

I hereby give notice that an extraordinary meeting of the Governing Body will be held on:

Date: Tuesday, 24 March 2020
Time: 12.00pm
Meeting Room: Reception Lounge
Venue: Auckland Town Hall
301-305 Queen Street
Auckland

Tira Kāwana / Governing Body

OPEN AGENDA

MEMBERSHIP

Mayor	Hon Phil Goff, CNZM, JP	
Deputy Mayor	Deputy Mayor Cr Bill Cashmore	
Councillors	Cr Josephine Bartley	Cr Richard Hills
	Cr Dr Cathy Casey	Cr Tracy Mulholland
	Cr Fa'anana Efeso Collins	Cr Daniel Newman, JP
	Cr Pippa Coom	Cr Greg Sayers
	Cr Linda Cooper, JP	Cr Desley Simpson, JP
	Cr Angela Dalton	Cr Sharon Stewart, QSM
	Cr Chris Darby	Cr Wayne Walker
	Cr Alf Filipaina	Cr John Watson
	Cr Christine Fletcher, QSO	Cr Paul Young
	Cr Shane Henderson	

(Quorum 11 members)

Sarndra O'Toole
Kaiaataki Kapa Tohutohu Mana Whakahaere /
Team Leader Governance Advisors

24 March 2020

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Terms of Reference

Those powers which cannot legally be delegated:

- (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, 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 local governance statement
- (g) the power to adopt a remuneration and employment policy

Additional responsibilities retained by the Governing Body:

- (h) approval of long-term plan or annual plan consultation documents, supporting information and consultation process prior to consultation
- (i) approval of a draft bylaw prior to consultation
- (j) resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of electoral officer
- (k) adoption of, and amendment to, the Committee Terms of Reference, Standing Orders and Code of Conduct
- (l) relationships with the Independent Māori Statutory Board, including the funding agreement and appointments to committees
- (m) overview of and decisions relating to any CCO review including the implementation of any resulting changes to CCOs
- (n) oversight of work programmes of all committees of the governing body.

Exclusion of the public – who needs to leave the meeting

Members of the public

All members of the public must leave the meeting when the public are excluded unless a resolution is passed permitting a person to remain because their knowledge will assist the meeting.

Those who are not members of the public

General principles

- Access to confidential information is managed on a “need to know” basis where access to the information is required in order for a person to perform their role.
- Those who are not members of the meeting (see list below) must leave unless it is necessary for them to remain and hear the debate in order to perform their role.
- Those who need to be present for one confidential item can remain only for that item and must leave the room for any other confidential items.
- In any case of doubt, the ruling of the chairperson is final.

Members of the meeting

- The members of the meeting remain (all Governing Body members if the meeting is a Governing Body meeting; all members of the committee if the meeting is a committee meeting).
- However, standing orders require that a councillor who has a pecuniary conflict of interest leave the room.
- All councillors have the right to attend any meeting of a committee and councillors who are not members of a committee may remain, subject to any limitations in standing orders.

Independent Māori Statutory Board

- Members of the Independent Māori Statutory Board who are appointed members of the committee remain.
- Independent Māori Statutory Board members and staff remain if this is necessary in order for them to perform their role.

Staff

- All staff supporting the meeting (administrative, senior management) remain.
- Other staff who need to because of their role may remain.

Local Board members

- Local Board members who need to hear the matter being discussed in order to perform their role may remain. This will usually be if the matter affects, or is relevant to, a particular Local Board area.

Council Controlled Organisations

- Representatives of a Council Controlled Organisation can remain only if required to for discussion of a matter relevant to the Council Controlled Organisation.

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1 Affirmation

His Worship the Mayor will read the affirmation.

2 Apologies

At the close of the agenda no apologies had been received.

3 Declaration of Interest

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

4 Petitions

There is no petitions section.

5 Public Input

There is no public input section.

6 Local Board Input

There is local board input section.

7 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
 - (i) The reason why the item is not on the agenda; and
 - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
 - (i) That item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

Governing Body decision-making continuity during the COVID-19 response period

File No.: CP2020/04010

Te take mō te pūrongo

Purpose of the report

1. To seek a Governing Body decision on temporary changes to decision-making processes in order to ensure governance functions can continue during the COVID-19 response period.

Whakarāpopototanga matua

Executive summary

2. New Zealand's response to the threat of COVID-19 is escalating quickly. On 21 March 2020, government announced a four level COVID-19 alert system. Further advice from central government and the Ministry of Health requires swift changes to Auckland Council's governing body meeting and decision-making protocols during the coming weeks and months.
3. Existing legislative restrictions for local government on remote attendance and minimum quorums at governing body meetings mean there are restricted options in holding governing body meetings completely remotely e.g. using Skype or teleconferencing when social distancing measures are necessary.
4. At the time of writing this report an Order in Council under the Epidemic Preparedness Act 2006 is being developed to overcome these restrictions.
5. Measures to review governing body committee work programmes and meeting schedules can be implemented immediately, and there is some provision for meetings to continue with a certain portion of the membership attending electronically.
6. In order to respond to government's COVID-19 alert framework, staff have provided a staged approach to reduced decision-making of the governing body in order to have some continuity of political decision-making. The scenarios enable council to move back to more normal decision-making regimes as the peak of the response passes and government scales back its alert responses.
7. On 23 March 2020 government shifted to COVID-19 alert response 3, to be followed closely by alert response 4 from 25 March 2020 at 11:59 pm onward. Staff have been considering a graduated set of scenarios to provide a flexible approach to a prolonged response period. These envisage a return to normal decision-making in a staged manner as the COVID-19 alerts decrease.
8. Staff recommend the most appropriate response is an immediate shift to a temporary Emergency Committee to ensure effective decision making continues. Amendments to the Governing Body Terms of Reference are required and are provided as Attachment A. Staff also recommend changes to Auckland Council's Standing Orders.
9. Aside from decisions unable to be delegated by the Governing Body it is envisaged that the temporary Emergency Committee would have full decision-making responsibility. The committee should be held weekly and be chaired by the mayor, or in his absence the deputy mayor.
10. It is also worth noting that no emergency has yet been declared under the Civil Defence and Emergency Management Act (2002) in relation to COVID-19, which is when the various powers under that Act would come into play. Staff understand that an epidemic notice is likely to be issued soon which will activate the various powers under the Epidemic Preparedness Act 2006. In this scenario significant decision-making responsibilities will likely be exercised at a national level.

11. While costs to date to respond to COVID-19 have been relatively small and able to be absorbed within existing budgets, some expenditure might soon be needed that is beyond the scope and scale of current budgets. For example, it may be necessary to undertake full deep cleans of facilities and public places that had been used by someone who tests positive for COVID-19. Because current staff delegations do not generally provide for unbudgeted expenditure, there is a risk that delays caused by the need to seek budget approval from committee could put council services and public health at risk.

Ngā tūtohunga Recommendation/s

That the Governing Body:

- a) note that expectations to reduce or avoid social interaction, as part of the country's response to the COVID-19 epidemic, restrict physical attendance at meetings of the governing body and its committees and sub-committees
- b) note that Standing Order 3.3.3 provides for a member to attend a meeting by audio or audiovisual link in emergencies and if approved by the governing body or committee
- c) approve attendance at any meeting of the governing body or its committees (and sub-committees) by audio or audiovisual link for any member of the governing body (or relevant committee) during the period of the COVID-19 response period
- d) note that at the time of writing this report, an Order in Council under the Epidemic Preparedness Act 2006 is imminent which will make all members, whether attending physically or by audio-visual or audio link count towards a quorum
- e) establish a temporary Emergency Committee of the whole of the governing body, to assume the functions and power of all governing body committees (and sub-committees), except for the Audit and Risk Committee and that the Terms of Reference for the temporary Emergency Committee will include the following:
 - i) agree the quorum will comprise two members of the governing body. All of the governing body may participate in the meeting by audio or audio-visual link
 - ii) agree the mayor and deputy mayor will be the chair and deputy chair of the committee respectively
 - iii) agree that meetings of the temporary Emergency Committee will generally be held weekly
 - iv) agree the Independent Māori Statutory Board may appoint up to two members to sit on the temporary Emergency Committee to vote on items that would under normal circumstances have been decided on by a committee where they were a member
- f) agree that the temporary Emergency Committee be established immediately
- g) note that for the period when the Emergency Committee is in operation, it will be deemed to be the statutory committee required under s12(i) of the Civil Defence and Emergency Management Act 2002 (CDEM) Act, and will have all the functions and powers of the Civil Defence and Emergency Management Committee as set out in the Governing Body terms of reference. Those functions and powers will revert to the Civil Defence and Emergency Management Committee when the emergency committee is deemed to be discharged in accordance with clause l)
- h) adopt the Terms of Reference for the temporary Emergency Committee provided in Attachment A of the agenda report

- i) delegate all the functions and powers of the governing body that can legally be delegated to the temporary Emergency Committee when in operation other than those in the Audit and Risk Committee
- j) note, for the avoidance of doubt, and unless an Order in Council states otherwise, that when a decision is required that can only be made by the full Governing Body (such as one of those set out in clause 32(1) of Schedule 7 of the Local Government Act 2002) a meeting of the Governing Body will need to be held.
- k) agree that, if a temporary Emergency Committee is established, all scheduled meetings of all other committees (except Audit and Risk Committee) will be suspended during the period the temporary Emergency Committee is in operation
- l) authorise the mayor, deputy mayor on recommendation of the chief executive, to decide the end of the period during which the temporary Emergency Committee arrangements will operate and agree that at that point the temporary Emergency Committee will be deemed to be discharged
- m) agree that in the event there is a legislative change to enable those attending by electronic link to be counted as part of the quorum, amend standing order 3.3.2 from¹:

Members who attend meetings by electronic link will not be counted as present for the purposes of a quorum.

However, if the meeting otherwise has a quorum, then the member attending by electronic link can vote on any matters raised at the meeting.

to the following:

Members who attend meetings by electronic link will be counted as present for the purposes of a quorum.

The member attending by electronic link can vote on any matters raised at the meeting.

- n) amend standing orders by inserting a new Standing Order 3.3.10 as follows²:

Attendance of non-members by electronic link

A person other than a member of the Governing Body, or the relevant committee, may participate in a meeting of the Governing Body or committee by means of audio link or audio-visual link in emergencies if the person is otherwise approved to participate under these standing orders (such as under Standing Order 6.2 “Local board input” or 7.7 “Public input”).

- o) amend standing orders by amending Standing Order 3.3.5, in relation to a chairperson’s duties in regard to attendance by electronic link³., as follows:

Chairperson’s duties

Where a member is attending a meeting by electronic link, the chairperson must ensure that:

- a) *the technology for the link is available and of suitable quality*
- b) *procedures for using the technology in the meeting will ensure that:*
 - (i) *everyone participating in the meeting can hear each other*
 - (ii) *the member’s attendance by electronic link does not reduce their accountability or accessibility in relation to the meeting*

¹ This resolution requires 75% agreement of the members present

² This resolution requires 75% agreement of the members present

³ This resolution requires 75% agreement of the members present

- (iii) *the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 are met*
 - (iv) *the requirements in these standing orders are met*
 - (v) *the member is able to indicate the member's vote*
- p) agree to change Auckland Council's Standing Orders to provide full discretion to the chair of the Emergency Committee to decline public input requests⁴
- q) agree to establish a COVID-19 Contingency Fund of \$22.5 million to enable the Chief Executive to commit the council to any urgent expenditure required to respond to COVID-19 or its impacts, with any expenditure to be subsequently reported back at an appropriate opportunity.

Horopaki Context

12. The Auckland Council Governing Body Terms of Reference delegate its responsibilities and functions to various committees, each with a specified membership and quorum (approximately half the total membership). A quorum is defined by the Oxford dictionary as “the minimum number of members of an assembly or society that must be present at any of its meetings to make the proceedings of that meeting valid”.
13. Currently, members can use existing technology to electronically attend meetings, however they are not considered part of the quorum as defined by current legislation. Should a quorum be met by members present in the room, the meeting can be held and members who are attending electronically can have their votes counted into decisions.
14. Local government legislation currently requires a minimum quorum for committees of two members who must be physically present in the meeting. However, most Auckland Council committees have a quorum of approximately half the stated members.
15. Most decision-making responsibilities of committees can be delegated by the governing body, however there are some decisions, including decisions relating to annual plan approval, rate setting, and the recruiting of a chief executive that cannot be delegated and require a decision of the full governing body. In this instance, the legislation requires that the governing body with a quorum of eleven make these decisions.
16. Resolutions seeking changes to the Auckland Council Governing Body Terms of Reference 2019-2022 and Auckland Council Standing Orders to implement variations in quorum and other protocols need the approval of the governing body.
17. Technology is still being tested for electronic attendance at governing body meetings for wide-scale and prolonged use. Staff have contingencies in place to cover network outages and will be available to assist members with their individual technology needs.
18. Business continuity plans are in place across the council group and core staff will be available to assist with meetings.

Tātaritanga me ngā tohutohu Analysis and advice

19. Given the escalation of COVID-19 and stricter isolation protocols, changes are required to how governing body meetings are held, and decisions are made. Staff have been considering a graduated set of scenarios to provide a flexible approach to a prolonged response period. These envisage a return to normal decision-making in a staged manner as the COVID-19 alerts decrease.

⁴ This resolution requires 75% agreement of the members present

20. The following scenarios are based on the current provisions in legislation and, in particular, the requirement in clause 25A, Schedule 7 of the Local Government Act, that a member who attends a council meeting by audio link or audio-visual link is not counted towards the quorum of the meeting.
21. However, under the Epidemic Preparedness Act 2006 this requirement may be modified by Order in Council if it becomes impossible or not practical to comply with. In that case further the scenarios outlined are still relevant in terms of managing the workload of the governing body and related staff.
22. It is also worth noting that no emergency has yet been declared under the Civil Defence and Emergency Management Act (2002) in relation to COVID-19, which is when the various powers under that Act would come into play. Staff understand that an epidemic notice is likely to be issued soon which will activate the various powers under the Epidemic Preparedness Act 2006. In this scenario significant decision-making responsibilities will likely be exercised at a national level.
23. The scenarios are intended to align to the COVID-19 alert levels announced by government on 21 March 2020 and allow for a scalable response to Auckland Council's political decision-making over the response period, whatever that might be. The government's COVID-19 alert levels are provided in Attachment B.
24. Staff advise that for the next few weeks, there will be real challenges to the organisation's ability to carry on with decision-making that is not urgent. The scenarios allow the governing body to respond in a flexible manner to a situation that is evolving rapidly. Each of the scenarios are aligned to government's alert response framework.

Scenario one: Maximise social distancing, all governing body and committee meetings occur

25. The scenario minimises person to person contact for governing body members and associated staff and continues with meetings of all committees of the governing body.
26. Staff do not recommend this scenario at present, while we are currently testing the limits of our technological capability and the workload of staff to respond to COVID-19 is high. It is envisaged that we could step to this scenario in the future when electronic meeting practices are well in place.
27. This scenario is in line with COVID-19 Alert level 2. Features of this scenario are:
 - a) all scheduled committee meetings would continue as normal
 - b) quorums are maintained – allowing those attending electronically to vote
 - c) the meeting quorum (as outlined in the Terms of Reference) is maintained in the room but becomes a desired maximum. This will require pre-planning. For committees of the whole this usually means half of the listed members are required to attend in person, including the chair
 - d) safe meeting practices for attendance in person will be escalated, including greater distances between members and enhanced hygiene protocols
 - e) this scenario will test the capability of our technology systems and will require members and staff to trial new ways of holding meetings
 - f) this scenario ensures maximum business continuity but will require additional staff effort.

Scenario two: 'Some committees, some decisions'

28. Scenario two is also aligned to government's COVID-19 alert level 2. It provides for a medium level of political decision-making continuity and allows governing body members to minimise contact and practice social distancing.

29. Staff also do not recommend this scenario at present, while we are currently testing the limits of our technological capability and the workload of staff to respond to COVID-19 is high. It is envisaged that we could step to this scenario in the future when electronic meeting practices are well in place.
30. The second scenario shifts to meetings of the Governing Body and the following committees only:
 - Environment and Climate Change Committee
 - Finance and Performance Committee
 - Parks, Arts and Community Events Committee
 - Planning Committee
 - Audit and Risk Committee
 - Civil Defence and Emergency Management Committee
31. Features of this scenario are:
 - a) the specified quorum must be maintained in the room (in most cases eleven members). Electronic attendance is encouraged
 - b) decisions are limited to those that need to be made in a timely manner
 - c) all other committees, sub-committees and workshops and working groups would be on a case by case basis and only if necessary
32. This scenario is to be initiated by the mayor and deputy mayor in consultation with the chief executive.

Scenario three: Temporary Emergency Committee - recommended

33. Staff recommend an immediate shift to a temporary Emergency Committee as this will be possible with current staffing levels and workloads. It is in line with government's COVID-19 alert level 3 and 4.
34. In this case, staff recommend that a temporary Emergency Committee of the whole of the Governing Body is established with a reduced quorum of two members. Features of working under the Emergency Committee are:
 - a) all other governing body committee meetings are cancelled for the period of this scenario except the Audit and Risk Committee
 - b) the Emergency Committee will meet weekly and be chaired by the mayor and deputy mayor, at least one of whom will make up the quorum
 - c) in the event that neither the mayor nor deputy mayor are available, those able to be present will elect a chair for the meeting
 - d) two members of the Independent Māori Statutory Board are included in the membership, as per other committees of the whole, to vote in decisions that would under normal circumstances have been decided on by a committee where they were a member
 - e) aside from decisions unable to be delegated by the governing body, the Emergency Committee will have full decision-making responsibility.
 - f) the decisions to be made by the Emergency Committee are determined when the chief executive (supported by lead officers of committees) makes a recommendation to the mayor and deputy mayor on the composition of the agenda. The mayor and deputy mayor will consult with the relevant chairs/deputies of committees
 - g) all non-urgent decisions are to be deferred
 - h) public input would be at the full discretion of the chair.

35. This scenario is triggered by:
- a government announcement which makes physical attendance at meetings unsafe i.e. COVID-19 alert level 3 or alert level 4
 - one or more elected members has COVID-19 like symptoms and has been in contact with other members with the result that a quorum of members cannot be achieved.
36. It is likely that there will be changes made under the Epidemic Preparedness Act 2006 soon to allow all members present physically or by audio-visual or audio link to count towards a quorum for a formal meeting of the governing body.
37. This scenario is to be initiated by the mayor and deputy mayor in consultation with the chief executive.

Scenario 3a: Special decisions that cannot be delegated

38. The Governing Body is legislatively unable to delegate certain decisions, including the following:
- adopting an annual plan
 - setting a rate
 - making a bylaw
 - purchasing or disposing of assets other than in accordance with the long-term plan
 - appointing the chief executive.
39. Several of the decisions above are set to occur in June this year. A formal meeting of the governing body, with a quorum of 11 members physically present is required under normal circumstances.
40. For example, should scenarios three or four be in place through the annual plan process, the temporary Emergency Committee would not be able to make decisions on adopting the annual plan or setting rates. The Governing Body would still be required to make these decisions or any other non-delegable matters that cannot be put off indefinitely. As stated earlier however, imminent changes expected to be made under the Epidemic Preparedness Act 2006 will remove this obstacle.

Scenario four: Delegated decision-making – not recommended

41. A further scenario is possible if there were severe limits on public life and no meetings of the governing body were achievable either in person or by audio-visual or audio links.
42. In this scenario, essential/urgent decisions usually made by the governing body (other than non-delegable decisions) or its committees, that are not already delegated to the chief executive would be made by the mayor and deputy mayor in consultation with the chief executive, having made every effort to obtain the views of governing body members. That delegation would be as follows:

“delegate to the chief executive under scenario four all the council’s powers, duties and responsibilities that the council can lawfully delegate, subject to the following conditions:

This delegation may only be exercised in circumstances where the governing body or its committees are unable or unavailable to hold meetings that comply with the requirements of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987;

In exercising this delegation, the chief executive must consult with the mayor or chairperson of the relevant committee, i.e. if the Mayor and chairperson are unavailable, the deputy mayor or deputy chairperson of the relevant committee;

Any decisions made by the chief executive under this delegation must be circulated to all members of the governing body or the relevant committee, and non-confidential decisions must be published on the council website;

Any decisions made by the chief executive under this delegation must be reported to the next ordinary meeting of the governing body;

This delegation may be revoked at any time by the council.

This delegation does not affect any existing delegation by the governing body or any of its committees to the chief executive, but in the event there is any inconsistency between this delegation and any other delegations made by the council, this delegation will take precedence.”

43. Copies of decisions made under that delegation would be circulated to members and non-confidential decisions published on the council’s website.
44. Essential/urgent decision making is defined as work that cannot be postponed, or that if postponed would have an immediate impact on the health and wellbeing of Aucklanders and/or would have significant adverse financial implications.
45. This scenario would end once it is possible to go back to scenario three or less.

Budget provision

46. While costs to date to respond to COVID-19 have been relatively small and able to be absorbed within existing budgets, some expenditure might soon be needed that is beyond the scope and scale of current budgets. Some key areas where higher than budgeted costs may occur are:
 - Additional cleaning for public transport, leisure facilities, community spaces and corporate property and vehicles.
 - Making administrative staff and community facilities available and ready to be used for alternative purposes (e.g. for quarantine or emergency treatment spaces) by the Ministry of Health if required.
 - Making alternative preparations to ensure the continued delivery of essential services in the case of significant disruption.
47. Because current staff delegations do not generally provide for unbudgeted expenditure, there is a risk that delays caused by the need to seek budget approval from committee could put council services and public health at risk. Staff therefore recommend that a COVID-19 Urgent Response Fund be established to empower the Chief Executive to make any urgent operational decisions required to address this fast-moving situation. This approach is similar to the existing Climate Change Response Fund which empowers staff to act immediately to make public assets safe after a landslide or similar event caused by extreme weather.
48. A contingency fund of \$22.5 million is recommended to align with the standard Chief Executive Delegation for budgeted expenditure. This budget would only be utilised if needed and would be funded though underspends elsewhere, or additional borrowing if required. Any expenditure from this fund would be reported back at an appropriate opportunity.

Tauākī whakaaweawe āhuarangi Climate impact statement

49. The proposed amendments to meeting practices are expected to have a minor positive impact on transport related emissions.

50. Longer term, the impacts on how council operates meetings and the way in which decision making is undertaken has the potential to help mitigate transport related emissions, particularly if more electronic attendance and remote attending is taken up by members and attendees.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views

51. Reporting on the management of risks of COVID-19 and the governance protocols of other council organisations were provided to the councillors at a briefing on 18 March 2020. This report is limited to political decisions of the governing body.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe Local impacts and local board views

52. Local board input into governing body decision making can continue.
53. Staff recommend amending Standing Orders 6.2 to allow local board members to participate via audio or audio-visual link during the above scenarios.

Tauākī whakaaweawe Māori Māori impact statement

54. The scenarios outlined in this report seek to continue the practice of including the Independent Māori Statutory Board membership for decisions that would have been made by relevant governing body committees.
55. For the avoidance of doubt, it is proposed that in the temporary Emergency Committee, Independent Māori Statutory Board members would vote (either by audio or audiovisual link or in person) on any decision that they would have otherwise have voted on.
56. Under scenario four – if the essential/urgent decision to be made is one that would have been made under normal circumstances by a committee where the Independent Māori Statutory board is a member, then the views of those members would be sought also.

Ngā ritenga ā-pūtea Financial implications

57. COVID-19 is a significant global financial threat and will have major implications for council.
58. The measures recommended in this report will ensure that decision making can continue, and financial obligations can be met.
59. Reporting on the management of the financial implications of COVID-19 and advice from staff has been provided to the Finance and Performance Committee.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

60. A risk analysis of the above scenarios has been undertaken and appears in the table below.

Risks	Mitigation
Governance staff availability for new meeting scenarios	Additional governance staff training to facilitate all meeting scenarios
Quorum isn't reached	Early notice given to Governance Advisors of who is attending in person and remotely.

Item 8

Risks	Mitigation
<p>Technology failure prior to or during meeting.</p> <p>Including wifi issues, hardware issues or network failure</p>	<p>Provide boosters when required</p> <p>Provide vodem where members do not have home wifi</p> <p>Hotspot from council mobile phone</p> <p>Elected members to attend remotely from a local board office or service centre</p> <p>Elected Member Helpdesk and/or Senior Business Liaison will be available for assistance</p> <p>If internet is under significant pressure, paper copies can be delivered via courier and phone voting can occur.</p> <p>Elected members could hotspot to gain access to Nexus</p>

Ngā koringa ā-muri

Next steps

61. Depending on the advice from central government and the Ministry of Health, the above scenarios would be implemented as outlined.

Ngā tāpirihanga

Attachments

No.	Title	Page
A	Emergency Committee - draft Terms of Reference	19
B	COVID-19 alert levels	21

Ngā kaihaina

Signatories

Author	Rose Leonard – Acting General Manager Democracy Services
Authorisers	Phil Wilson - Governance Director Stephen Town - Chief Executive

3.5 EMERGENCY COMMITTEE

Terms of Reference (Delegations)

Responsibilities

This committee is an ad-hoc committee of the whole of the Governing Body which is established in times of emergency. It will assume the functions and power of all governing body committees (and sub-committees), except for the Audit and Risk Committee, and its responsibilities include all the responsibilities of the Governing Body which can legally be delegated as well as the responsibilities of all the committees it assume the functions and power for.

Powers

- (i) All the powers of the Governing Body which can legally be delegated, except those of the Audit and Risk Committee.

Quorum 2

Frequency of meetings: As determined when established or as necessary.

Membership:

Chairperson:	Mayor Phil Goff
Deputy chairperson:	Deputy Mayor Bill Cashmore
Members	All councillors
IMSB appointees (s 85 (1)):	2 appointees

New Zealand COVID-19 Alert Levels

Unite
against
COVID-19

- These alert levels specify the public health and social measures to be taken.
- The measures may be updated on the basis of (i) new scientific knowledge about COVID-19 and (ii) information about the effectiveness of intervention measures in New Zealand and elsewhere.
- The alert levels may be applied at a town, city, territorial local authority, regional or national level.
- Different parts of the country may be at different alert levels. We can move up and down alert levels.
- In general, the alert levels are cumulative, e.g. Level 1 is a base-level response. Always prepare for the next level.
- At all levels, health services, emergency services, utilities and goods transport, and other essential services, operations and staff, are expected to remain up and running. Employers in those sectors must continue to meet their health and safety obligations.

LEVEL	RISK ASSESSMENT	RANGE OF MEASURES (can be applied locally or nationally)
Level 4 - Eliminate Likely that disease is not contained	<ul style="list-style-type: none"> • Sustained and intensive transmission • Widespread outbreaks 	<ul style="list-style-type: none"> • People instructed to stay at home • Educational facilities closed • Businesses closed except for essential services (e.g. supermarkets, pharmacies, clinics) and lifeline utilities • Rationing of supplies and requisitioning of facilities • Travel severely limited • Major reprioritisation of healthcare services
Level 3 - Restrict Heightened risk that disease is not contained	<ul style="list-style-type: none"> • Community transmission occurring OR • Multiple clusters break out 	<ul style="list-style-type: none"> • Travel in areas with clusters or community transmission limited • Affected educational facilities closed • Mass gatherings cancelled • Public venues closed (e.g. libraries, museums, cinemas, food courts, gyms, pools, amusement parks) • Alternative ways of working required and some non-essential businesses should close • Non face-to-face primary care consultations • Non acute (elective) services and procedures in hospitals deferred and healthcare staff reprioritised
Level 2 - Reduce Disease is contained, but risks of community transmission growing	<ul style="list-style-type: none"> • High risk of importing COVID-19 OR • Uptick in imported cases OR • Uptick in household transmission OR • Single or isolated cluster outbreak 	<ul style="list-style-type: none"> • Entry border measures maximised • Further restrictions on mass gatherings • Physical distancing on public transport (e.g. leave the seat next to you empty if you can) • Limit non-essential travel around New Zealand • Employers start alternative ways of working if possible (e.g. remote working, shift-based working, physical distancing within the workplace, staggering meal breaks, flexible leave arrangements) • Business continuity plans activated • High-risk people advised to remain at home (e.g. those over 70 or those with other existing medical conditions)
Level 1 - Prepare Disease is contained	<ul style="list-style-type: none"> • Heightened risk of importing COVID-19 OR • Sporadic imported cases OR • Isolated household transmission associated with imported cases 	<ul style="list-style-type: none"> • Border entry measures to minimise risk of importing COVID-19 cases applied • Contact tracing • Stringent self-isolation and quarantine • Intensive testing for COVID-19 • Physical distancing encouraged • Mass gatherings over 500 cancelled • Stay home if you're sick, report flu-like symptoms • Wash and dry hands, cough into elbow, don't touch your face

Item 8

Attachment B