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3.00080
Significance of Decision: Low



Report To: Regional Council
Meeting Date: 15 November 2011
Report From: Ken Tarboton, Group Manager Environmental Hazards

Regional On-Scene Commander Delegations

Executive Summary

In response to the on-going issues relating to the MV Rena grounding and the potential at some point for the transition of the operations to Council, the current delegations have been reviewed. It has been identified that there is no current cover in terms of the Regional On-Scene Commander role – if it was required to be activated. As a precaution it is recommended that a further staff member be appointed as being able to fulfil the role of Regional On-Scene Commander.

This item is being tabled as the matter could potentially become significant at any point and therefore it is believed that the matter needs to be dealt with urgently.

The opportunity has also been taken to amend the relevant section of the Staff Delegations Manual by updating terms and references. No new delegations are created.

1 Recommendations

That the Regional Council:

- 1 Receives the report, *Regional On-Scene Commander Delegations*.
- 2 Appoint Greg Meikle as a Regional On-Scene Commander for the Bay of Plenty.
- 3 Adopt the minor amendments to the Staff Delegations Manual (as specified in Appendix 1 to this report).
- 4 Confirms that the decision is within the Bay of Plenty Regional Council's strategic planning framework (Council's Ten Year Plan, and planning documents and processes under the Resource Management Act 1991, Biosecurity Act 1993, Land Transport Act 2003, Civil Defence and Emergency Act 2002, and Local Government Act 1974 and 2002).

2 Purpose

The purpose of this report is to amend Council's delegations in respect of Regional On-Scene Commanders for oil spill responses.

3 Discussion

The authority for managing oil spill responses is provided by the Maritime Transport Act 1994. This Act provides for the appointment of Regional On-Scene Commanders (ROSCs) and provides them with powers to manage response activities in relation to regionally significant oil spill events. The MV Rena grounding oil spill is considered to be nationally significant. Delegations are also provided from the Director of Maritime New Zealand to people operating in this role – such as the ability to commit expenditure on behalf of Maritime New Zealand.

Under section 318 of the Maritime Transport Act 1994, ROSCs must be suitably qualified before Council can appoint them. Appointments must also be by name (section 320) rather than being by position or role.

At present the MV Rena is a Tier III (national) oil spill response –. If it transitions to a Tier II (regional) response Council would have the responsibility for the operation. The oversight of the response would be by a ROSC. It has been identified that there is no cover to support the single Regional On-Scene Commander appointment. As a precaution it is recommended that a further staff member is appointed to provide this cover.

3.1 New Appointment

Greg Meikle is appropriately qualified and has been approved by the Director of Maritime New Zealand to act as a regional on-scene commander until 30 June 2013. It is recommended that Greg Meikle is appointed by Council as the Regional On-Scene Commander for the Bay of Plenty.

3.2 Updating of Delegations Manual

The staff delegations manual will need to be updated to reflect the above appointment. In reviewing the existing delegations it was also identified that other changes were required to the list of on-scene commanders. The updated list is as follows:

Regional On-scene Commander	Greg Meikle, Maritime Officer
Alternate Regional On-scene Commander	Brian Spake, Harbour Master Eastern Bay

The opportunity has also been taken to update the Staff Delegations Manual in terms of position titles, organisational name changes and minor functional alignments. For example, the Maritime Function no longer sits under the Water Management Group. Appendix 1 contains a track changes version of the relevant section of the Manual. These changes do not alter any authorities provided to Maritime staff.

4 **Financial Implications**

Current Budget

There are no financial implications for current budgets as a result of the recommendations of this report.

Future Implications

There are no future financial implications as a result of the recommendations of this report.

Clinton Naude
Training Officer, Group Emergency Management Office

for Group Manager Environmental Hazards

Authorised Date _____