



WAIMAKARIRI
DISTRICT COUNCIL

Extraordinary Council Meeting

Agenda

Friday 1 April 2022

9am

***This meeting will
be held remotely
via Zoom and
live audio
streamed on the
Council website***

Members:

Mayor Dan Gordon (Chair)

Cr Neville Atkinson

Cr Kirstyn Barnett

Cr Al Blackie

Cr Robbie Brine

Cr Wendy Doody

Cr Niki Mealings

Cr Philip Redmond

Cr Sandra Stewart

Cr Joan Ward

Cr Paul Williams

The Mayor and Councillors

WAIMAKARIRI DISTRICT COUNCIL

AN EXTRAORDINARY MEETING OF THE WAIMAKARIRI DISTRICT COUNCIL WILL BE HELD VIA ZOOM ON FRIDAY 1 APRIL 2022 COMMENCING AT 9AM

Sarah Nichols
GOVERNANCE MANAGER

**Recommendations in reports are not to be construed as
Council policy until adopted by the Council**

BUSINESS

Page No

1. APOLOGIES

2. CONFLICTS OF INTEREST

Conflicts of interest (if any) to be reported for minuting.

3. REPORT

3.1. Covid-19 – Vaccine Pass removal for Aquatic Facilities, Libraries and Community Facilities – L Smith (Manager People and Engagement)

4 - 10

RECOMMENDATION

THAT the Council

- (a) **Receives** Report No. 220330047404
- (b) **Approves** that the Aquatics Facilities will remove the requirement for My Vaccine Passes for all visitors and staff to its facilities at Rangiora and Kaiapoi effective from 11.59pm on 4 April 2022 at all levels of the Covid-19 Protection Framework (CPF).
- (c) **Approves** that the Libraries will remove the requirement for My vaccines Passes for all visitors and staff to its facilities at Rangiora, Kaiapoi and Oxford effective from 11.59pm on 4 April 2022 at all levels of the Covid-19 Protection Framework (CPF).
- (d) **Notes** that the organisation will manage a phased return to full services in Libraries and Aquatic Centres depending upon staffing levels and current Covid-19 community spread.
- (e) **Notes** that the organisation has removed the requirement for all staff to hold vaccine passes to complete their roles, however mpaintains that the risk assessment framework is required to support those staff members working in high risk roles during a pandemic. The current Covid-19 Management Policy has been updated to reflect these changes.

4. **MATTERS TO BE CONSIDERED WITH THE PUBLIC EXCLUDED**

Section 48, Local Government Official Information and Meetings Act 1987.

RECOMMENDATION

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution, are as follows:

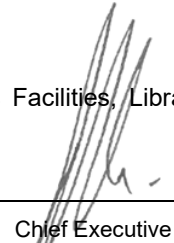
Item No	Minutes/Report of	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
4.1	Report of R Hawthorne (Property Manager) and S Hart (Strategy and Business Manager)	Strategic Property Dealings, Rangiora	Good reason to withhold exists under Section 7	Section 48(1)(a)

his resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987, and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

Item N°	Reason for protection of interests	LGOIMA Part 1, Section 7
4.1	Protection of privacy of natural persons; To carry out commercial activities without prejudice; Maintain legal professional privilege; Enable Council to continue with (commercial) negotiation without prejudice or disadvantage Prevent the disclose of information for improper gain or advantage	Section 7 2(a) Section 7 2(b)ii Section 7 (g) Section 7 2(i) Section 7 (j)

5. **NEXT MEETING**

The next scheduled ordinary meeting of the Council will commence at 1pm on Tuesday 5 April 2022.

WAIMAKARIRI DISTRICT COUNCIL**REPORT FOR DECISION****FILE NO and TRIM NO:** 220330047404**REPORT TO:** COUNCIL**DATE OF MEETING:** 1 April 2022**AUTHOR(S):** Liz Smith, Manager People & Engagement**SUBJECT:** Covid-19 – Vaccine Pass removal for Aquatics Facilities, Libraries and Community Facilities**ENDORSED BY:**
(for Reports to Council,
Committees or Boards)
Department Manager
Chief Executive**1. SUMMARY**

- 1.1. This report provides the Council with an update on changes to the Covid-19 Protection Framework (CPF) and the implications for the Waimakariri District Council.
- 1.2. Highlights that even though some requirements have been removed for public access to our facilities, the organisation still has a requirement to support staff working in high risk areas and what mitigations will be in place for these roles.
- 1.3. Identifies how the organisation will manage a phased return to full services in aquatics and libraries, dependent upon the Covid-19 spread in the community.

2. RECOMMENDATION**THAT** the Council

- (a) **Receives** Report No. 220330047404
- (b) **Approves** that the Aquatics Facilities will remove the requirement for My Vaccine Passes for all visitors and staff to its facilities at Rangiora and Kaiapoi effective from 11.59pm on 4 April 2022 at all levels of the Covid-19 Protection Framework (CPF).
- (c) **Approves** that the Libraries will remove the requirement for My vaccines Passes for all visitors and staff to its facilities at Rangiora, Kaiapoi and Oxford effective from 11.59pm on 4 April 2022 at all levels of the Covid-19 Protection Framework (CPF).
- (d) **Notes** that the organisation will manage a phased return to full services in Libraries and Aquatic Centres depending upon staffing levels and current Covid-19 community spread.
- (e) **Notes** that the organisation has removed the requirement for all staff to hold vaccine passes to complete their roles, however maintains that the risk assessment framework is required to support those staff members working in high risk roles during a pandemic. The current Covid-19 Management Policy has been updated to reflect these changes.

3. BACKGROUND

- 3.1. On 18 October 2021, Cabinet agreed to shift our approach for managing the Delta variant of COVID-19 from an elimination strategy to an approach based on minimisation and protection, and to use the COVID-19 Protection Framework (CPF) to give effect to that

new strategy. The new strategy reflects that a different approach is needed for Delta, focusing on minimising the impact of Covid-19 being present in our communities.

- 3.2. The framework introduced a traffic light system to support our health service to manage the increased cases of Covid-19 and reduce the impact of the disease on the more vulnerable members of our communities.
- 3.3. Since that time a new strain of the Covid-19 virus has become more prevalent in the country and Omicron is now the dominant variant of the disease.
- 3.4. To date New Zealand has had more than 500,000 reported cases of COVID-19 and expert modellers say there have probably been 1.7 million actual infections.
- 3.5. That figure, coupled with 95 percent of New Zealanders being fully vaccinated, means we now have a high level of collective immunity.
- 3.6. Vaccine mandates were never intended to be permanent, and it was assumed they would be reviewed periodically. Such a review is appropriate now, for several reasons. First, there is high overall vaccination coverage in the community, although it is disappointing that the uptake of the third (booster) dose of the vaccine has not been higher. Second, the proportion of people with some immunity from natural infection will be increasing greatly during the current outbreak. Third, although some infections with the Delta variant are probably still occurring (and we need better surveillance), there has been a shift to the Omicron variant which now accounts for the vast majority of infections.
- 3.7. Individuals infected with the Omicron variant are less likely to require hospitalisation, and especially intensive care, than people infected with Delta. Nevertheless, Omicron is so infectious that in many countries it has caused more hospital admissions and deaths than occurred during Delta outbreaks. That will also be the case in New Zealand.
- 3.8. We must remember that a new variant of the virus may displace Omicron in the months ahead. Such a new variant could be more or less virulent in causing human disease. Experience with previous variants suggests that current vaccines would be likely to retain at least some of their effectiveness. It is also possible that new vaccine formulations would be developed that further reduce the risk of infection and transmission, particularly in the case of a dangerous new variant.
- 3.9. As in other countries, people are becoming frustrated with restrictions needed to control a pandemic that has gone on for longer than anyone envisaged. Vaccine mandates have attracted particular criticism. A small minority of the population harbour strong objections to vaccination, and some have been prepared to accept redeployment or redundancy rather than agree to be vaccinated. Some others feel that the imposition of occupational mandates, even for sound public health reasons, involves an unjustified infringement of personal liberty. There are also legal debates about the relevance of the New Zealand Bill of Rights Act.¹
- 3.10. The Waimakariri community has experienced examples of disquiet due to vaccine mandates through protests across the district and correspondence received to various elected members and staff. However it is also important to note that a large percentage of the community has been in support of the council's position to adopt vaccine passes to its facilities and may raise concern about the removal of these passes in line with government advice.

¹ Strategic Covid-19 Public Health Advisory Group vaccine mandate – 13 March 2022

- 3.11. The following changes have been made to our national response:
- The Covid-19 Protection Framework (CPF) has been simplified and will target restrictions to those activities which reduce transmission the most.
 - From 11.59pm on 4 April 2022 My Vaccine pass will no longer be required by the government. This means people will no longer have to be vaccinated in order to enter those venues currently covered by the pass.
 - Scanning in requirements and use of QR codes will end.
 - Some businesses, events or venues may choose to use the My Vaccine pass.
 - From 11.59pm on 4 April 2022 vaccine mandates will be removed except for health, disability, aged care, corrections and boarder workforces
 - From 11.59 on Friday 25 March 2022 outdoor gathering limits will be lifted. Indoor gathering limits will also change to 200.
 - Orange settings remain broadly the same with no gathering limits but extra guidance on holding safe events, and a new requirement for workers to wear masks at indoor events
- 3.12. Simply put, Red means indoor gathering limits, social distancing and masks, Orange means masks, and Green means guidance. At all levels, the testing and isolation requirements remain as they are now.
- 3.13. A number of tools which were developed to fight Covid-19 were designed to protect the unvaccinated population from earlier variants of the virus.
- 3.14. The focus has now changed to make life simpler and move towards a more normal environment but to retain the strategies which most effectively help to reduce the spread of Covid-19 and protect communities.
- 3.15. At present all of New Zealand is sat at RED as part of the CPF. This will be reviewed again by the Government on 4 April 2022.
- 3.16. At Red settings:
- There are no limits for outdoor activities, such as gatherings and events, and food and drink businesses. My Vaccine Passes must be used until 11:59pm on 4 April 2022.
 - There is a 200-person limit for indoor gatherings and events. My Vaccine Passes must be used until 11:59pm on 4 April 2022.
 - If My Vaccine Passes are not used, the gathering limits remain unchanged.
 - You do not need to wear a face mask outdoors.
 - Other face mask rules remain unchanged - face masks are still required in most indoor settings.
 - There is no requirement to scan in or for a business to display a QR code poster or have mandatory record keeping.
- 3.17. At Orange settings:
- There is no limit for outdoor gatherings.
 - There is no limit for indoor gatherings.
 - You do not need to wear a face mask outdoors.
 - Other face mask rules remain unchanged.

- There is no requirement to scan in or for a business to display a QR code poster or have mandatory record keeping.

3.18. At Green Settings:

- There are no restrictions.
- We encourage you to keep up good health behaviours.
- There is no requirement to scan in or for a business to display a QR code poster or have mandatory record keeping.

4. ISSUES AND OPTIONS

Aquatic Facilities

- 4.1. The aquatic facilities at Rangiora and Kaiapoi will be able to remove the requirement for My Vaccine pass entry for all staff and public effective from 11.59pm on 4 April 2022.
- 4.2. The ability to provide all services will depend upon staffing levels as the facilities has been significantly impacted by absence and has had to adjust opening hours as a result.
- 4.3. There is a high likelihood this will continue in the coming weeks while there is still a high number of community cases of Omicron.

Libraries

- 4.4. The library at Rangiora, Ruataniwha and Oxford will be able to remove the requirement for My Vaccine pass entry for all staff and public effective from 11.59pm on 4 April 2022.
- 4.5. The library will be taking a phased approach to the introduction of all services dependent upon staffing levels and the risk associated with running events. An example of this is baby times will not be running until the community experiences significantly reduced numbers of positive covid cases in the community.

Community Facilities

- 4.6. Due to the services provided at some of our community facilities we were subject to Government mandates of vaccine passes at the Rangiora Townhall, Woodend Community Centre, Kaiapoi Community Centre and Mainpower stadium. These requirements will be removed from 11.59pm on 4 April and these facilities will resume full service from this date.
- 4.7. All other community facilities continued to allow all members of the public to enter the facility under a booking system. These will have no change.
- 4.8. It is important to note that if there is a change from Red to Orange settings then the indoor limits are likely to increase again. Mask wearing and 1m distancing is still required and, as such, the defined space dictates the number allowed and trumps the 200 limit. If the venue cannot accommodate 200 people with 1m separation, then the limit is reduced to a quantum that can safely maintain the 1m distance.
- 4.9. The Rangiora Service Centre will be able to remove vaccine pass requirements for all staff and public effective from 11.59pm on 4 April 2022.
- 4.10. This will include all public meetings of Council and Community Boards, however it is recommended that mask wearing and physical distancing is maintained while there continues to be high positive Covid-19 case numbers in the community.

Managing Health & Safety at Work

- 4.11. Under the Health and Safety at Work Act 2015 (HSWA), any Person Conducting a Business or Undertaking (PCBUs) must identify whether there is a risk to the health of their workers from exposure to COVID-19 at their workplace (as well as external community members/individuals who are affected by the Council's activities). Where a material risk is identified, employers must eliminate the risk so far as is reasonably practicable
- 4.12. WDC has an obligation to provide a work environment with minimal risks to health and safety, so far as is reasonably practicable. This obligation includes eliminating or minimising the risks associated with exposure to disease/s which may be preventable by risk mitigation practices, including vaccination.
- 4.13. Vaccine passes were one of the ways in which the organisation supported those roles which were identified as high risk in a pandemic environment. Even though vaccination is no longer a mandated requirement, the organisation has other methods by which we will continue to reduce the risk of exposure to staff and spread of the Covid-19 disease. These include:
- Meeting all up-to-date infection prevention and control measures as recommended in New Zealand
 - Complying with public health requirements and guidance, including physical distancing, mask wearing, limits on people gathering and record keeping
 - Identifying risks and eliminating or controlling them as reasonably practicable
 - Encouraging employees, contractors and volunteers to stay at home if they feel unwell
 - Providing ongoing support for employees mental health needs through our internal and external support systems
 - Continuing to encourage and support employees, contractors and volunteers to become fully vaccinated against COVID-19 now and in the future.
- 4.14. The organisation has updated our Covid-19 Management policy to reflect the changes announced by the Government. Even though vaccine pass requirements have been removed we are taking a cautious approach to requiring employees to resume normal duties. Flexible working, virtual meetings and maintaining work bubbles for critical workers are elements of the policy which will remain while Covid-19 positive cases are high in the community.
- 4.15. Our risk assessment process will be continually monitored and reviewed by the job holder and appropriate management to ensure that all employees, especially high risk roles, are regularly consulted with and supported throughout the pandemic.

Implications for Community Wellbeing

- 4.16. There are implications on community wellbeing by the issues and options that are the subject matter of this report.
- 4.17. COVID-19 will affect the social and cultural wellbeing of our community. Regardless of which direction the Council takes there are likely to be some who disagree with this approach.
- 4.18. The Management Team has reviewed this report and support the recommendations.

5. COMMUNITY VIEWS

5.1. Mana whenua

Te Ngāi Tūāhuriri hapū are likely to be affected by, or have an interest in the subject matter of this report.

5.2. Groups and Organisations

There are groups and organisations likely to be affected by, or to have an interest in the subject matter of this report.

5.3. Wider Community

The wider community is likely to be affected by, or to have an interest in the subject matter of this report.

6. OTHER IMPLICATIONS AND RISK MANAGEMENT

6.1. Financial Implications

There are no further financial implications of the decisions sought by this report.

6.2. Sustainability and Climate Change Impacts

The recommendations in this report do not have sustainability and/or climate change impacts.

6.3 Risk Management

There are risks arising from the adoption and implementation of the recommendations in this report.

If the Council chooses to not support the recommendations we would be going against the Government advice.

The social response to the CPF has been mixed and the public may feel strongly about a decision to remove vaccination passes when Omicron remains prevalent in the community.

Vaccinated residents may choose not to enter our facilities as a result of this decision.

The Council should be aware that legal advice is limited due to the new nature of these regulations and therefore opposition to decisions have not been tested in court.

6.3 Health and Safety

There are health and safety risks arising from the adoption/ implementation of the recommendations in this report.

The organisation feels that appropriate consideration of mitigation factors has been considered before recommending removing vaccine passes for staff and the public.

Risk assessments for high risk roles will remain in place and reviewed regularly to ensure that incumbents to these roles feel safe and that they are able to perform their duties as required. Adjustments to duties will be made as necessary during this time.

7. CONTEXT

7.1. Consistency with Policy

This matter is a matter of significance in terms of the Council's Significance and Engagement Policy.

7.2. Authorising Legislation

- Covid-19 Public Health Response Act 2020
- Covid-19 Public Health Response (Protection Framework) Order 2021
- Employment Relations Act 2000

- Health & Safety at Work Act 2015

7.3. **Consistency with Community Outcomes**

The Council's community outcomes are relevant to the actions arising from recommendations in this report.

7.4. **Authorising Delegations**

The council has the authority to approve the recommendations of this report.