

Notice of Meeting:

I hereby give notice that an extraordinary Meeting of the Council will be held on:

Date: Tuesday 30 November 2021
Time: 9.30am
Meeting Room: Council Chamber and Audio Visual Link
Venue: Municipal Building, Garden Place, Hamilton

Lance Vervoort
Chief Executive

Extraordinary Council *Kaunihera* OPEN AGENDA

Membership

Chairperson Mayor P Southgate
Heamana

Deputy Chairperson Deputy Mayor G Taylor
Heamana Tuarua

| | | |
|----------------|------------------|-----------------|
| Members | Cr M Bunting | Cr A O’Leary |
| | Cr M Gallagher | Cr R Pascoe |
| | Cr R Hamilton | Cr S Thomson |
| | Cr D Macpherson | Cr M van Oosten |
| | Cr K Naidoo-Rauf | Cr E Wilson |
| | Cr M Donovan | |

Quorum: A majority of members (including vacancies)

Meeting Frequency: Monthly – or as required

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Menetia Mana Whakahaere

29 November 2021

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Purpose

The Council is responsible for:

1. Providing leadership to, and advocacy on behalf of, the people of Hamilton.
2. Ensuring that all functions and powers required of a local authority under legislation, and all decisions required by legislation to be made by local authority resolution, are carried out effectively and efficiently, either by the Council or through delegation.

Terms of Reference

1. To exercise those powers and responsibilities which cannot legally be delegated by Council:
 - a) The power to make a rate.
 - b) The power to make a bylaw.
 - c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan.
 - d) The power to adopt a Long Term Plan or Annual Plan, or Annual Report.
 - e) The power to appoint a Chief Executive.
 - f) The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan, or developed for the purpose of the Council's governance statement, including the 30-Year Infrastructure Strategy.
 - g) The power to adopt a remuneration and employment policy.
 - h) The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
 - i) The power to approve or amend the Council's Standing Orders.
 - j) The power to approve or amend the Code of Conduct for Elected Members.
 - k) The power to appoint and discharge members of committees.
 - l) The power to establish a joint committee with another local authority or other public body.
 - m) The power to make the final decision on a recommendation from the Parliamentary Ombudsman, where it is proposed that Council not accept the recommendation.
 - n) The power to amend or replace the delegations in Council's *Delegations to Positions Policy*.
2. To exercise the following powers and responsibilities of Council, which the Council chooses to retain:
 - a) Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer and reviewing representation arrangements.
 - b) Approval of any changes to Council's vision, and oversight of that vision by providing direction on strategic priorities and receiving regular reports on its overall achievement.
 - c) Approval of any changes to city boundaries under the Resource Management Act.
 - d) Adoption of governance level strategies plans and policies which advance Council's vision and strategic goals.

- e) Approval of the Triennial Agreement.
- f) Approval of the local governance statement required under the Local Government Act 2002.
- g) Approval of a proposal to the Remuneration Authority for the remuneration of Elected Members.
- h) Approval of any changes to the nature and delegations of the Committees.
- i) Approval of all Council and Committee Advisory Groups and their terms of reference.
- j) Appointments to, and removals from, CCO CCTO and CO boards;
- k) Approval of proposed major transactions or constitutional adjustments of CCOs, CCTOs and COs.
- l) Approval or otherwise of any proposal to establish, wind-up or dispose of any holding in, a CCO, CCTO or CO.
- m) Approval of city boundary changes, including in respect of Strategic Boundary Land Use Agreements.
- n) Approval Activity Management Plans.

Oversight of Policies and Bylaws:

- *Corporate Hospitality and Entertainment Policy*
- *Delegations to Positions Policy*
- *Elected Members Support Policy*
- *Significance and Engagement Policy*

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1 Apologies – *Tono aroha*

2 Confirmation of Agenda – *Whakatau raarangi take*

The Council to confirm the agenda.

3 Declaration of Interest – *Tauaakii whaipanga*

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

4 Public Forum – *Aatea koorero*

As per Hamilton City Council's Standing Orders, a period of up to 30 minutes has been set aside for a public forum. Each speaker during the public forum section of this meeting may speak for five minutes or longer at the discretion of the Mayor.

Please note that the public forum is to be confined to those items falling within the terms of the reference of this meeting.

Speakers will be put on a Public Forum speaking list on a first come first served basis in the Council Chamber prior to the start of the Meeting. A member of the Governance Team will be available to co-ordinate this. As many speakers as possible will be heard within the allocated time.

If you have any questions regarding Public Forum please contact Governance by telephoning 07 838 6727.

Council Report

Committee: Council **Date:** 30 November 2021
Author: Michelle Hawthorne **Authoriser:** Lance Vervoort
Position: Legal Services Manager **Position:** Chief Executive
Report Name: Council Facilities - Vaccination Certificate Policy - Covid-19 Protection Framework

| | |
|----------------------|-------------|
| Report Status | <i>Open</i> |
|----------------------|-------------|

Purpose - *Take*

1. To inform the Elected Members on the status of Hamilton City Council's understanding of the current landscape against which decisions regarding restricting public access to Council facilities to vaccinated persons will be made.
2. To seek approval from the Council to require Vaccination Certificates for entry into Council owned and operated facilities.

Staff Recommendation - *Tuutohu-aa-kaimahi*

3. That the Council:
 - a) approves to require from 3 December 2021, production of a valid My Vaccine Pass for entry by the public to the:
 - i) Hamilton Pools sites (Waterworld and the Gallagher Aquatic centre); and
 - ii) H3 Sites (Claudelands, FMG Stadium and Seddon Park).
 - b) approves to require from 14 December 2021 production of a valid My Vaccine Pass for entry by the public to the:
 - i) Hamilton Park Cemetery crematorium, chapel and other buildings accessed by the public;
 - ii) Waikato Museum;
 - iii) ArtsPost and i-site;
 - iv) Hamilton Gardens (pavilion, information centre/shop and enclosed gardens);
 - v) Hamilton Zoo;
 - vi) Customer services in the Council Municipal building;
 - vii) Council's Municipal building;
 - viii) Council Chambers;
 - ix) Hamilton City Libraries;
 - x) Other owned and operated Council facilities – e.g., Te Rapa Sportsdrome and Enderley Community Centre.
 - c) adopts a policy for all 'in-person' participants at formal Council meetings and Committee meetings, Hearings and official Council Workshops as set out in this report to apply from 14 December;

- d) notes the process the Chief Executive is taking in regard to establishing a policy for Covid 19 vaccinations for staff; and
- e) delegates authority to the Chief Executive, in consultation with the Mayor and Chair of the Community Committee to make further decisions on restricting entry to all Council facilities should this be considered necessary for the safety of staff and the community.

Executive Summary - *Whakaraapopototanga matua*

8. This report is to the best of staff knowledge consistent with the suite of guidance released by central government on Friday 26 November 2021. It is understood by staff that further information is planned for release by central government on 29 November, which will be reviewed prior to the Council meeting. Verbal updates on any relevant new information will be provided at that time.
9. 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 is being sought, 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.
10. 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.
11. New Zealand will move into the COVID-19 Protection Framework on 3 December 2021. The traffic light setting under which each region will move will be confirmed on 29 November 2021.
12. 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.
13. Under the COVID-19 Protection Framework, businesses operating in higher-risk settings can choose whether they restrict entry/services to individuals who provide proof of vaccination or an exemption. There has been mixed messaging as to whether all staff working at businesses which may opt to restrict entry/services to My Vaccine Pass holders (irrespective of their decision) will be subject to a vaccination mandate, or whether this will apply only to staff working in businesses which opt to restrict entry/services (and not to those that don't).
14. 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.
15. For businesses falling outside those defined as being higher risk, there is no express legal framework by which they can restrict access/service to vaccinated or exempt public. For these businesses, the decision to restrict access/service to public will not affect whether workers must be vaccinated to perform the work.

16. There will be some services classified as “essential” which will not be able to lawfully restrict entry/services. Supermarkets and pharmacies have been named as falling into this category. There may be others to come.
17. Hamilton City Council has commenced a consultation process with its staff on a proposal that all Council staff are required to be fully vaccinated to work in any Council facility or worksite. The proposal is that this would apply to employees, contractors, and volunteers irrespective of whether any worker:
 - i. is subject to an existing government mandate;
 - ii. will be subject to a government mandate due to working in a higher-risk setting which opts to restrict entry/service under the COVID-19 Protection Framework; or
 - iii. works in a higher-risk setting which opts not to restrict entry/service under the COVID-19 Protection Framework, based on a risk assessment carried out; or
 - iv. works in a setting not classified as higher risk, based on a risk assessment carried out.
18. The proposal is that staff are required to have received their first dose of the COVID-19 vaccine by 13 December 2021 and their second dose of the COVID-19 vaccine by 17 January 2022.
19. While related, the decisions made in relation to the vaccination status of Council workers will not impact on the decisions sought through this report in relation to entry/service requirements for public accessing Council facilities and services.
20. It is recommended that from 3 December 2021, Council requires production of a valid My Vaccine Pass for entry by the public to the:
 - i. Hamilton Pools sites (Waterworld and the Gallagher Aquatic centre); and
 - ii. H3 Sites (Claudelands, FMG Stadium and Seddon Park).
21. It is recommended that from 14 December 2021, Council requires production of a valid My Vaccine Pass for entry by the public to the:
 - i. Hamilton Park Cemetery crematorium, chapel and other buildings accessed by the public;
 - ii. Waikato Museum;
 - iii. ArtsPost and i-site;
 - iv. Hamilton Gardens (pavilion, information centre/shop and enclosed gardens);
 - v. Hamilton Zoo;
 - vi. Customer services in the Council Municipal building;
 - vii. Council’s Municipal building;
 - viii. Council Chambers;
 - ix. Hamilton City Libraries;
 - x. Other owned and operated Council facilities – e.g., Te Rapa Sportsdrome and Enderley Community Centre.
22. This report includes a draft policy for Council/Committee meetings requiring all ‘in-person’ participants at formal Council meetings and Committee meetings, Hearings and official Council Workshops to be vaccinated’ and otherwise comply with Council Vaccination Policy for entering Council facilities.
23. Staff consider the matters in this report have a high significance and that the recommendations comply with the Council’s legal requirements.

Background - *Koorero whaimaarama*

COVID-19 Protection Framework

24. 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.
25. 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:
 - i. 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
 - ii. 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.
26. 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:
 - i. COVID-19 Public Health Response Act 2020; and
 - ii. Employment Relations Act 2000.
28. The key relevant amendments to the COVID-19 Public Health Response Act 2020 are:
 - i. 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
 - ii. 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).
29. This Bill introduced the COVID-19 Public Health Response Act 2020, the legislative mechanism by which Orders containing the detail that Council is looking for will be made. At the time of preparing this report, the Orders were yet to be made.
30. It is anticipated that the Order will establish compliance dates of 3 December 2021 for the first dose and 17 January 2022 for the second dose of the vaccine. While there have been various announcements alluding to what the Order will contain, the full content has not yet been published.

Health and Safety at Work Act 2015

31. Under the Health and Safety at Work Act 2015 (“the Act”) Hamilton City Council has a primary duty of care to ensure, so far as is reasonably practicable:
 - i. 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);
 - ii. 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;
 - iii. the provision of a work environment that is without risks to health and safety; and
 - iv. the provision and maintenance of safe systems of work; and
 - v. 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.
32. 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).

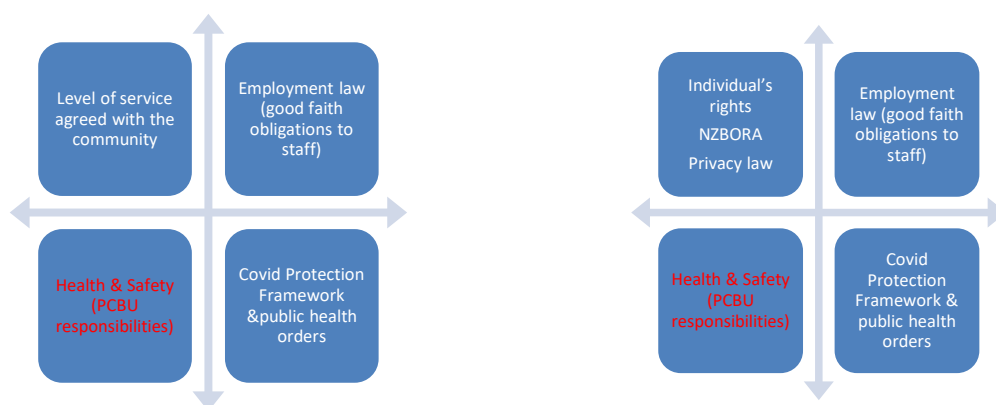
33. A duty imposed on a person under the Act requires that person to eliminate risks to health and safety so far as is reasonably practicable, and when it is not reasonably practicable to eliminate the risk, to minimise the risk so far as is reasonably practicable.
34. In informing the proposed position to be taken with workers, relevant Council staff have undertaken detailed risk assessments measuring the risk posed by COVID-19 to each role through applying seven factors recommended by WorkSafe. This risk assessment was performed with the primary duty of care under the Health and Safety at Work Act 2015, the organisational purpose of "Improve the Wellbeing of Hamiltonians" and the non-negotiable of "safety first in all we do" in mind.
35. It is within this context that the Chief Executive has proposed adopting a low-tolerance approach to the risk posed by COVID-19. The rationale in taking a low-tolerance approach and proposing that all workers be required to be fully vaccinated to attend Council sites can be summarised as follows:
 - i. Council serves the community, and it is important to take every precaution to keep the community safe while community members are accessing Council's facilities and/or interacting with workers.
 - ii. Some roles are essential to the operation of the city and important community functions, and it is vital to protect the individuals holding those roles from infection.
 - iii. Widespread infection could seriously impact continuity of essential services.
 - iv. Council has some workers captured by government mandates, some who will be captured by government mandates pursuant to the Bill (once enacted), and some not captured by either. A consistent approach is logical, fair, and simpler administratively.
 - v. Many Council facilities include elements of government mandated settings and settings not subject to a government mandate. It is counter-productive to have mandated workers mixing with unvaccinated workers at the same facility.
 - vi. Public required to provide proof of vaccination to access a facility would have a reasonable expectation that all staff at the facility would be vaccinated, not just those working in a certain area within.
 - vii. There is a high level of interaction and collaboration between workers across different Council facilities. The same logic as applied within facilities should therefore be applied across facilities.
36. Central government has been clear in its messaging that high vaccination rates are imperative to the continued fight against COVID-19 (to prevent the spread of the virus, reduce its effect on those who are infected and to reduce further variants of the virus). A low tolerance approach aligns with this messaging.

Wider legislative context

37. 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.
38. While balancing these considerations is not an easy process, the overriding consideration should be the health and safety of staff and our community in the context of the significant risk that COVID-19 presents.

Community Facilities legislative context

Council workforce legislative context



Central Government Guidance on Public Facilities

39. 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.
40. It is important to note that many Council facilities include elements of government mandated settings and settings not subject to a government mandate, these are detailed in the separate table on council facilities.
41. It appears that it is technically possible to alternate requiring a My Vaccine Pass from the public and not so long as the premises is cleaned between groups and signpost what settings we are operating under. The ability to switch also provides another option for facilities as a whole. At this stage this approach is not recommended due to the nature of our facilities, operational challenges, and safety of staff.
42. Central government has now provided confirmation that services such as libraries, galleries, pools, and museums can require a My Vaccine Pass from the public. The restrictions are the same whether the My Vaccine Pass is required or not. Public transport is prohibited from requiring a My Vaccine Pass.

Discussion - *Matapaki*

Council decision on facilities

43. It will be for the Elected Members to decide on access requirements and any restrictions to be imposed to Council owned and operated facilities/services.
44. The proposal for consideration is to require a vaccination certificate for entry into the majority of council facilities as detailed further on in this report.
45. It is possible that some facilities, or specific parts or functions of some facilities, may be prohibited from restricting community access under an Order yet to be made or future guidance yet to be issued.
46. Elected Members will also need to consider when any decisions will take effect and the way that they will be implemented and enforced.

47. Staff are working to establish alternative methods of offering services to the community where possible, for those unable to access facilities in person, and for those who have a preference for a remote service.
48. A table outlining considerations for each Council facility will be circulated separately.

Risk assessment and other considerations

49. Decisions on requiring a vaccination certificate for entry to Council facilities follows a risk-based approach. In preparing the recommendations for this report the primary consideration is the health and safety of our workforce and our community in the context of the significant risk that COVID-19 presents.

Assessment of probability

50. 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”.
51. 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.
52. 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.
53. 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.
54. The likelihood of a person is exposed to COVID-19 increases after the ‘border’ with Auckland opens on 15 December 2021.

Assessment of consequence

55. 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.
56. As of November 2021 there have been over 5.15 million deaths associated with COVID-19 globally, with 40 in New Zealand.
57. 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.
58. 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

59. 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

60. 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.
61. The effectiveness of two doses of the Pfizer vaccine provides 64% to 95% protection against symptomatic illness.
62. Two doses of the vaccine provides 90-96% protection against hospitalisation or severe illness due to Delta infection.
63. 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.
64. 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

65. The risk assessment has determined that 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.
66. 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.

Other considerations

67. Sitting alongside this are other considerations which are outlined below. More detail on these considerations for individual facilities will be provided in a separate attachment.
- i. Indoor/enclosed facilities vs. open air – ventilation has been shown to be a key factor in the risk of transmission of COVID-19

- ii. Essential workers – staff who are critical to the operation of our services need to be protected from the spread of the virus
 - iii. Essential service – whether a service is considered essential will in some cases dictate whether a vaccine certificate can be required for entry to our premises
 - iv. Under 12/vulnerable members of our community – currently those under 12 are not eligible for vaccination, and the vulnerable (immune compromised, co-morbidities, elderly) in our community are at greater risk of health problems even if they are vaccinated. These groups of our community make up a large proportion of those visiting and using our facilities.
 - v. Impact on KPIs, levels of service and ability to operate and provide services to community – Council has set its levels of service under the Long Term Plan, the decision on whether to require vaccination certificate for our facilities will impact the manner and extent to which our services can operate, as well as impact their ability to achieve revenue targets.
 - vi. Stakeholder views – staff have been talking to the major stakeholders (e.g. clubs, lease holders, friendly societies to understand their views on any council decision)
 - vii. Other risks specific to the facility – some facilities have specific risks – for example, the pools where close contact, gym use and in ability to use masks when in pools need to be considered, or the Hamilton Zoo – where transmission of COVID-19 to animals and animal welfare are a consideration.
 - viii. Any challenges with operationalisation of traffic light framework
 - ix. Alternative ways of accessing our services – staff have also considered the ability to offer services in a different way to the community.
68. The legal landscape is likely to change again with guidance and Orders anticipated in the coming days. Staff will provide updates as appropriate.

Council Facilities

69. The Council facilities recommended for Council to consider whether to require visitors to have My Vaccine Passes as a condition of entry are:
- i. Hamilton Park Cemetery crematorium, chapel and other buildings accessed by the public
 - ii. Hamilton Pools sites (Waterworld and the Gallagher Aquatic centre)
 - iii. H3 Sites (Claudelands, FMG Stadium and Seddon Park)
 - iv. Waikato Museum
 - v. ArtsPost and i-site
 - vi. Hamilton Gardens (pavilion, information centre/shop and enclosed gardens)
 - vii. Hamilton Zoo
 - viii. Customer services in the Council Municipal building
 - ix. Council's Municipal building
 - x. Council Chambers
 - xi. Libraries
 - xii. Other Council facilities owned and operated by Council (e.g., Te Rapa Sportsdrome and Enderley Community Centre).
70. H3 is proposed move to vaccination certificates from 3 December (they have already completed consultation with staff as it was clear from earlier announcements that vaccination certificates would be required for the events industry to operate.
71. All pool facilities are also proposed move to vaccination certificates from 3 December, otherwise if the central government decision is to move the Waikato to 'orange' the gym would have to be closed for 10 Days and the café having to do contactless business, until the 14 December date proposed for other facilities.
72. Shifting these facilities early will have the additional benefit of allowing the teams to trial processes for vaccination passport requirements prior to being rolled out to other facilities.

73. Other areas of our business are being reviewed and operational decisions on these will follow the Covid Protection framework, in a similar way to the alert level system.
74. For completeness the following is also noted for Elected Members:
- i. Transportation centres – staff understanding to date is that the provision of public transport is considered an essential service. Subject to release of further guidance at this stage it is recommended that in line with this understanding the transport centres are not subject to a vaccination certificate mandate.
 - ii. Porritt Stadium and other open-air sites with changing rooms are currently being approached as not requiring a vaccination certificate for use. Those booking parks and sports grounds will be expected to comply with the Covid Protection Framework and guidance from Sport Waikato on managing their activities. Recently released guidance also provides more detail on [outdoor community events](#) – where numbers are severely restricted if the My Vaccination Pass is not required. Any group booking a council site will be expected to comply with these requirements.
 - iii. Leased premises – lease holders in general have exclusive long-term use of a site/building and will need to make their own decisions on how they operate. Staff also acknowledge that we have a wide range of lease holders, and some community groups may need further assistance to work through this issue.
 - iv. Parks/reserves/playgrounds (open air) – there are no plans to require vaccination certificates at these sites.
 - v. Transfer, recycling and organic waste centres – these locations are controlled and operated by Envirowaste under contract. Staff will advise once Envirowaste's position on Vaccination Certificates is known.
 - vi. Licence holders – work will be undertaken as needed with licence holders.

Council decision on access to the Council and Committee meetings

75. Below is a draft policy for Council/Committee meetings for Council's consideration:

Proposed Governance level Covid-19 Vaccination Policy

The Governance Covid-19 Vaccination Policy shall apply from 14 December 2021;

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.

This includes but is not limited to:

- *Maangai;*
- *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, or relevant exemption documents, together with appropriate photo ID, on request.

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 Maangai 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).*
- *Having obtained an exemption from Covid-19 vaccination on medical grounds approved by the Director-General of Health.*

Timeframes

76. Timeframes have been set for the completion of the staff consultation on the staff vaccination policy. Sitting alongside this are the key dates signalled by central government for the shift in to the Covid Protection Framework.

| | |
|-------------|--|
| 24 November | Consultation on staff vaccination policy begins |
| 29 November | expected new vaccination orders to support shift into Protection Framework |
| 30 November | Extraordinary Council meeting – facilities and council chambers vaccination policy decision |
| 1 December | Consultation on staff vaccination policy closes |
| 3 December | Decision on staff vaccination policy |
| | National shift to Traffic Light System (red or orange) under the Protection Framework |
| | Requirement of visitors to have My Vaccine Passes as a condition of entry to H3 facilities and Hamilton Pools sites (Waterworld and the Gallagher Aquatic centre) takes effect |
| 13 December | Confirmation of first dose of vaccination if staff vaccination proposal implemented |
| 14 December | Operationalisation of decisions relating to the requirement of visitors to have My Vaccine Passes as a condition of entry to Council facilities completed |
| | Council decision on access to community facilities takes effect |
| 15 December | Auckland borders open – risk of COVID-19 spread increases |

Operationalisation of any Council decision

77. Staff are confident that any decision to require vaccination certificates can be operationalised within the proposed timeframes.

Options

78. Staff have assessed that there are three options for the Council to consider in relation to each of its facilities.

- i. No vaccine mandate for any Council facilities

- ii. Vaccine mandate all Council facilities not prohibited under the COVID-19 Protection Framework as outlined in the list in this report
- iii. Vaccine mandate some Council facilities as determined by the Council

Financial Considerations - *Whaiwhakaaro Puutea*

- 79. There will be financial considerations in relation to the decisions to be made.
- 80. Where the decision is to restrict entry/services to individuals who present proof of vaccination or an exemption the key financial considerations will be:
 - i. Costs of compliance, such as the additional staffing resource to manage entry and requisite technology.
 - ii. Security.
 - iii. Costs in facilitating alternative ways of delivering the service (where possible and to the extent possible).
 - iv. Lost revenue from unvaccinated patrons being excluded.
 - v. Increased ability to maintain revenue by virtue of being able to operate with greater freedoms and capacity.
 - vi. Staff-related financial considerations e.g. increased cost of staff physical and mental ill health and absenteeism related to potential exposure and/or exposure to Covid19.
- 81. The key financial consideration where the decision is not to restrict entry/services will be the potential lost revenue due to the facility being closed or restricted in operating by virtue of the traffic light settings or lost revenue from community/patrons choosing not to use the service/attend the facility/hire venues due to concerns about health and safety.

Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

- 82. Staff confirm that the report complies with Council's legal and policy requirements.

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

- 83. 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 4 wellbeings').
- 84. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
- 85. The recommendations set out in this report are consistent with that purpose.

Social

- 86. The decisions to be made with respect to facilities have the capacity to affect social wellbeing of communities. Any restrictions on entry/access to services will have a direct impact on the members of communities who will no longer be able to enter those facilities or access those services. This has the potential for a profound social impact in relation, particularly, to personal/private events and gatherings.
- 87. These decisions will have an impact for vulnerable/immunocompromised members of the community as they will be able to access these facilities and use these services with greater confidence as to their safety.
- 88. Social wellbeing continues to be prioritised through Council's management of the risks and opportunities arising from the risks outlined in this report.

Economic

89. 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).

Environmental

90. These decisions are not anticipated to effect environmental wellbeing.

Cultural

91. These decisions may have an adverse effect on cultural wellbeing if cultural events or gatherings are unable to go ahead because of key people being unvaccinated or if some members of the community are unable to attend those events due to being unvaccinated. At the same time, these decisions may mean that some events can go ahead which otherwise would not have, due to capacity limits or if organisers would have been concerned about holding events which might have put their community at risk.
92. Being able to make reliable plans for artistic, cultural and community events will enhance cultural wellbeing after periods of cancellations.
93. The impact of these decisions on Māori communities deserves particular consideration, given the lower rates of vaccination uptake in Māori communities in Hamilton and across the motu. Restricting access to facilities will therefore have a greater impact on Māori than on other ethnic groups.

Risks – *Tuuraru*

94. Decisions on requiring a vaccination certificate for entry to Council facilities follows a risk-based approach. This is detailed above in this report.

Significance & Engagement Policy - *Kaupapa here whakahira/anganui*

Significance

95. This matter is assessed as having a high degree of significance. This is because it involves a more than nominal alteration in the provision of a number of Council services, there is a high degree of public interest in vaccine mandate decisions, the decision impacts all users of Council facilities (the unvaccinated in particular, but the vaccinated will need to obtain and present a My Vaccine Pass which may be a technological challenge for some), and the impact on the unvaccinated will not be minor.

Engagement

96. Given the very short timeframes before the traffic light system commences and before the Auckland border opens, increasing the risk of transmission in Hamilton, 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.
97. Input from stakeholders, including health authorities/providers, the disability community, civil liberties groups, and mana whenua, should be encouraged.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Council Facilities - supporting assessment

| Traffic lights - operating with vaccination certificate | Traffic lights - operating without vaccination certificate | Indoor/enclosed facilities | Essential workers | Essential service | Under 12/Vulnerable guests | Impact on KIPs, LOS and ability to operate and provide services to community. | Stakeholder views (if known) | Other risks specific to the facility | Operationalisation of traffic light framework | Alternative ways of accessing our services | Draft recommendation | Other considerations, challenges, comments, gaps in information |
|---|---|--|--|---|--|---|--|--|---|---|--|--|
| Cemeteries/Funerals | | | | | | | | | | | | |
| No limits | gatherings (e.g. weddings, tangihanga, places of worship, marae, social sports) – up to 100 people, based on 1m distancing | Yes | Yes | Yes | Yes | There is a revenue expectation, loss in service numbers, burials and cremations will affect budgets. Critical service in a pandemic - burial services must be maintained. | Funeral directors - working closely with staff, FDANZ - lobbying on clarity in this area. | Staff being infected with covid is the biggest risk to operations. | There is staff capacity to operate under the Covid Protection framework with a vaccination certificate mandate in place. | No Wi-Fi available so can't stream funerals. There are alternative venues, private facilities at funeral homes and the option for a service in a private residence. Funeral directors will need to work with staff and families to find the best option. | Recommend requiring vaccination certificates for entry at all traffic light settings from 14 December. | Reality of being able to turn away unvaccinated people from funeral services will be both a risk and a challenge. FDs will work with families. Reputational risks. The alternative is to allow up to 10 people to attend funerals, very low numbers and would be difficult to control. |
| No limits | gatherings (e.g. weddings, tangihanga, places of worship, marae, social sports) – up to 50 people, based on 1m distancing | 2 x Chapels at Newstead - capacity approx. 220 for the large chapel. | Small team, performing essential work. | Small team, performing essential work. | Older people attending funerals | | | | | | | |
| gatherings (e.g. weddings, tangihanga, places of worship, marae, social sports) – up to 100 people, based on 1m distancing | gatherings (e.g. weddings, tangihanga, places of worship, marae, social sports) – up to 25 people, based on 1m distancing | | | | | | | | | | | |
| Hamilton Pools, gym, and café | | | | | | | | | | | | |
| Pool - No limits (refer also to events) Gym - No limits Cafe - No limits | Pool - No limits Gym - up to 100 people, based on 1m distancing Cafe - up to 100 people, based on 1m distancing | Yes | Yes | No | Yes | The pools can continue to operate with some capacity limits with practical distancing practices and some modification to services such as swimming lessons. This is regardless of vaccination certificate requirements. The associated café and gym will have more restrictions placed on them if vaccination certificates are not required. | Café operator - anticipate support for vaccination certificates Swimming/diving clubs - anticipate support for vaccination certificates Hydrotherapy pool users - fundraising body - TBC Schools - support vaccination certificates Gym members - majority likely to be supportive | The facility has the gym, instructors and a high proportion of under 12/vulnerable people on site. The nature of the activity means children are playing, this makes enforcing social distancing more challenging. There are pinch points around the facility - doors, changing rooms etc that make social distancing and compartmentalising areas challenging. | There is staff capacity to operate under the Covid Protection framework with a vaccination certificate mandate in place. If no vaccination certificate mandate is in place and being enforced, the gym will need to close under orange. Given the layout of the facility, separating the gym portion from the pools is not feasible. | Not for the majority of services at these facilities. Staff can run online gym workouts - this was piloted during lockdown. | Recommend requiring vaccination certificates for entry at all traffic light settings from 3 December. Without a 3 December commencement the gym will need to be closed for a 10-day period. | There has been some discussion regarding the hydrotherapy pool and access to this as a health service - there is a hydrotherapy pool available through the DHB. Pools have not been identified as an essential service in current guidance. |
| (Refer also to events). Pool - Capacity limit based on 1 metre distancing for each zone e.g. 50m pool hall, 25 metre pool hall (face masks not required in pool halls or exercising) Gym - No limits Cafe - No limits | Pool - capacity limit based on 1 metre distancing for each zone e.g. 50m pool hall, 25 metre pool hall etc (face masks not required when swimming or exercising) Gym - closed Cafe - contactless only | Facility contains a gym and other close contact activities - such as swim instructors. | Pool operations staff | There has been some discussion regarding the hydrotherapy pool and access to this as a health service - there is a hydrotherapy pool available through the DHB. Pools have not been identified as an essential service in current guidance. | High numbers of vulnerable and young people attend the facility. | | | | | | | |
| (Refer also to events). Pool - capacity limit based on 1 metre distancing for each zone e.g. 50m pool hall, 25 metre pool hall etc (face masks not required in pool halls or exercising) Gym - up to 100 people, based on 1m distancing Cafe - up to 100 people, based on 1m distancing | Pool - capacity limit based on 1 metre distancing for each zone e.g. 50m pool hall, 25 metre pool hall etc (face masks not required in pool halls or exercising) Gym - closed Cafe - contactless only | | | | | | | | | | | |

| Traffic lights - operating with vaccination certificate | Traffic lights - operating without vaccination certificate | Indoor/enclosed facilities | Essential workers | Essential service | Under 12/Vulnerable guests | Impact on KIPs, LOS and ability to operate and provide services to community. | Stakeholder views (if known) | Other risks specific to the facility | Operationalisation of traffic light framework | Alternative ways of accessing our services | Draft recommendation | Other considerations, challenges, comments, gaps in information |
|---|--|---|-------------------|-------------------|---|--|---|--|--|--|---|---|
| H3 Sites (FMG, Seddon, Claudelands) and other Council venues - covers stadiums, professional or semi-professional sporting events, private or public events of all sizes, auctions, private galleries, concert venues, conference venues | | | | | | | | | | | | |
| You can run events and gatherings without number limits.Food and beverage service may be collected at counter and consumed in seating. (stadiums)You must sight all customers' My Vaccine Passes, and it is strongly recommended you verify. | Capacity limited to up to 100 people, based on 1m distancing, per defined space.Food and beverage service may be collected at counter and consumed in seating. (stadiums)Food and beverage service must be seated and separated. (Other events) | Yes | No | No | Yes | Without vaccination certificates Council venues will be restricted in their ability to operate. Long lead in teams for some events means certainty about our services is critical to operate at best capacity. | H3 clients have been supportive of the use of vaccination certificates. | Events have the potential to become super spreader events. | H3 like other event facilities received clear and early direction that vaccination certificates would be required in order for events to go ahead. Staff, contractors and clients have been supportive of this move from an early stage. | No | Recommend requiring vaccination certificates for entry at all traffic light settings from 3 December.Without a 3 December commencement some events will not be able to proceed. | N/A |
| No limits on numbers Face coverings are encouraged. Food and beverage service may be collected at counter and consumed in seating. (stadiums) You must sight all customers' My Vaccine Passes, and it is strongly recommended you verify. | Service on premises is limited to gatherings (private groups where attendees are known to each other) and restricted to up to 50 people per defined space. Face coverings are encouraged. Food and beverage service may be collected at counter and consumed in seating. | Claudelands and most smaller venues across our facilities are indoors. Access to parts of FMG stadium are indoors (e.g. food, entrance, and bathroom facilities) | N/A | N/A | Depending on the event they can attract young families, community groups to attend. | | | | | | | |
| An event or gathering may occur with up to 100 people and based on 1m distancing (whichever is the lesser) per defined space. Food and beverage service may be collected at counter and consumed in seating. (Stadiums) Food and beverage service must be seated and separated. (Other events) Face coverings are encouraged. You must sight all customers' My Vaccine Passes, and it is strongly recommended you verify. | Only gatherings of up to 25 people per defined space can occur. Face coverings are encouraged. | | | | | | | | | | | |

| Traffic lights - operating with vaccination certificate | Traffic lights - operating without vaccination certificate | Indoor/enclosed facilities | Essential workers | Essential service | Under 12/Vulnerable guests | Impact on KIPs, LOS and ability to operate and provide services to community. | Stakeholder views (if known) | Other risks specific to the facility | Operationalisation of traffic light framework | Alternative ways of accessing our services | Draft recommendation | Other considerations, challenges, comments, gaps in information | | |
|---|--|--|-------------------|-------------------|---|---|---|--|--|---|--|---|---|--|
| Waikato Museum | | | | | | | | | | | | | | |
| No limits (refer also to events) | No change | Yes | No | No | Yes | Gatherings, public programmes, education would be limited without vaccination certificates as these would be considered events. | Friends group support vaccination mandating. | Maintaining public confidence in the facility is critical to its success. | There is staff capacity to operate under the Covid Protection framework with a vaccination certificate mandate in place. | Staff are currently trialling off site education visits and a virtual museum - to take the museum to the schools. | Recommend requiring vaccination certificates for entry at all traffic light settings from 14 December. | The museum is an enclosed space and climate controlled - this system being replaced in the renewals programme next year. The museum offers interactive experiences - there are a lot of touch points meaning increased hygiene control and sanitisation work. | | |
| Public facilities may open with capacity limits based on 1m distancing.Face coverings are mandatory (except for those who are exempt). | No change | Galleries, retail, education centre and lecture theatre | N/A | N/A | The museum serves most parts of the community as the facility is largely free, friends group volunteers are elderly, school and community, special needs groups often visit | We can normally have up to 300 people in the museum at any one time. Utilisation of museum space impacted with distancing; smaller galleries will only hold three people at one time. | | | | The ability to offer events in the Museum lecture theatre and galleries is potentially limited if there is no vaccination certificate mandate in place. | | The complete collection is online. Staff filmed the contemporary art awards. | Wi-Fi improvements would allow other services to be offered - e.g. talks without bringing people inside the building. | Staff in all facilities - most have to work on site as they can't work from home, if facilities are closed then redeployment and staff wellbeing is a consideration. |
| Public facilities may open with capacity limits based on 1m distancing. Face coverings are mandatory (except for those who are exempt). | No change | | | | | | | | | | | | | |
| Hamilton Gardens (Pavilion, Information Centre, Shop, and Enclosed Gardens) | | | | | | | | | | | | | | |
| No limits (refer also to events) | No change | Yes | No | No | Yes | Gatherings, public programmes, education would be limited without vaccination certificates as these would be considered events. | Friends group support VC mandating. These are our volunteers and fundraisers. Friends and Volunteers work in the retail shop. | There are a lot of access points where staff are not continuously present, e.g. entrances for caterers, wedding/event deliveries and contractors. Enclosed gardens have a lot of pinch points - essentially a series of rooms, still have to manage distancing and people per garden. | There is staff capacity to operate under the Covid Protection framework with a vaccination certificate mandate in place. | The shop and information centre can do click/collect. | Recommend requiring vaccination certificates for entry at all traffic light settings from 14 December. | Pavilion - event space and other spaces available for hire. Pavilions are also used for large funerals and weddings. In order to do so at best capacity patrons will need to be vaccinated. | | |
| Public facilities may open with capacity limits based on 1m distancing. Face coverings are mandatory (except for those who are exempt). | No change | Pavilion, Information Centre, Shop, and Enclosed Gardens | N/A | N/A | The Gardens attracts regional, domestic, and international visitors as a tourist destination. School, gardening, and special needs groups use the facility. | | Hamilton Gardens Arts festival will be required to be and are planning to be a vaccine mandated event. | | | Gourmet in the gardens would need to be a vaccine mandated event in order to be viable. | | Virtual tours could be developed - staff would need time and resources to do this. | Park part of the gardens - events that we run, teddy bears picnic, scarecrow and pumpkin festivals, arts festival, gourmet in the gardens, decisions around control of events, fencing and security. These activities need to be considered in light of the guidance issued for events. | |
| Public facilities may open with capacity limits based on 1m distancing. Face coverings are mandatory (except for those who are exempt). | No change | | | | | | | | | | | | | |

| Traffic lights - operating with vaccination certificate | Traffic lights - operating without vaccination certificate | Indoor/enclosed facilities | Essential workers | Essential service | Under 12/Vulnerable guests | Impact on KIPs, LOS and ability to operate and provide services to community. | Stakeholder views (if known) | Other risks specific to the facility | Operationalisation of traffic light framework | Alternative ways of accessing our services | Draft recommendation | Other considerations, challenges, comments, gaps in information |
|--|--|--|--|---|---|---|---|---|--|---|--|---|
| Hamilton Zoo | | | | | | | | | | | | |
| No limits | No change | Yes | Yes | No | Yes | The zoo has revenue targets set as part of the LTP and Annua plan budgets. The zoo has done relatively well over covid, it is seen as a safe space - open air facility. | Café owner - leased site - TBC anticipate that they will want the site to operate at its best capacity. | Well documented risk to animals of covid transmission. Pinch points in the facility - chimpanzee viewing platform, other bridges, boardwalks, aviary entrances, viewing windows may be a challenge to manage on a large site. | There is staff capacity to operate under the Covid Protection framework with a vaccination certificate mandate in place. | The zoo has education programmes online. | Recommend requiring vaccination certificates for entry at all traffic light settings from 14 December. | Animal welfare means that we have to keep operating - business continuity planning which includes protecting staff is critical to this. |
| Public facilities may open with capacity limits based on 1m distancing. Face coverings are encouraged (except for those who are exempt). | No change | Zoo entrance, aviary entrance and café. | Specialist keepers and minimum levels of staffing required to keep staff and animals safe. | N/A | Observatory - supports vaccination certificate requirements, the. Observatory has a joint education programme with the zoo. | | Processes are in development to manage contractor/courier entry to the site. | | A virtual zoo could be developed (time and resources required). | | | |
| Public facilities may open with capacity limits based on 1m distancing. Face coverings are encouraged (except for those who are exempt). | No change | | | | Friends President indicated requiring the vaccine certificate at the Zoo would protect human and animal welfare. | | | | | | | |
| Customer Services and municipal building | | | | | | | | | | | | |
| No limits | No change | Yes | No | No | Yes | Rates and dogs, WRC payments and end of year permit renewals - e.g. alcohol licenses are busy. Access to pay fees, fines and rates in cash may be required. | No specific stakeholders. | If customer services are assessed as essential, then we may be in conflict with any policy to require vaccination certificates in the building. | There is staff capacity to operate under the Covid Protection framework with a vaccination certificate mandate in place. | Customer Services has access to a range of remote services - Online, phone, email and social media. | Recommend requiring vaccination certificates for entry at all traffic light settings from 14 December. | N/A |
| Public facilities may open with capacity limits based on 1m distancing. Face coverings are mandatory (except for those who are exempt). | No change | Building entrance, cross over with access to the rest of the municipal building for other staff. | N/A | Some aspects of this service could fall within the definition of essential - more guidance needed for the sector. | Some vulnerable customers come on site, customers tend to be older and prefer to interact in person. | | | | Staff could look at mobile eftpos/devices and socially distant transactions if required. | | | |
| Public facilities may open with capacity limits based on 1m distancing. Face coverings are mandatory (except for those who are exempt). | No change | | | | | | | | | | | |

| Traffic lights - operating with vaccination certificate | Traffic lights - operating without vaccination certificate | Indoor/enclosed facilities | Essential workers | Essential service | Under 12/Vulnerable guests | Impact on KIPs, LOS and ability to operate and provide services to community. | Stakeholder views (if known) | Other risks specific to the facility | Operationalisation of traffic light framework | Alternative ways of accessing our services | Draft recommendation | Other considerations, challenges, comments, gaps in information |
|---|--|---|---|--|--|---|--|--|--|---|--|---|
| Council Chambers | | | | | | | | | | | | |
| No limits | No change | Yes | No | No | Yes | Access to governance and transparency is essential, currently all of the governance services can be accessed online. | Maangai Māori - TBC | N/A | There is staff capacity to operate under the Covid Protection framework with a vaccination certificate mandate in place. | The public, stakeholders, elected members and committee members can access all governance functions online via zoom and live streaming services. | Recommend requiring vaccination certificates for entry at all traffic light settings from 14 December. | The 'red' setting also encourages working from home where possible. To be confirmed – Council should consider whether to hold on-line meetings at 'red', hybrid meetings or online meetings at 'orange' and allow in person meetings at 'green'. |
| Public facilities may open with capacity limits based on 1m distancing. Face coverings are mandatory (except for those who are exempt). | No change | Council chambers, councillor lounge and committee and meeting rooms | While not always defined as essential, key staff attend meetings. | While not essential in itself, ensuring Elected Members can continue to make critical decisions is essential (i.e. maintain a quorum). | While under 12s are not likely to attend, older and vulnerable people are. | | | | | | | |
| Public facilities may open with capacity limits based on 1m distancing.Face coverings are mandatory (except for those who are exempt). | No change | | | | | | | | | | | |
| ArtsPost and i-site | | | | | | | | | | | | |
| No limits | No change | Yes | No | No | Yes | Gatherings, public programmes, exhibition openings would be limited without vaccination certificates as these would be considered events. | Waikato Society of Arts - leased site, lessees support the vaccination mandate. Most of the members are vulnerable people and students. | Retail function on site. Old building, limited space, smaller gallery spaces need to be managed. | There is staff capacity to operate under the Covid Protection framework with a vaccination certificate mandate in place. | Retail business has plans underway for an online/click and collect. The i-site can function remotely online. | Recommend requiring vaccination certificates for entry at all traffic light settings from 14 December. | N/A |
| Public facilities may open with capacity limits based on 1m distancing. Face coverings are mandatory (except for those who are exempt). | No change | Older building with smaller retail and gallery spaces. | N/A | N/A | Galleries are hired out to community groups. e.g. art exhibition from group working with disabled people | | | | | | | |
| Public facilities may open with capacity limits based on 1m distancing. Face coverings are mandatory (except for those who are exempt). | No change | | | | | | | | | | | |
| City Libraries | | | | | | | | | | | | |
| No limits | No change | Yes | No | No | Yes | Some may view aspects of this service as essential. Current guidance from central government does not define libraries as such. The libraries can offer a range of | Waikato District Council - \$250k to access services - yet to be confirmed Friends of the library - anticipate support for Vaccination Certificates APNK - indicates support | N/A | There is staff capacity to operate under the Covid Protection framework with a vaccination certificate mandate in place. | The libraries have several options for remote access - eBooks click and collect aim for 25% of programmes online Wi-Fi - APNK - access could be widened with improved Wi-Fi, | Recommend requiring vaccination certificates for entry at all traffic light settings from 14 December. | N/A |
| Public facilities may open with capacity limits based on 1m distancing. Face coverings are mandatory (except for those who are exempt). | No change | Facilities all within commercial building spaces. | N/A | N/A | Programmes run for pre-school children. Vulnerable and older patrons well represented. | | | | | | | |

| Traffic lights - operating with vaccination certificate | Traffic lights - operating without vaccination certificate | Indoor/enclosed facilities | Essential workers | Essential service | Under 12/Vulnerable guests | Impact on KIPs, LOS and ability to operate and provide services to community. | Stakeholder views (if known) | Other risks specific to the facility | Operationalisation of traffic light framework | Alternative ways of accessing our services | Draft recommendation | Other considerations, challenges, comments, gaps in information |
|--|---|--|-------------------|-------------------|---|---|---|--|--|--|--|---|
| Public facilities may open with capacity limits based on 1m distancing. Face coverings are mandatory (except for those who are exempt). | No change | | | | | remote options for the service. | | | | seating outside of libraries. | | |
| Community Facilities - Council-run and leased | | | | | | | | | | | | |
| No limits | No change | Yes | No | No | Yes | Community access and use may drop if there is concern regarding safety of the venue for vulnerable and young users. | General support from community groups for the vaccine mandate due to the common areas used - entry/bathrooms etc, and the numbers of under 12 and vulnerable people involved. | Staff are not present on site. Multiple user groups. | Council will work with lease holders to ensure appropriate support to operate if they need help implementing solutions e.g. security guards/technology. | No | Recommend requiring vaccination certificates for entry at all traffic light settings from 14 December. | N/A |
| Public facilities may open with capacity limits based on 1m distancing. Face coverings are mandatory (except for those who are exempt). | No change | Halls, meeting spaces, changing rooms and bathrooms. | N/A | N/A | Variety of community programmes run for school children, vulnerable and older patrons well represented. Inter-regional competitions and events held with participants coming from different parts of the Waikato and other regions. Volunteer-run foodbanks (likely to only operate under RED). E.g. Te Rapa Sportsdrome and Enderly Community Centre | | | | | | | |
| Public facilities may open with capacity limits based on 1m distancing.Face coverings are mandatory (except for those who are exempt). | No change | | | | | | | | | | | |
| Outdoor community events | | | | | | | | | | | | |
| For events where My Vaccine Pass requirements can be implemented, such as a fair: No capacity limit. You must sight all customers' My Vaccine Passes, and it is strongly recommended you verify. | For outdoor community events with uncontrolled access, such as a public parade: Capacity limited to up to 100 people, based on 1m distancing, per defined space (i.e. 2m gap between groups). | No | No | No | Yes | N/A | Likely that some events will look to Council - for example H3 to be able to hold events and meet criteria to control entry. | Staff are not present on site to monitor compliance in many cases. Events have the potential to become super spreader events. | Event organisers will need to be responsible for compliance with the Covid Protection Framework. This may involve reduced numbers at events and/or additional cost in planning for compliance and implementation - e.g. security guards and fencing to control access to an event. | No | N/A | N/A |

| Traffic lights - operating with vaccination certificate | Traffic lights - operating without vaccination certificate | Indoor/enclosed facilities | Essential workers | Essential service | Under 12/Vulnerable guests | Impact on KIPs, LOS and ability to operate and provide services to community. | Stakeholder views (if known) | Other risks specific to the facility | Operationalisation of traffic light framework | Alternative ways of accessing our services | Draft recommendation | Other considerations, challenges, comments, gaps in information |
|---|--|----------------------------|-------------------|-------------------|---|---|------------------------------|--------------------------------------|---|--|----------------------|---|
| For events where My Vaccine Pass requirements can be implemented, such as a fair: No capacity limit You must sight all customers' My Vaccine Passes, and it is strongly recommended you verify. | For outdoor community events with uncontrolled access, such as a public parade: Restricted to 50 people per defined space (i.e. 2m gap between groups). Face coverings are encouraged. | | | | | | | | | | | |
| For events where My Vaccine Pass requirements can be implemented, such as a fair: May occur with up to 100 people or based on 1m distancing (whichever is the lesser) per defined space (i.e. 2m gap between groups). Face coverings are encouraged. You must sight all customers' My Vaccine Passes, and it is strongly recommended you verify. | For outdoor community events with uncontrolled access, such as a public parade: Restricted to 25 people per defined space (i.e. 2m gap between groups). Face coverings are encouraged. | N/A | N/A | N/A | Depending on the event they can attract young families, community groups to attend. | | | | | | | |

Resolution to Exclude the Public – IF REQUIRED

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

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 follows.

| General subject of each matter to be considered | Reasons for passing this resolution in relation to each matter | Ground(s) under section 48(1) for the passing of this resolution |
|---|---|--|
| C1. Council Vaccine Policy |) Good reason to withhold) information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987) | Section 48(1)(a) |

This 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, as follows:

| | | |
|----------|---|---|
| Item C1. | to maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment to maintain legal professional privilege | Section 7 (2) (f) (ii) Section 7 (2) (g) |
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