

# Kaunihera | Council



## Mēneti Wātea | Open Minutes



Minutes of an extraordinary meeting of Matamata-Piako District Council held online via Microsoft Teams on Thursday 16 December 2021 at 1.00pm.

---

### Ngā Mema | Membership

#### **Koromatua | Mayor**

Ash Tanner, JP (Chair)

#### **Koromatua Tautoko | Deputy Mayor**

Neil Goodger

#### **Kaunihera ā-Rohe | District Councillors**

Donna Arnold

Caitlin Casey

Teena Cornes

Bruce Dewhurst

James Sainsbury

Russell Smith

Kevin Tappin

James Thomas

Sue Whiting

Adrienne Wilcock

## **Ngā whakapāha | Apologies**

Cr James Thomas

## **Kaimahi i reira | Staff Present**

<b>Name</b>	<b>Title</b>	<b>Item No.</b>
Don McLeod	Chief Executive Officer	
Stephanie Hutchins	Governance Support Officer	
Tim Donaldson	Digital Team Leader	
Susanne Kampshof	Asset Manager Strategy and Policy	5.1
Erin Bates	Strategic Partnerships and Governance Manager	5.2
Kelly Reith	People, Safety and Wellness Manager	5.2
Sandra Harris	Placemaking and Governance Team Leader	5.2
Kate Stevens	Safety and Wellness Team Leader	5.2
Fiona Vessey	Group Manager Service Delivery	5.1, 5.2
Andrea Durie	Senior Communications Officer	5.1, 5.2

## **I reira | In Attendance**

*There were no external attendees*

**1 Whakatūwheratanga o te hui | Meeting Opening**

Cr Kevin Tappin welcomed elected members, staff and livestream viewers and declared the meeting open at 1.04pm.

**2 Ngā whakapāha/Tono whakawātea | Apologies/Leave of Absence  
WHAKATUANGA A TE KAUNIHERA | COUNCIL RESOLUTION**

That the apology from Cr James Thomas be accepted and leave of absence from the meeting be granted.

**Moved by: Cr D Arnold**

**Seconded by: Cr J Sainsbury**

**KUA MANA | CARRIED**

**3 Whākī pānga | Declaration of interest**

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of the items on this Agenda.

**4 Whakaaetanga mēneti | Confirmation of Minutes  
WHAKATUANGA A TE KAUNIHERA | COUNCIL RESOLUTION**

That the minutes of the Ordinary Meeting of Matamata-Piako District Council held on Wednesday, 8 December 2021, be confirmed as a true and correct record of the meeting.

**Moved by: Cr D Arnold**

**Seconded by: Cr J Sainsbury**

**KUA MANA | CARRIED**

**5 Pūrongo me whakatau | Decision Reports**

- |   |          |
|---|----------|
| <b>5.1 Lockerbie Estate: Reserve Easement</b>   | <b>4</b> |
| <b>5.2 Council Facilities Vaccination Certificate Policy under Government's COVID-19 Protection Framework</b> | <b>9</b> |

5 Pūrongo me whakatau | Decision Reports

## Lockerbie Estate: Reserve Easement

CM No.: 2533261

### Rāpopotonga Matua | Executive Summary

As part of the Lockerbie Estate development in Morrinsville, a land parcel (“Lot 2”) is to be vested in Council as a Reserve for recreation purposes and has been identified as the site for a new community playground.

Stormwater and wastewater lines cross a small portion of Lot 2 along Lockerbie Street. The underground utilities are already in place. At the time of installation, this portion of land was not intended to be part of the future Reserve. Due to design changes which enabled improved access to the Reserve from Lockerbie Street these assets are now in the future Reserve land. This part of the Reserve will primarily provide pedestrian access off Lockerbie Street and will not affect the proposed playground location.

Once a Reserve has been vested, Council may approve easements for underground utilities under the provisions of the Reserves Act 1977.

An easement grants a specific right to use land belonging to someone else for a specified purpose. Council has historically agreed to grant easements over Reserves where the impact on the Reserve is minimal or beneficial.

Lot 2 has not been vested in Council yet.

Under the Resource Management Act 1991, Reserves are normally vested without a legal interest or encumbrance (such as an easement). The Act does however allow Council the option to agree to accept a specified interest in the land (such as an easement).

Accepting the land to be vested with an easement in place avoids the need to grant an easement under the Reserves Act process after vesting has occurred.

Council cannot issue Section 224 until the easements are resolved. This is the only outstanding matter that needs to be resolved before 224 may be issued. The matter is brought to Council under urgency given the time of year to avoid unreasonably delaying issue of 224 until Council returns to session next year.

### WHAKATUANGA A TE KAUNIHERA | COUNCIL RESOLUTION

**That:**

- 1. The report be received;**
- 2. Council agrees to be a party to an easement over Lot 2 as indicated in Attachment A by the letter N;**
- 3. Council resolves to accept the vesting of Lot 2 as Reserve with an easement for stormwater and wastewater in place over Lot 2;**
- 4. Council authorises staff to complete the necessary administrative actions to give effect to the decision.**

**Moved by: Cr B Dewhurst**  
**Seconded by: Cr R Smith**

**KUA MANA | CARRIED**

### Horopaki | Background

As part of the Lockerbie Estate development in Morrinsville, a 0.1274ha land parcel (“Lot 2”) is to be vested in Council as a Reserve for recreation purposes. Lot 2 has previously been identified as the site for a new community playground. Portions of stormwater and wastewater lines cross a small section of Lot 2. These underground utilities are already in place. At the time of installation, this portion of land was not intended to be part of the future Reserve. Due to design changes which enabled improved access to the Reserve from Lockerbie Street these assets are now in the future Reserve land. The maps in Figures 1 and 2 below indicate the locations of stormwater and wastewater lines and manholes in Lot 2.

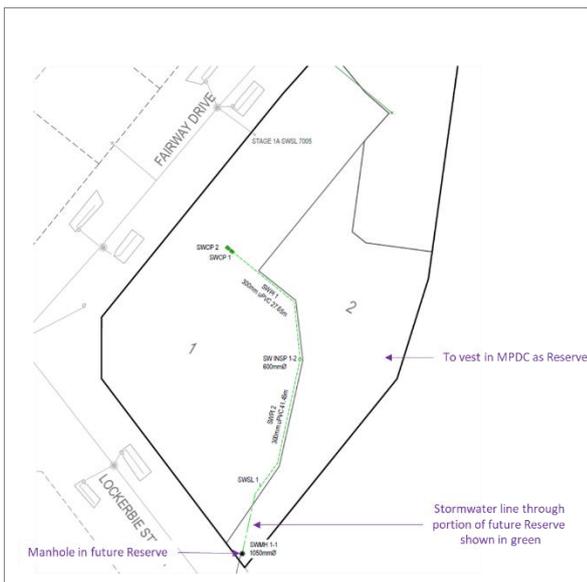


Figure 1: Location of stormwater

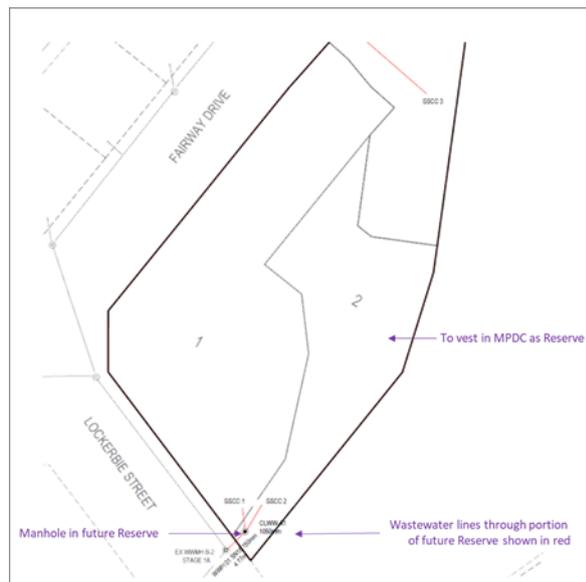


Figure 2: Location of wastewater

An easement grants a specific right to use land belonging to someone else for a specified purpose. Council has historically agreed to grant easements over Reserves where the impact on the Reserve is minimal or beneficial.

Lot 2 has not been vested in Council yet.

Under the Resource Management Act 1991, Reserves are normally vested without a legal interest or encumbrance (such as an easement). The Act does however allow Council the option to agree to accept a specified interest in the land (such as an easement).

Council cannot issue Section 224 until the easements are resolved. This is the only outstanding matter that needs to be resolved before 224 may be issued. The matter is brought to Council under urgency given the time of year to avoid unreasonably delaying issue of 224 until Council returns to session next year.

### Ngā Take/Kōrerorero | Issues/Discussion

#### *Precedent and procedure*

From time to time, Council has agreed to grant easements over Reserves. The Reserves Act 1977 regulates such matters for existing Reserves. Section 9.3.1 of the General Policies Reserve

Management Plan 2019 outlines Council's policy about easements on Reserves. These policies apply to the granting of new easements over Reserves that are already vested in Council.

Lot 2 is not vested in Council yet.

Under the Resource Management Act 1991, Reserves are normally vested at subdivision without a legal interest or encumbrance (such as an easement). The Act does however allow Council the option to agree to accept a specified interest in the land (such as an easement).

Once a Reserve has been vested, Council may approve easements for underground utilities under the provisions of the Reserves Act 1977. Council has typically agreed to grant such easements where the impact on the Reserve is minimal or beneficial.

Accepting the land to be vested with an easement in place avoids the need to grant an easement under the Reserves Act process after vesting.

These matters are discussed in more detail in the Legal and Policy section of this report.

### *Effects on the Reserve*

The portion of Lot 2 fronting Lockerbie Street will primarily serve as a pedestrian entrance to the Reserve. The location of the utilities does not affect the proposed location of the playground and ancillary facilities.

Staff are of the view that the Reserve is not likely to be materially altered or permanently damaged and the rights of the public in respect of the Reserve are not likely to be permanently affected by the establishment and lawful exercise of the easement.

### *Effects on the subdivision*

Council cannot issue Section 224 until the easements are resolved. This is the only outstanding matter that needs to be resolved before 224 may be issued. The location of these underground utilities has only recently been confirmed. The matter is brought to Council under urgency given the time of year to avoid unreasonably delaying issue of 224 until Council returns to session next year.

### **Mōrearea | Risk**

There is a risk in accepting the land to vest without an easement in place to clarify duties and responsibilities affecting the underground utilities. An easement minimises this risk as it is registered against the property titles.

### **Ngā Whiringa | Options**

1. Council can agree to be a party to the easement and to accept vesting of the Reserve with the easement in place.
2. Council can decline to be a party to the easement and decline to accept the Reserve with any encumbrance in place.

Option 2 introduces risks associated with uncertainty of ownership and responsibility for the underground utilities and would delay completion of the subdivision. While dealing with the easement later under the provisions of the Reserves Act 1977 may be an option this would require the matter to come back to Council again for consideration in the new year.

Option 1 is the preferred option as it would reduce duplication of administrative processes under the Resource Management Act and Reserves Act and would also enable 224 to be issued for the subdivision without delay.

## **Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations**

### *Vesting of Reserve land at subdivision*

Under Section 239(1) of the Resource Management Act 1991, Reserves vested in a territorial authority are vested free from all interests in the land, including any encumbrances such as easements.

A territorial authority may however, under the provisions of Section 239(2) allow the land to be vested in it as Reserve subject to any specified interest which the territorial authority has certified, on the survey plan, shall remain with the land.

Section 239(2) enables Council to accept an existing easement over a future Reserve without needing to grant an easement under the Reserves Act process after it has been vested. This avoids duplication of process under the RMA and Reserves Act.

### *Granting of an easement over Reserve land vested in Council*

From time to time, Council has agreed to grant easements over existing Reserves. Section 48 of the Reserves Act 1977 regulates such matters. Section 9.3.1 of the General Policies Reserve Management Plan 2019 outlines Council's policies to guide decision-making about easements for utility assets on Reserves (Attachment B). These policies apply to grants of new easements over Reserves that are already vested in Council.

Lot 2 is not yet vested in Council and the Reserves Act process does not apply at this point.

The policies in the Section 9.3.1 of the General Policies Reserve Management Plan 2019 may however be used as a guide to aid decision-making about agreeing to being party to an easement and accepting the land to be vested as Reserve in future with the easement in place.

## **Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes**

Council cannot issue Section 224 until the easements are resolved. This is the only outstanding matter that needs to be resolved before 224 may be issued for this stage of the subdivision. The matter is brought to Council under urgency given the time of year to avoid unreasonably delaying issue of 224 until Council returns to session next year.

## **Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes and consistency with Council Vision**

**Theme:** Connected Infrastructure

**Community Outcome:** Infrastructure and services are fit for purpose and affordable, now and in the future.

**Theme:** Connected Infrastructure

**Community Outcome:** Quality infrastructure is provided to support community wellbeing.

### Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source

The beneficiary of the easement is generally expected to pay the legal costs associated with creating and registering the easement.

### Ngā Tāpiritanga | Attachments

- A. Attachment A - Easements
- B. Attachment B - Section 9.3 of General Policies

### Ngā waitohu | Signatories

Author(s)	Mark Naudé <b>Parks and Facilities Planner</b>	
-----------	---	--

Approved by	Susanne Kampshof <b>Asset Manager Strategy and Policy</b>	
	Manaia Te Wiata <b>Group Manager Business Support</b>	

5 Pūrongo me whakataua | Decision Reports

# Council Facilities Vaccination Certificate Policy under Government's COVID-19 Protection Framework

CM No.: 2530329

## Rāpopotonga Matua | Executive Summary

The purpose of this report is to:

- Update elected members on the overall results of COVID-19 risk assessments undertaken on each role and the employee survey about whether vaccine passes should be required at Council facilities.  
Due to the short timeframes, information on both of these will be provided to elected members prior to the meeting.
- Inform the Elected Members of the legislative framework within which decisions regarding requiring vaccine passes to enter Council facilities will be considered; and
- Decide on the requirements (if any) for COVID-19 vaccination passes for entry into Council owned and operated facilities.

Due to the fluid nature of the COVID-19 response, Council resolved at its meeting on 8 December 2021 to provide a delegation to the Chief Executive over the Christmas period to make further decisions about access to facilities in relation to COVID-19 provisions should this be considered necessary for the safety of staff and the community.

In addition, at its 8 December 2021 Council meeting, Council resolved to require all in person participants to Council and Committee meetings, and workshops to provide a current verifiable Vaccine Pass under the orange and red traffic light system.

### WHAKATUANGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received.
2. (a) The production of a valid My Vaccine Pass and proof of ID is required for entry by the public to the following Council facilities at:

Vaccine pass and proof of ID required			
Council facility	Green Traffic light setting	Orange Traffic light setting	Red Traffic light setting
Swim Zone Facilities	No	No	Yes
Te Aroha Mineral Spas	No	Yes	Yes
Libraries	No	No	Yes

All Council offices	No	No	Yes
Refuse Transfer Stations	No	No	No
Community facilities – Waharoa Aerodrome Council run and leased halls	No	No	Yes
Pubic venues – Firth Tower, Headon Events Centre, Matamata-Piako Civic and Memorial Centre, Morrinsville Events Centre, Silver Fern Farms Events Centre etc.	No	No	Yes
I-Site	No	No	Yes
Council and Committee Meetings, Hearings and Official Workshops (irrespective of location)	No	No	Yes

**(b) the requirement for the public to produce a valid My Vaccine Pass along with proof of ID for entry into Council facilities comes into effect (as soon as practicable as determined by the CEO).**

**(c) Council notes that applications for outdoor community events taking place on Council land (parks and reserves) will be subject to an additional COVID mitigation assessment as part of Council’s health and safety approval process. However, the onus is on the organisers of such events, and not Council, to ensure that appropriate COVID mitigation measures are in place.**

**(d) it shall be the responsibility of leasees of Council facilities to comply with Vaccine Pass requirements as resolved by Council**

**(e) Council notes the process the Chief Executive is taking regarding a proposed policy for COVID-19 vaccinations for staff, contractors and volunteers.**

**(f) These requirements for entering Council facilities will be reviewed every 6 months or earlier if required.**

***Cr Russell Smith, Cr Teena Cornes and Cr Donna Arnold voted against the motion.***

**Moved by: Deputy Mayor N Goodger**  
**Seconded by: Cr A Wilcock**

**KUA MANA | CARRIED**

## Horopaki | Background

This report is to the best of staff knowledge consistent with the current suite of guidance released by central government. A copy of the most recent guidance available at time of writing *COVID-19 Protection Framework – Guidance for Local Government* is available here: <https://www.dia.govt.nz/Local-Government-COVID-19-Response>. Verbal updates on any relevant new information will be provided at the meeting.

It is also noted that the COVID-19 landscape, and risks associated with transmission of the COVID-19 virus will need to be monitored and reviewed on a regular basis. As an example a new ‘variant of concern’ Omicron has been identified by the World Health Organisation. This has, as of 28 November, triggered travel restrictions from countries in southern Africa. The transmissibility of the Omicron variant and effectiveness of currently available vaccines against this variant is unknown.

For this reason a general delegation was approved by Council on 8 December 2021 (particularly with the upcoming summer break) to the Chief Executive to make further decisions about access to facilities should this be considered necessary for the safety of staff and the community.

In October 2021 the government announced the shift away from the elimination strategy under the current Alert Level System to a suppression strategy under the new COVID-19 Protection Framework, which would provide greater freedoms to those who are fully vaccinated.

New Zealand moved into the COVID-19 Protection Framework on 3 December 2021. The Matamata-Piako District moved to Orange traffic light setting.

A number of settings classified as being “higher-risk” have been defined. These include:

- i Hospitality;
- ii Events;
- iii Gatherings such as funerals and weddings;
- iv Close contact businesses; and
- v Gyms.

Under the COVID-19 Protection Framework, businesses operating in higher-risk settings can choose whether they restrict entry/services to individuals who provide a vaccine pass.

Businesses operating in higher-risk settings which opt not to restrict entry/services (allow unvaccinated public to enter/receive services) will be subject to greater restrictions in their operations under the various traffic light settings.

There will be some services classified as “essential” that are not able to lawfully restrict entry/services. Supermarkets and pharmacies have been named as falling into this category. There may be others to come.

On 8 December 2021 Council resolved to require a vaccine pass for those participating in person at Council or Committee meetings and workshops.

The resolution is as follows:

*All ‘in-person’ participants at formal Council meetings and Committee meetings, Hearings and official Council Workshops shall be vaccinated’ and otherwise comply with Council Vaccination Policy for entering Council facilities under the orange and red traffic light system.*

*This includes but is not limited to:*

- *Appointed committee members (external);*
- *Elected members;*
- *Staff;*
- *Presenters;*
- *Visitors attending the meetings, hearings and Workshops described above;*
- *Media.*

*To prove that a person is vaccinated they must show their My Vaccine Pass*

*Attendance at those meetings that would otherwise be open to the public will be enabled by Council broadcasting live the audio and/or video of the meeting.*

*Elected Members and appointed members may attend any meeting that they would otherwise be entitled to attend by means of an audio link or audio-visual link to the proceedings as provided for in clause 25B of Schedule 7 of the Local Government Act 2002.*

*This policy will be reviewed prior to the expiry or repeal of the Epidemic Preparedness (COVID-19) Notice 2020.*

*“Vaccinated” means:*

- *Being fully vaccinated against Covid-19 as evidenced by a current, verifiable My Vaccine Pass (in electronic or print format).*

As requested by elected members a consultation process has been undertaken with staff on whether Council public facilities should implement use of the vaccine pass at Council facilities at the various traffic light settings. Submissions closed on 13 December. COVID-19 vaccination risk assessments were completed for each position by 10 December, including consultation from staff, union reps and health and safety reps. At time of writing, the results of these are scheduled to be considered by the executive team on 14 December. Further information will be circulated to elected members prior to the Council meeting.

## **Ngā Take/Kōrerorero | Issues/Discussion**

On 22 October 2021 the government announced the shift away from the elimination strategy under the current Alert Level System to a suppression strategy under the new COVID-19 Protection Framework, which would provide greater freedoms to those who are fully vaccinated.

On 26 October 2021 the government announced that it would be introducing a range of measures to support businesses wishing to protect customers and staff through requiring vaccination. These measures included:

- The introduction of a mandate requiring that all workers at “higher-risk” businesses where entry was restricted to vaccinated patrons to also be fully vaccinated; and
- The provision of a clearer and simplified risk assessment process for employers to follow when deciding whether they can reasonably require vaccination for different types of work.

On 23 November 2021 the COVID-19 Response (Vaccinations) Legislation Bill (“the Bill”) was introduced and went through its first, second and third readings and went before the Committee of the Whole House. The Bill received Royal Assent on 25 November 2021.

27. The purpose of the Bill is to make vaccination a more prominent part of New Zealand’s COVID-19 response framework. It includes amendments to the:

- COVID-19 Public Health Response Act 2020; and
- Employment Relations Act 2000.

The key relevant amendments to the COVID-19 Public Health Response Act 2020 are:

- to allow the Minister to make an Order specifying work, or classes of work, that may not be carried by a worker unless they are vaccinated, exempt or an authorised person (work in the sectors defined as being “higher-risk”); and
- to allow the Minister or Director-General to make an Order for the purpose of requiring persons to permit unvaccinated individuals to enter a place or receive a service (ensuring that unvaccinated individuals retain access to essential services).

### **Health and Safety at Work Act 2015**

Under the Health and Safety at Work Act 2015 (“the Act”) Matamata-Piako District Council has a primary duty of care to ensure, so far as is reasonably practicable:

- the health and safety of workers while they are carrying out their work for or as directed by the Person Conducting a Business or Undertaking (PCBU);
- that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking;
- the provision of a work environment that is without risks to health and safety; and
- the provision and maintenance of safe systems of work; and
- the provision of any information, training, instruction, or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking.

A PCBU who manages or controls a workplace, has a duty under the Act to ensure, so far as is reasonably practicable, that the workplace, the means of entering and exiting the workplace and anything arising from the workplace are without risks to the health and safety of any person (public and workers included).

A duty imposed on a person under the Act requires that person to eliminate risks to health and safety so far as is reasonably practicable, and when it is not reasonably practicable to eliminate the risk, to minimise the risk so far as is reasonably practicable.

In informing the proposed position to be taken with workers, detailed COVID-19 vaccination risk assessments for each position were undertaken, including reviewing health and business continuity risks. This risk assessment was performed with the primary duty of care under the Health and Safety at Work Act 2015.

It is within this context Council needs to consider its approach to the risk posed by COVID-19 and decide whether those who enter specific Council facilities will be required to be fully vaccinated. Council needs to consider where it sits on a low-high tolerance scale for admission to its facilities in a COVID-19 protection framework.

### **Wider legislative context**

It is also important to take into consideration the fact that the decisions made within the COVID-19 and health and safety legislative frameworks do not sit in a vacuum. There are tensions between legislation to enact the COVID-19 Protection framework, the rights of individuals (for example under the New Zealand Bill of Rights Act 1990), health and safety and employment law, and the nature of Council's role in providing services to the community under the Local Government Act 2002 and other legislation.

While balancing these considerations is not an easy process, the overriding consideration should be the health and safety of staff, elected members and our community in the context of the significant risk that COVID-19 presents.

### **Central Government Guidance on Public Facilities**

Central Government Guidance has been released on 26 November as follows:

Public facilities are defined as services at facilities provided by central or local government, that are open to the public for recreational, social, community or cultural activities or services, including museums, public galleries, libraries, recreation centres, swimming pools, and zoos. Membership facilities are not included. Event or gathering rules apply to any part of a facility that is hired for exclusive use.

### **Mōrearea | Risk**

#### Assessment of probability

The Delta variant of COVID-19 is described by the New Zealand Ministry of Health as being a more infectious mutation of the virus. It is predicted that without any controls, the R-value would be between 5 and 6 – meaning that one infected person may infect up to 5 to 6 others. It has been described as “highly transmissible”.

The probability of infection taking hold when directly exposed to COVID-19 viral particles can vary from person to person, but there is enough anecdotal evidence to show that in the absence of other controls e.g., mask wearing, social distancing, and hygiene practices, there is a high probability of becoming infected when directly exposed to COVID-19. This is seen in the number of household infections that occur when those household members share a space with a COVID-19 positive person. There is also increasing evidence of infection occurring due to incidental exposure outside the home, as seen in MIQ facilities between rooms when doors have been opened.

The infectiousness has also been identified in the challenges associated with connecting some cases epidemiologically due to the transient nature of some of the exposure events. An example of this is the way in which the initial infection in this outbreak occurred, with no known direct exposure link, and the possibility of unidentified chains of infection.

On this basis, it is reasonably foreseeable that if a person is exposed to COVID-19 without any controls in place there is a high probability of infection as a result.

The likelihood of a person being exposed to COVID-19 increases after the 'border' with Auckland opens on 15 December 2021.

#### Assessment of consequence

The range of consequences for a person infected with COVID-19 is extremely broad and will depend on a myriad of factors. While some people may be completely asymptomatic for the duration of the infection, others may lose their life to the infection or its associated complications.

As of November 2021 there have been over 5.15 million deaths associated with COVID-19 globally, with 40 in New Zealand.

While some individuals may recover from all COVID-19 symptoms within a few days (or not experience any at all), others will continue to struggle with lingering, and sometimes debilitating, effects for significant time after the infection has cleared.

As well as potentially serious consequences in respect of mortality and health (both long term and short term), which must be a primary consideration; there are also consequences of infection related to business continuity and the provision of important services to the community. Widespread infection of staff, or infection of people holding key or highly skilled roles could have a serious impact in this regard.

#### Impact of existing controls

There are a broad range of controls already in place to prevent infection, and these are associated with particular levels within the established hierarchy of control from the lowest level of effectiveness through to the highest:

PPE CONTROL: THE USE OF FACE COVERINGS	Effectiveness: partially effective
ADMINISTRATIVE CONTROL: PHYSICAL DISTANCING.	Effectiveness: partially effective
ADMINISTRATIVE CONTROL: HYGIENE	Effectiveness: partially effective
ADMINISTRATIVE CONTROL: TESTING	Effectiveness: partially effective
ENGINEERING CONTROL: WORKPLACE DESIGN	Effectiveness: partially effective

#### Impact of vaccination

According to the Ministry of Health, being fully vaccinated (currently described as two doses of the Pfizer vaccine) provides protection in three ways. The first is by minimising the likelihood of infection, and the second is that it reduces the seriousness of illness if infected. The third way it provides protection is that it helps to reduce the likelihood of transmission.

The effectiveness of two doses of the Pfizer vaccine provides 64% to 95% protection against symptomatic illness.

Two doses of the vaccine provides 90-96% protection against hospitalisation or severe illness due to Delta infection. To understand the long-term efficacy and safety of the vaccine, participants in the clinical trials are being tracked for another two years after their second dose of the Pfizer vaccine.

There is still potential for infection to occur regardless of vaccination, however it is much less likely for serious illness or hospitalisation to be required and very unlikely for an infected person to pass away as a result of their infection.

### Summary

There is a significant impact on risk reduction for potential consequences associated with the use of vaccination alongside other controls. Without vaccination we are reliant on existing control measures that may not be sustainable or realistic over time, as seen by extended lock-downs and other alert level restrictions.

Due to the potentially serious consequences associated with COVID-19, any level of risk, even low risk, needs to be addressed and reduced. A highly vaccinated environment would provide for a reduction in the seriousness of consequences if infected, would reduce likelihood of infection and would reduce likelihood of transmission if infected. Vaccination would offer the best mitigation of the risks presented by COVID-19 when combined with all other current controls in place.

## **Ngā Whiringa | Options**

### OPTION 1

Council does not require Vaccine Pass to enter its Council facilities

OR

### OPTION 2

Council determines there is a requirement for a valid Vaccine Pass and proof of ID for access to specified facilities under the Covid-19 Protection Framework.

## **Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations**

Legal and policy considerations are as per those raised in this report.

## **Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes**

Given the commencement of the traffic light system and the opening of the Auckland border on 15 December increasing the risk of transmission in Matamata-Piako, it is not possible to carry out the usual formal public consultation process.

Elected members will have considerable knowledge of the views that their communities hold in relation to COVID-19 vaccines and vaccine mandates. This is likely to include the strength of feeling demonstrated by the various court cases brought against workplace mandates and the public protests against mandates and other public health measures, and, on the other hand, the widespread uptake of the vaccine.

## **Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes and consistency with Council Vision**

The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the four wellbeings').

The subject matter of this report has been evaluated in terms of the four wellbeings during the process of developing this report as outlined below.

The decisions to be made which respect people accessing public facilities have the capacity to affect social wellbeing of communities. Any restrictions on entry/access will have a direct impact on the members of communities who will no longer be able to access these facilities. This has the potential for a profound social impact in relation to the wellbeings.

These decisions will have an impact for vulnerable/immunocompromised members of the community, as they will be able to access public facilities and services with greater confidence as to their safety if only vaccinated persons can enter.

Any economic impact is likely to be minor (except for those high-risk areas in which the decision has already been made by central government).

The impact of these decisions on Māori communities deserves particular consideration, given the lower rates of vaccination uptake in Māori communities. Restricting access to facilities therefore may have a greater impact on Māori than on other ethnic groups.

## **Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source**

There will be financial considerations in relation to the decisions to be made.

Where the decision is to restrict entry/services to individuals who present proof of vaccination the key financial considerations will be:

- Costs of compliance, such as the additional staffing resource to manage entry into community facilities.
- Reduction in use of facilities with corresponding reduction in user pays collection.

## **Ngā Tāpiritanga | Attachments**

There are no attachments for this report.

**Ngā waitohu | Signatories**

Author(s)	Erin Bates <b>Strategic Partnerships and Governance Manager</b>	
	Kelly Reith <b>People, Safety and Wellness Manager</b>	

Approved by	Don McLeod <b>Chief Executive Officer</b>	
-------------	--	--

2.45pm

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD  
OF THE MEETING OF KAUNIHERA | COUNCIL  
HELD ON 16 DECEMBER 2021.

**KO TE RĀ | DATE:** .....

**TIAMANA | CHAIRPERSON:** .....



te kaunihera ā-rohe o  
**matamata-piako**  
district council

## Document Tabled on the Day

<b>Item</b>	<b>pg</b>
5.2 - Additional Attachment - Council Facilities Vaccination Certificate Policy under Government's Covid-19 Protection Framework	21



# **Council Facilities Vaccination Certificate Policy under Government's Covid-19 Protection Framework**



# Overview of Covid Framework

**GREEN**

Limited community transmission.  
Hospitalisations are at a manageable level.

Public Facilities (libraries, museums, pools) – open  
With Vaccine Pass – no limits for events and gatherings  
No Vaccine Pass – 100 person limit for events and gatherings (plus additional requirements for events)

**ORANGE**

Community transmission with pressure on health system. Increasing risk to at-risk populations.

Public Facilities – open with 1m per person capacity  
With Vaccine Pass – no limits for events and gatherings  
No Vaccine Pass – 50 person limit for gatherings, no events

**RED**

System facing unsustainable numbers of hospitalisations. Need to protect at-risk populations.

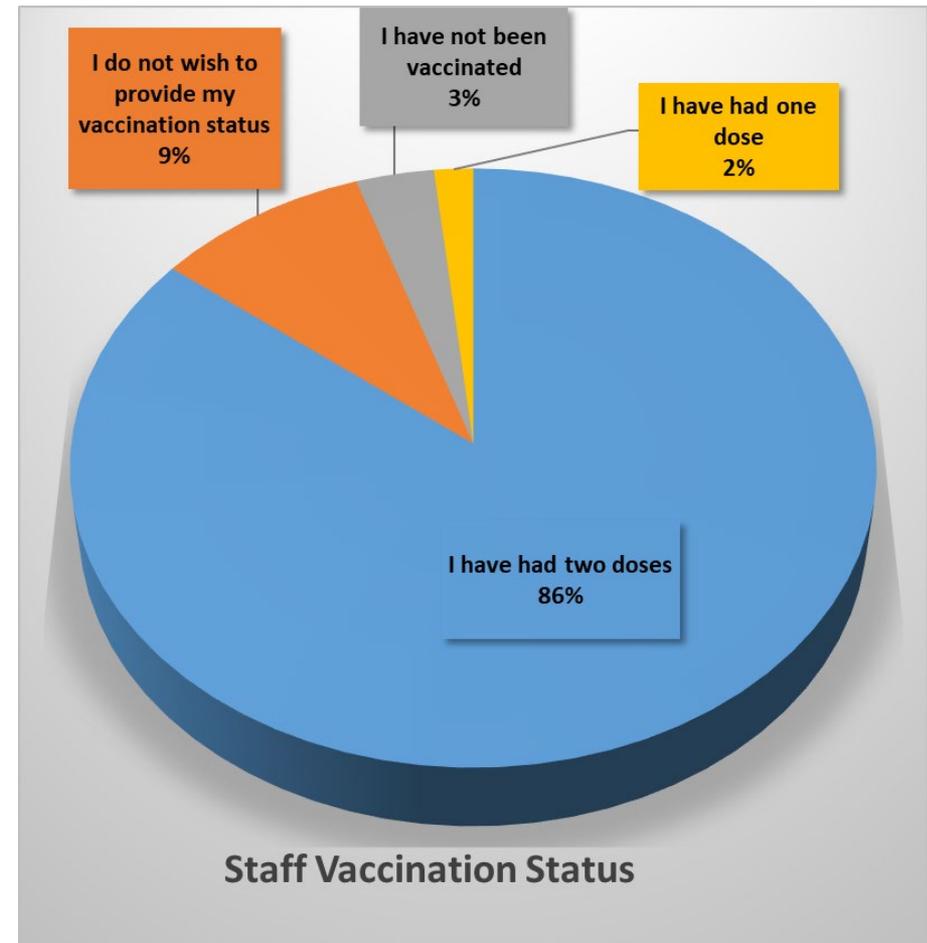
Public Facilities – open with 1m per person capacity  
With Vaccine Pass – 100 person limit for events and gatherings (plus additional requirements for events)  
No Vaccine Pass – 25 person limit for gatherings (plus 1m per person capacity), no events

# Requirement for staff to be vaccinated

- Some positions require vaccination to operate under the framework: beauty therapy, events team
- For the remaining positions:
  - This decision is based on a risk assessment for each position, taking into account health and business continuity risks
  - Preliminary decisions have been made based on these assessments
  - The vaccination policy will go out to staff for consultation, and will include any decisions made today

# Survey results from staff

- 84% Response Rate

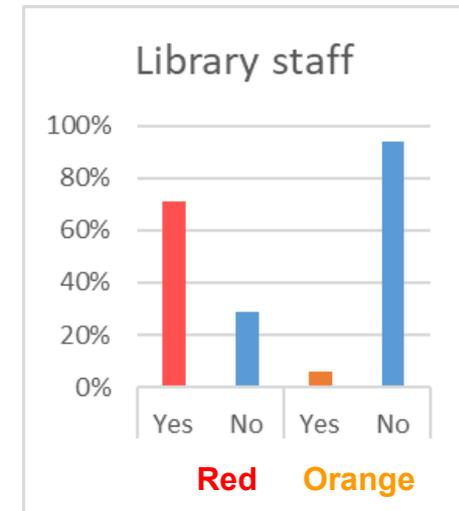
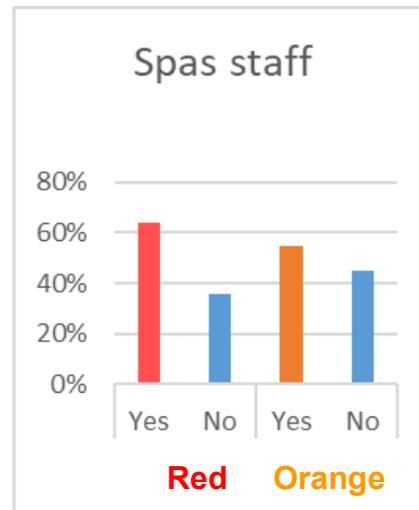
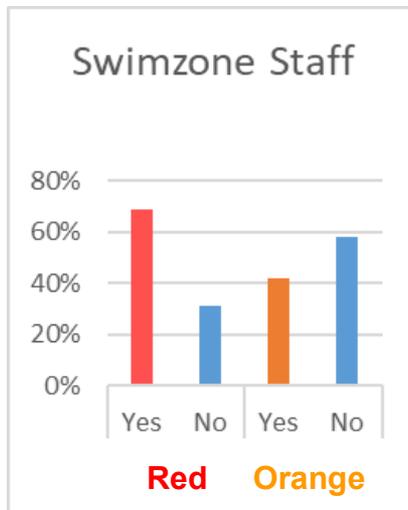


# FAQ's

- Children under the age of 12 years and 3 months are not required to show proof of vaccination. They would not be excluded under the current framework if Vaccine Passes were required
- Locations and venues can switch between requiring My Vaccine Pass and not requiring it. This requires:
  - no mingling of groups
  - rooms should be well ventilated
  - high-touch surfaces to be cleaned between groups
  - clear information as to whether My Vaccine Pass is or is not required

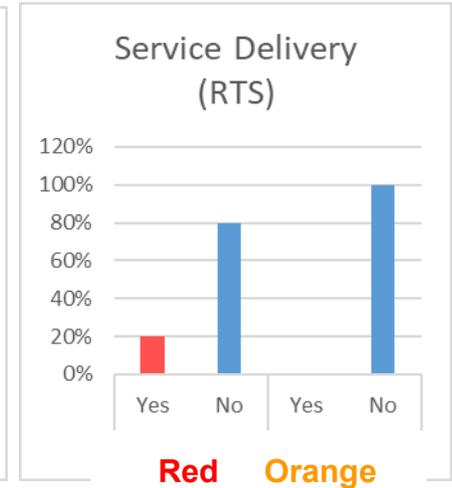
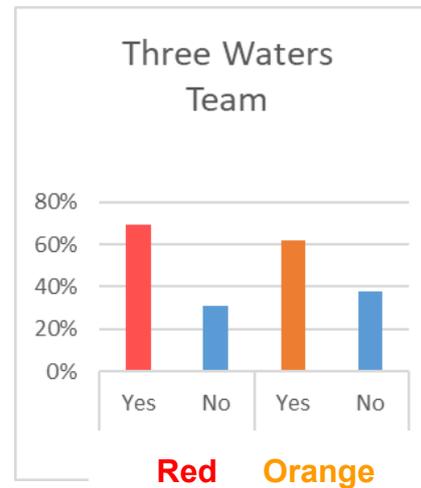
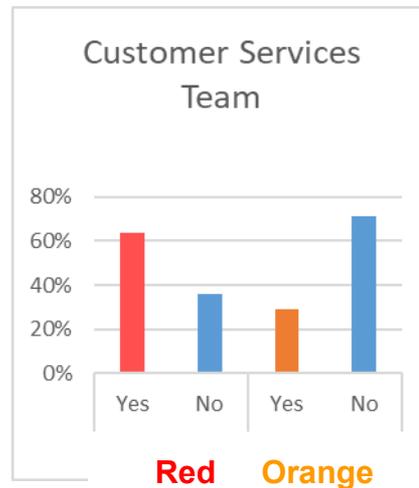
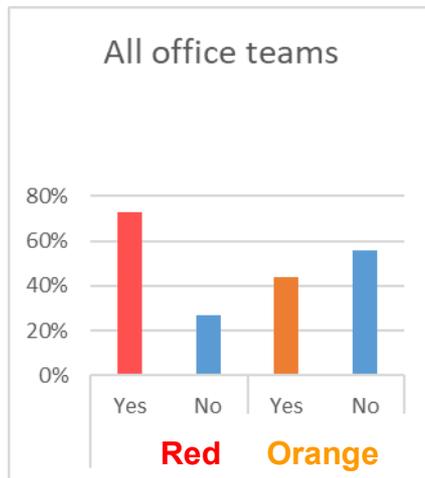
# Decision on vaccine pass requirements

Council facility	Green setting	Orange setting	Red setting
Swim Zone Facilities	Yes / No	Yes / No	Yes / No
Te Aroha Mineral Spas	Yes / No	Yes / No	Yes / No
Libraries	Yes / No	Yes / No	Yes / No



# Decision on vaccine pass requirements

Council facility	Green setting	Orange setting	Red setting
All Council Offices	Yes / No	Yes / No	Yes / No
Water and Waste Water Treatment Plants	Yes / No	Yes / No	Yes / No
Refuse Transfer Stations	Yes / No	Yes / No	Yes / No



# Decision vaccine pass requirements

Council facility	Green setting	Orange setting	Red setting
Dog Pound	Yes / No	Yes / No	Yes / No
Council Depots	Yes / No	Yes / No	Yes / No
Community Facilities: Waharoa Aerodrome; Council run and leased halls	Yes / No	Yes / No	Yes / No
Pubic venues – Firth Tower, Headon Stadium, Matamata Civic Centre, Morrinsville Events Centre, Silver Fern Farms Events Centre etc.	Yes / No	Yes / No	Yes / No
Te Aroha iSite	Yes / No	Yes / No	Yes / No

