

25 January 2022

Kia ora

Use of vaccine pass for Council facilities

Thank you for your request made under the Local Government Official Information and Meetings Act 1987 (the Act), received on 03 December 2021. You requested the following information:

- I would like to ask for the Health and Safety risk assessment done on this by Wellington City Council. Also please point me to the law that says that this facility (the Tip Shop) needs to use the pass as it is not mandated by the government.
- I am really interested in all this as I am paying rates, for what exactly? If you guys will not let in rates payers into facilities, then you should really issue a rebate. Please advise me on this matter too. You surely do not expect for someone to pay for services they don't receive.

When deciding whether Wellington City Council (WCC) would introduce COVID Vaccine Passes (CVP) at most of its sites, we took a position that we would follow the best public health advice. We have applied the principles of:

Protecting public health and safety – reducing transmission risks through face coverings, physical distancing and encouraging higher levels of vaccination as the best form of collective defence. Assuring organisational health and safety – to protect Council staff and their ability to serve; and

Providing access to public services – rules that do not penalise the vaccinated majority whilst looking for alternative solutions for the unvaccinated minority to access critical services

Providing continuity of service – reducing the disruption to services as a result of staff having to isolate or sites being unable to operate

Each Council was tasked with making their own decisions regarding where a CVP is required, therefore there is no law I can direct you to regarding this specific location. The [COVID-19 Public Health Response \(Protection Framework\) Order 2021](#) outlines the 'traffic light' system.

While the COVID-19 Protection Framework does not require the use of CVP in public facilities, the Government has been clear that Local Government can choose to use them. Using CVP gives our workers, visitors, sites, and the wider community an extra layer of protection – and assurance all those using the space are doing so in the safest way.

It is our duty of care to provide spaces which are safe for those who work in and visit them, particularly our most vulnerable in the community. Those under the age of 12, the elderly, or those

with medical conditions or disabilities who hold exemptions and are unable to be vaccinated. These are people who access our services every day and we must use every tool we have to provide them a safe place to enjoy.

By creating safe spaces, we can ensure our services continue uninterrupted, meaning we can continue delivering and providing access to key activities the community needs. Using CVP adds to that security of continuous service.

Wellington City has one of the highest rates of COVID-19 vaccination in the country, recognising how important vaccinations are to most of our community. It is only right then that we match that importance by using the tools we have at our disposal to protect the majority.

Transitioning into the new framework will take time, and the Council understands the impact this may have on some. Our teams are here to help make this new process as simple as possible – but we must do what is right by most of the community, and we believe this is what we have implemented.

Below are the documents that fall in scope of your request and the decision to release the document.

Item	Document name/description	Decision
1.	Signed memo outlining recommendations proposing which Council facilities and sites will require proof of vaccination	Release

Rates

The rates that the Council charges helps pay for the costs of providing many and varied services across the city, including making public facilities available for use. Local Government rates are a charge on property not a user pays system. The use of these buildings and facilities is a choice. Regardless of the reason for an individual's choice not to use any facility the requirement for property owners to pay rates remain. As such, WCC is not considering a rates rebate for those unable to access Council facilities due to their vaccination status.

Right of review

If you are not satisfied with the Council's response, you may request the Office of the Ombudsman to investigate the Council's decision. Further information is available on the Ombudsman website, www.ombudsman.parliament.nz.

Please note, we may proactively release our response to your request with your personal information removed.

Thank you again for your request, if you have any questions, please feel free to contact me.

Kind regards

Claudia Holgate
Senior Advisor, Official Information