

**THIS LETTER AND ASSOCIATED DOCUMENTS ARE
SUBJECT TO AN EMBARGO UNTIL
NOON WEDNESDAY 5 FEBRUARY 2020**

BOPRC Reference: 20 - 0005

LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987 (LGOIMA) INFORMATION REQUEST

Further to email confirmation dated 28 January 2020 (attached), Bay of Plenty Regional Council (BOPRC), Emergency Management Bay of Plenty (EMBOP) and Whakatāne District Council (WDC) are providing the following documents and joint reply to your LGOIMA request:

- Situation Reports x 15;
- Action Plans x 6, plus 1 Appendix (i.e. Welfare, attached to Action Plan 1), plus 1 joint Auckland Emergency Management and EMBOP Action Plan 001 dated 13 December 2020;
- Meeting Minutes x 2 (i.e. Welfare dated 10 December 2019 and Stakeholders dated 12 December 2019);
- Memorandum of Understanding dated 11 August 2017; and
- Response Plan for Whakaari / White Island that was effective at the time of the eruption on 9 December 2019.

By way of further explanatory context for these documents generated in a civil defence emergency operating centre (EOC), we advise as follows:

Situation Reports

A situation report (Sitrep) is a high-level summary of events and actions happening in an EOC recorded up to a specified time. Sitreps are distributed to key staff and agencies involved in the civil defence response, and shared with any other activated EOC in the affected region and the National Crisis Management Centre. The Sitrep essentially provides an overview of the background, current situation, and if any critical issues and/or decisions are made.

Over time, some Sitreps have tracked changes within the document. This formatting function is used to record and communicate how the information has changed since the previous Sitrep.

The Sitrep is a compilation of key information from various response functions within the EOC and will briefly describe the emergency incident and the response. Sitreps are prepared by the Intelligence team (within the Coordinated Incident Management System (CIMS) structure) and is thereby verified and confirmed information. The Sitrep then informs the Action Plans.

Action Plans

An Action Plan contains logistical objectives and tasks to be accomplished within the operational period or within an estimated time frame. It is an assessment of the impacts that the emergency event and response may be having on the affected region and communities. The key purpose of this document is for planning and prioritising response actions to be taken.

The Action Plan is a summary of a situation at the particular point in time and prioritises various objectives to achieve the response mission, including assigning tasks to various teams and functions in the EOC. It essentially describes how the response will be managed and also identifies any known limitations. Action Plans are prepared by the Planning team (within the CIMS structure).

Memorandum of Understanding (MOU)

The MOU is between the Bay of Plenty Civil Defence Emergency Management Group (now EMBOP) and the Minister of Local Government. The agreement acknowledges the respective status and responsibility of the parties - the Civil Defence Group of seven councils as a joint standing committee under Local Government Act 2002 and the Minister as the island's territorial authority (who is required by section 64(1) of the Civil Defence Emergency Management Act 2002 to plan and provide for the island's civil defence emergency management).

The intention of the MOU was to provide a fresh platform for proactive regional or localised monitoring, coordinating and responding in the context of an active offshore volcanic island. The scope of the MOU is for response and readiness, and as such recognises EMBOP's expertise and resources to plan for and undertake certain response and readiness functions. The MOU does not cover risk reduction and recovery functions (which remained with the Minister as the island's territorial authority).

Response Plan

The overall purpose of a Response Plan is to provide clear procedure and guidance for EMBOP to follow in response to changes in activity on Whakaari / White Island. It is an internal operations document with key information, such as whose role it is to do what during a civil defence response effort. In that vein, it can be considered a coordinating document. The Response Plan does not delegate or assign tasks and/or responsibilities, and it assumes that other key agencies have their own response plans and/or management processes. The responsibilities of agencies set out in Table 1.1 of the plan arise from their own empowering legislation.

The Response Plan that was in effect the day of the eruption is not a final or approved Response Plan. However, it was utilised because it was in its final phase of internal review and considered an "operational draft", was the most relevant, up-to-date and comprehensive document available having incorporated stakeholder feedback. The term "operational draft" is used by our civil defence team at various stages of their planning cycle as it denotes that a response plan is a living document, can be adapted and/or

updated over time to reflect new knowledge, relationships and events. The term does not necessarily denote a draft or final version in the normal sense of document management.

Note there is a minor formatting error on the odd pages of the document that gives the impression it was dated 11 December 2019 (when in fact that is referring to the document reference number A3342611 as can be seen with even pages of the document).

Concluding Remarks

You should also be aware that for the civil defence response to the Whakaari / White Island eruption, there were two EOC's activated (i.e. WDC in relation to supporting the NZ Police and community issues and EMBOP as a result of its obligations under the MOU).

As well, there were multiple agencies in attendance undertaking and responsible for different issues (i.e. NZ Defence Force, NZ Police, National Emergency Management Agency (under Ministry for Civil Defence), Ngāti Awa entities and others). This meant some information was generated, shared and informed the overall civil defence response. However, on the other hand some official information remained controlled by the responsible agency. By way of example, official information about the search, rescue and recovery of deceased persons was and remains solely in the domain of the NZ Police (hence there is no information of that kind within scope or existence in our respective records for LGOIMA disclosure).

As you will also see, some of the documents have some minor redactions. That information is withheld on the basis of one, or a combination of, the following LGOIMA sections and grounds:

- Protecting the privacy of natural persons under section 7(2)(a);
- Maintaining the effective conduct of public affairs through free and frank expression of opinions by or between officials in the course of their duty under section 7(2)(f)(i); and/or
- Subject to an obligation of confidence, and making available the information would likely prejudice the supply of similar information, or information from the same source, and it is in the public interest for collaborative supply of information for civil defence purposes not be undermined under section 7(2)(c)(i), or would be likely otherwise to damage the public interest under section 7(2)(c)(ii).

As previously advised, any further information requests (i.e. emails / communications) of BOPRC, EMBOP or WDC is likely to require substantial time and collation. In that regard, we reserve our positions as to the right to charge for additional information consistent with the Ombudsman's guidelines for charging.

If you are not satisfied with this reply, you have the right to lodge a complaint with the Ombudsman under section 27(3) of the Local Government Official Information and Meetings Act 1987. The Ombudsman's Office can be contacted by calling 0800 802 602, emailing info@ombudsman.parliament.nz or online at www.ombudsman.parliament.nz.

Yours sincerely

Sarah Omundsen

General Manager, Regulatory Services
Bay of Plenty Regional Council / Toi Moana