flood event, and to appoint two new Local Controllers. Mr Naude informed members that the resolutions passed at the extraordinary meeting had now been legally reviewed, with the advice received being that the resolutions be confirmed with the exception of one resolution, where the recommendation was for revocation. The delegation of the power of appointment during a state of emergency was now contained in recommendation 4 of this report which provided more precision around the delegation process.

Bay of Plenty Regional Council In-house Counsel Donna Llewellyn answered various questions of clarification asked by members, and noted that any delegation included responsibility and that the body with statutory authority retained legal responsibility even when a power was delegated.

Members highlighted the importance of those delegated the power of appointment being informed by the Civil Defence Emergency Management Group appointment policy as well as individual knowledge when making emergency appointments.

Resolved

That the Civil Defence Emergency Management Group Joint Committee under its statutory authority:

- 1 Receives the report, Controller Appointments and Delegations;**
- 2 Confirms the resolutions passed at the Civil Defence Emergency Management Group Joint Committee meeting on 11 April 2017 remain extant post the management of the Edgecumbe Flood Event.**
- 3 Revokes resolutions 7, 7a and 7b confirmed by the minutes of the Civil Defence Emergency Management Group Joint Committee dated 11 April 2017.**
- 4 Delegates under section 18(1) of the Civil Defence Emergency Management Act 2002 powers under section 26(2) to appoint a Group Controller and section 27(1) to appoint a Local Controller for a state of emergency to the Bay of Plenty Civil Defence Emergency Group Chairperson for the duration of that emergency.**
 - a) In the absence of the Group Chairperson, the authority under resolution 4 passes to the Deputy Chairperson of the Bay of Plenty Civil Defence Emergency Management Group Joint Committee.**
 - b) In the absence of the Chairperson or Deputy Chairperson, the authority under resolution 4 passes to any other member of the Bay of Plenty Civil Defence Emergency Management Group Joint Committee.**
- 5 Approves the amended *Policy for the Appointment and Development of Controllers* (Appendix 1) to confirm Local Controllers are appointed to act as a Local Controller within any district or city council within the Bay of Plenty Civil Defence Emergency Management Group boundary.**
- 6 Appoints under Section 27(1) of the Civil Defence Emergency Management Act 2002 Dayle Johnston as a Local Controller for the Bay of Plenty Civil Defence Emergency Management Group.**
- 7 Appoints under Section 27(1) of the Civil Defence Emergency Management Act 2002 Lee Barton as a Local Controller for the Bay of Plenty Civil Defence Emergency Management Group.**
- 8 Approves amendments to Schedule 1 – *Bay of Plenty Civil Defence Emergency Management Group Appointed Controllers* to reflect the appointment of new controllers.**

**Forbes/Bonne
CARRIED**

5 **Adjournment**

The meeting adjourned at 1.10 pm and reconvened at 1.15 pm.

6 **Presentation: Whakatāne District Recovery Project – Kia manawanui**

Refer Tabled Document 1: Interim report on Whakatāne District Recovery and Record of Exercise of Powers

Refer Powerpoint presentation Obj reference: A2629562

Local Recovery Manager Julie Gardyne and Whakatāne National Recovery Facilitator Marama Edwards updated members on progress with the Whakatāne District Recovery Project. Ms Gardyne outlined the structure of the Recovery Office and the Recovery Action Plan and noted that the Action Plan was separated into four environments - community, natural rural, built and economic – with each environment having its own objectives, priorities, actions and outcomes. Ms Gardyne discussed key projects underway in each environment and highlighted current issues, achievements and challenges. Ms Gardyne briefly summarised costs experienced and outlined the potential financial impact of the Recovery on Whakatāne District Council.

Members asked for clarification on various topics including emergency waste management, the liveable homes project, status and cost of roading repairs, and insurance implications for homeowners and council. Members acknowledged Mayor Bonne and his team for the work undertaken around management of this emergency event.

Director, Emergency Management Bay of Plenty Clinton Naude informed members that a report reviewing the event response should be available within two months while there would be a longer timeframe for review of the recovery process.

The Chairman thanked Ms Gardyne, Ms Edwards and Mayor Bonne for their presentation.

The meeting closed at 2.03 pm.