

**SOUTH WAIRARAPA DISTRICT COUNCIL  
Emergency Meeting  
Minutes from 25 March 2020**

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<b>Present:</b>	Mayor Alex Beijen (Chair), Councillors Pam Colenso, Rebecca Fox, Leigh Hay, Alistair Plimmer and Brenda West.
<b>Tele-conference:</b>	Deputy Mayor Garrick Emms, Councillors, Brian Jephson and Pip Maynard.
<b>In Attendance:</b>	Harry Wilson (Chief Executive Officer), Karen Yates (Acting Policy and Governance Manager), Euan Stitt (Group Manager Partnerships and Operations), Katrina Neems (Chief Financial Officer) and Suzanne Clark (Committee Advisor).
<b>Conduct of Business:</b>	The meeting was held in the Martinborough Town Hall, Texas Street, Martinborough and was conducted with the media in attendance between 10:10am and 11:00am.

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**Open Section**

**A1. Affirmation**

Cr Plimmer read the Council affirmation.

**A2. Apologies**

*COUNCIL RESOLVED (DC2020/19) to accept apologies from Cr Vickery.  
(Moved Cr Colenso/Seconded Cr West)*

Carried

**A3. Conflicts of Interest**

There were no conflict of interests declared.

**C Decision Reports from Chief Executive and Staff**

**C1. Emergency Provisions for Lawful Decision-Making During the COVID-19 Pandemic**

Mr Wilson outlined the recommended emergency provisions under consideration which would ensure Council could continue to operate and make legal decisions in the pandemic environment. Mr Wilson, with assistance from Ms Yates, discussed legislative quorum and tele/video-conference voting requirements, amending the proposed Emergency Committee Terms of Reference (TOR) to clarify voting rights, the proposed staff delegation cascade and under what circumstances delegations would activate, existing financial delegations in relation to the new proposed delegations, and that suspensions of committees did not include suspension of chairs of those committees with members.

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*COUNCIL RESOLVED (DC2020/20):*

1. To receive the Emergency Provisions for Lawful Decision-Making During the COVID-19 Pandemic Report.  
*(Moved Cr West/Seconded Cr Plimmer)* Carried
2. To appoint an Emergency Committee, with a membership of the Mayor and all councillors.  
*(Moved Cr Plimmer/Seconded Cr Fox)* Carried
3. To adopt the Emergency Committee's Terms of Reference subject to clearly stating that voting rights is as per legislation and to amend the Terms of Reference accordingly.  
*(Moved Cr Fox/Seconded Cr Plimmer)* Carried
4. To activate the Emergency Committee from 25 March 2020 to operate during Alert Levels 3 and 4 of the COVID-19 emergency and to suspend all other committees.  
*(Moved Cr Fox/Seconded Cr West)* Carried
5. To agree that the emergency delegations for decision-making due to COVID-19 will be reviewed when the alert status reverts back to level 2.  
*(Moved Cr Hay/Seconded Cr Colenso)* Carried
6. For the purposes of the COVID-19 emergency, delegates to the Chief Executive all the Council's powers, duties, and responsibilities that the Council can lawfully delegate to officers, including the ability to enter into any contract and/or to authorise any level of expenditure ("Emergency Delegation"). This Emergency Delegation does not include (or limit) the powers, duties, and responsibilities that the Council has already delegated to the Chief Executive under delegations in force at this time, or any authority to make any Council decisions under the Civil Defence Emergency Management Act 2002 (which shall be dealt with in accordance with that Act). This Emergency Delegation is subject to the following conditions:
  - a. It may be exercised only in circumstances where the Council or Emergency Committee 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;
  - b. The Chief Executive may only exercise the Emergency Delegation in consultation with the Mayor (or if the Mayor is unavailable, the Deputy Mayor, or if the Deputy Mayor is unavailable, the Chairperson of the relevant committee).
  - c. Any decisions made and documents executed in exercising the Emergency Delegation must be reported to the next ordinary meeting of the Council.
  - d. This Emergency Delegation may be revoked at any time by the Council.
  - e. In the event there is any inconsistency between this Emergency Delegation and any other delegation made by the Council, this

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Emergency Delegation takes precedence. For the avoidance of doubt, this means that the contract value and other limits specified in the Chief Executive’s delegations will not apply while this Emergency Delegation is in effect, thus enabling the Chief Executive to approve these no matter the contract value or contract variation parameters during the effective period of this Emergency Delegation.

*(Moved Cr Plimmer/Seconded Cr Fox)*

Carried

7. Delegates the authority and powers of the Chief Executive to:
  - a. Russell O’Leary, Group Manager Planning and Environment: as Acting Chief Executive, in the event that the Chief Executive is unable to fulfil his duties due to COVID-19; and
  - b. Agrees where the delegated Acting Chief Executive is unable to fulfil such duties due to COVID-19, the Chief Executive’s delegated authority and powers will deescalate to the next designated manager in the following order:
  - c. Euan Stitt, Group Manager Partnerships and Operations.
  - d. Kim Rudman, HR/Corporate Service Manager (response team).
  - e. Karen Yates, Acting Policy and Governance Manager.
  - f. Katrina Neems, Chief Financial Officer.

*(Moved Cr Plimmer/Seconded Cr Colenso)*

Carried

8. Note that any legislative change to remove the requirement that councillors meet “in person” in order to satisfy a quorum may take some weeks.
9. Note that the Epidemic Preparedness Act 2006 process to modify legislation has not yet been commenced.

*(Moved Cr Fox/Seconded Cr West)*

Carried

10. Action 107: Prepare a decision tree flow diagram of the emergency decision making provisions; K Yates

**Confirmed as a true and correct record**

.....(Mayor)

.....(Date)

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