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## **Christchurch City Council**

### **EXTRAORDINARY AGENDA**

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#### **Notice of Meeting:**

An extraordinary meeting of the Christchurch City Council will be held on:

**Date:** **Tuesday 24 March 2020**  
**Time:** **5pm**  
**Venue:** **Council Chambers, Civic Offices,  
53 Hereford Street, Christchurch**

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#### **Membership**

Chairperson	Mayor Lianne Dalziel
Deputy Chairperson	Deputy Mayor Andrew Turner
Members	Councillor Jimmy Chen
	Councillor Catherine Chu
	Councillor Melanie Coker
	Councillor Pauline Cotter
	Councillor James Daniels
	Councillor Mike Davidson
	Councillor Anne Galloway
	Councillor James Gough
	Councillor Yani Johanson
	Councillor Aaron Keown
	Councillor Sam MacDonald
	Councillor Phil Mauger
	Councillor Jake McLellan
	Councillor Tim Scandrett
	Councillor Sara Templeton

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**24 March 2020**

#### **Principal Advisor**

Dawn Baxendale  
Chief Executive  
Tel: 941 6996

Jo Daly  
Council Secretary  
941 8581  
jo.daly@ccc.govt.nz  
[www.ccc.govt.nz](http://www.ccc.govt.nz)

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. If you require further information relating to any reports, please contact the person named on the report.

Watch Council meetings live on the web:  
<http://councillive.ccc.govt.nz/live-stream>



# Developing Resilience in the 21st Century

Strategic Framework

Whiria ngā whenu o ngā papa,  
honoa ki te maurua tāukiuki  
Bind together the strands of each mat and join  
together with the seams of respect and reciprocity

## Ōtautahi-Christchurch is a city of opportunity for all

Open to new ideas, new people and new ways of doing things – a city where anything is possible

### Principles

<p>Being open, transparent and democratically accountable</p> <p>Promoting equity, valuing diversity and fostering inclusion</p>	<p>Taking an inter-generational approach to sustainable development, prioritising the social, economic and cultural wellbeing of people and communities and the quality of the environment, now and into the future</p>	<p>Building on the relationship with Te Rūnanga o Ngāi Tahu and the Te Hononga-Council Papatipu Rūnanga partnership, reflecting mutual understanding and respect</p>	<p>Actively collaborating and co-operating with other local, regional and national organisations</p> <p>Ensuring the diversity and interests of our communities across the city and the district are reflected in decision-making</p>
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### Community Outcomes

<p><b>Resilient communities</b></p> <p>Strong sense of community Active participation in civic life Safe and healthy communities Celebration of our identity through arts, culture, heritage, sport and recreation Valuing the voices of all cultures and ages (including children)</p>	<p><b>Liveable city</b></p> <p>Vibrant and thriving city centre Sustainable suburban and rural centres A well connected and accessible city promoting active and public transport Sufficient supply of, and access to, a range of housing 21st century garden city we are proud to live in</p>	<p><b>Healthy environment</b></p> <p>Healthy water bodies High quality drinking water Unique landscapes and indigenous biodiversity are valued and stewardship exercised Sustainable use of resources and minimising waste</p>	<p><b>Prosperous economy</b></p> <p>Great place for people, business and investment An inclusive, equitable economy with broad-based prosperity for all A productive, adaptive and resilient economic base Modern and robust city infrastructure and community facilities</p>
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### Strategic Priorities

<p><b>Enabling active and connected communities to own their future</b></p>	<p><b>Meeting the challenge of climate change through every means available</b></p>	<p><b>Ensuring a high quality drinking water supply that is safe and sustainable</b></p>	<p><b>Accelerating the momentum the city needs</b></p>	<p><b>Ensuring rates are affordable and sustainable</b></p>
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### Ensuring we get core business done while delivering on our Strategic Priorities and achieving our Community Outcomes

<p>Engagement with the community and partners</p>	<p>Strategies, Plans and Partnerships</p>	<p>Long Term Plan and Annual Plan</p>	<p>Our service delivery approach</p>	<p>Monitoring and reporting on our progress</p>
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## **Karakia Timatanga**

### **1. Apologies / Ngā Whakapāha**

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

### **2. Declarations of Interest / Ngā Whakapuaki Aronga**

Members are reminded of the need to be vigilant and 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.

### 3. COVID-19 Emergency Period

Reference / Te Tohutoro: 20/313681

Report of / Te Pou Matua: Ian Thomson, Special Counsel Governance and Mary Richardson, Incident Management Leader and Civil Defence Controller

General Manager / Pouwhakarae: Dawn Baxendale, Chief Executive

#### 1. Executive Summary / Te Whakarāpopoto Matua

- 1.1 The purpose of this report is to recommend a mechanism to enable decision making during a period of the COVID-19 Emergency Period and any resulting restrictions. The Government's response has been elevated to Alert Level 3 and will move to Alert Level 4 at 11.59pm on Wednesday 25 March 2020, hence the urgency of this report. We are anticipating that a National State of Emergency will be declared imminently.

#### 2. Officer Recommendations / Ngā Tūtohu

That the Council:

1. Notes that the COVID-19 Emergency Period requires Councils to make appropriate arrangements to ensure decision-making can occur in an open and transparent manner, while meeting the obligations that have been put in place to limit the spread of COVID-19.
2. Notes that the central government and local government agencies are working on making the adjustments to the statutory obligations to enable decision-making to occur.
3. Agrees to make interim arrangements to enable a seamless transition from the present decision-making arrangements to the Council taking on the role of decision-maker for the COVID-19 Emergency Period.
4. Revokes all delegations previously granted to the Council's Committees and sub-committees, except the Audit and Risk Management Committee, as follows:

##### **Committees of the Whole & Subcommittees:**

- a. Finance and Performance Committee
  - i. Insurance Subcommittee
- b. Sustainability and Community Resilience Committee
  - i. Funding Subcommittee
- c. Three Waters Infrastructure and Environment Committee
- d. Urban Development and Transport Committee
- e. Chief Executives Performance and Employment Committee
- f. Civic Awards Committee

##### **Committees & Sub-committees**

- g. Christchurch Momentum Committee
  - i. Central City Momentum Working Group
- h. Regulatory Performance Committee

- i. Multicultural Committee
  - j. Youth Advisory Committee
  - k. Health, Safety and Wellbeing Committee
  - l. Rockfall Protection Structures Committee
5. Revokes all delegations previously granted to Community Boards, noting there will need to be a transition period before the delegations are restored once the emergency period is over, and staff will provide on advice on that in due course
  6. Establishes an Emergency Committee for the duration of the COVID-19 emergency period to be chaired by the Mayor and with the Deputy Mayor as deputy chair and all Councillors as members.
  7. Delegates all its decision-making authority to the Emergency Committee except those matters the Council is unable to delegate under the Local Government Act, to be exercised only if the Council is unable to meet due to a lack of a quorum.
  8. Resolves that the Emergency Committee be chaired by the Mayor and with the Deputy Mayor as deputy chair and all Councillors as members, requires a quorum of two, and that for a meeting to proceed the Mayor or Deputy Mayor must be available to Chair the meeting.
  9. If the Emergency Committee is unable to meet, delegates all the Council's decision-making authority to the Chief Executive, except those matters it is unable to delegate under the Local Government Act.
  10. Requires the Chief Executive to consult the Mayor prior to exercising her decision-making authority, and the Mayor to consult Councillors by way of a conference call before the Chief Executive finalises her decision, unless exceptional circumstances mean such consultation cannot occur.
  11. Requires the Chief Executive to make details of the decision-making publically available in a timely manner and in a way that is open and transparent.
  12. Amends the Terms of Reference for the Audit and Risk Management Committee by delegating decision-making within the Terms of Reference to the Chairperson, deputy Chairperson, the Deputy Mayor and Michael Rondel (one of the external members on the Committee).
  13. Extends Michael Rondel's membership of the Audit and Risk Management Committee from the date his current term expires while the interim arrangements are in place.
  14. If livestream is not feasible due to availability of technical staff, agrees to suspend the policy of live-streaming the Council meetings and Committees of the Whole, with a commitment to making a recording of Council meetings available as soon as possible after the meeting is held.
  15. Agrees all resolutions take effect from 11.59pm 24 March 2020.
  16. Agrees that the emergency delegations for decision-making will be reviewed when the Alert status reverts back to level 2.
  17. Requests staff to give notice of cancellation of all scheduled meetings of the Council, Committees (including Hearings Panels), Sub-committees and Community Boards.

### 3. Detail / Te Whakamahuki

- 3.1 The Department of Internal Affairs (DIA), Local Government New Zealand (LGNZ), Society of Local Government Managers (SOLGM), National Emergency Management Agency (NEMA) and other relevant government agencies, have established a working group to canvas and work through the immediate and longer-term challenges Covid-19 poses for the local government sector and to support their responses to these evolving challenges.
- 3.2 They are seeking to ensure local government can continue to make decisions and meet legislative requirements through the COVID-19 response and recovery, and are seeking ways that ensure Councils are able to make decisions despite legislative requirements, including:
  - 3.2.1 The quorum for a Council meeting is a majority (i.e. 9 members) physically present in the meeting room (cl. 23(3)(a) Schedule 7, Local Government Act 2002 (the Act).
  - 3.2.2 Members attending by audio or audio visual link are not counted for the purpose of establishing a quorum S25 A (4) Schedule 7 the Act (SO 9.8).
- 3.3 The COVID-19 Alert Level also creates a risk that there may be reduced ability for staff to provide secretariat support and policy advice to the range of committees and the Community Boards.
- 3.4 In order to ensure that these risks are managed, delegations to all committees and Community Boards are revoked . Scheduled Committee meetings and Community Board meetings are cancelled until delegations are restored.
- 3.5 In order to ensure the ability to make decisions, it is proposed that an interim arrangement is put in place until the Government enables Councils to meet its statutory obligations:
  - 3.5.1 An Emergency Committee is formed to be chaired by the Mayor and with the Deputy Mayor as deputy chair and all Councillors as members.
  - 3.5.2 The Council delegates all its decision-making authority to the Emergency Committee except those matters it is unable to delegate under the Local Government Act, to be exercised only if the Council is unable to meet due to a lack of a quorum.
  - 3.5.3 All decisions of the Council are also delegated to the Chief Executive, who will consult the Mayor. This delegation is only exercised when the Council or Emergency Committee cannot meet. The Mayor will consult councillors through appropriate means prior to the Chief Executive finalising her decision, unless exceptional circumstances apply. In such instances, councillors will be notified as soon as possible after the decision has been made. In all cases details of the decision will be made publically available in a timely manner and in a way that is open and transparent.
- 3.6 Alternative options have been considered but, if adopted, these would not achieve the outcomes sought by the Government from its COVID-19 Emergency Period. Self-isolation and safe distancing are the tools being used to limit the spread of coronavirus, requiring a complete lockdown of all but essential services.
- 3.7 Keeping Committees operating, or continuing a 'business as usual' approach, therefore, are options that are simply not available to the Council at this time.
- 3.8 The matters the Council is unable to delegate are set out in in the section below.

### DELEGATIONS

- 3.9 Schedule 7, 32 (i) of the Act allows the Council to delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except -
- 3.9.1 the power to make rate; or
  - 3.9.2 the power to make a bylaw; or
  - 3.9.3 the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
  - 3.9.4 the power to adopt a long-term plan, annual plan, or annual report; or
  - 3.9.5 the power to appoint a chief executive; or
  - 3.9.6 the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement; or
  - 3.9.7 the power to adopt a remuneration and employment policy.

### CONTINGENCY PLANS

- 3.10 Annual Plan Hearings are scheduled for April and May and the Annual Plan consultation process is underway. The Council is legally obliged to consult on the Annual Plan.
- 3.11 As part of the process, the Council is required to provide an opportunity for people to present their views in person. This can either be to the Council or to representatives to whom an appropriate delegation has been made (s. 83(d) of the Act). It will not be possible under the circumstances to provide for public hearings for the presentation of views.
- 3.12 Noting that the Government is likely to make alternative arrangements and given that the draft Annual Plan as advertised will need to change in light of the COVID-19 Emergency, Council staff will provide advice on these matters as soon as they are in a position to do so.
- 3.13 There are a number of other matters for which staff are developing contingency plans. These include proposals that are currently out for consultation and those being (or to be) dealt with by Hearings Panels. Staff will provide further advice to all elected members as soon as possible and ensure there is appropriate communication with interested or affected members of the public.

### ELECTED MEMBER ATTENDANCE AT MEETINGS

- 3.14 Staff have made plans to enable virtual attendance at meetings.
- 3.15 Elected members have Skype for Business loaded on devices (reduced functionality) for use with wifi. They have audio, visual and instant messaging capability.
- 3.16 A Virtual Meeting Room (VMR) is available within the Council Chamber and Committee rooms. This can support multiple participants attending by audio or video.
- 3.17 There are no limit on attendees in a Skype meeting. The best user experience may be audio.
- 3.18 Video conferencing into Civic Offices or other Council locations can be used for individual attendees by video conference to a meeting held at a Council location with these facilities. Wifi will be required for offsite attendees.
- 3.19 When live streaming is not possible, a recording of any meeting will be made publicly available as soon as possible after the meeting is concluded.

## Attachments / Ngā Tāpirihanga

There are no appendices to this report.

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link

## Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

## Signatories / Ngā Kaiwaitohu

<b>Authors</b>	Ian Thomson - Special Counsel Governance Mary Richardson - General Manager Citizens & Community
<b>Approved By</b>	Dawn Baxendale - Chief Executive