

26 January 2021

Request for Official Information responded to under the Local Government and Official Information and Meetings Act 1987 (LGOIMA) – reference: OIR 2122-165

I refer to your information request we received on 22 December 2021 for the following:

- 1. Did the KCDC considered its legal obligations when making its policy to deny KCDC ratepayers without a COVID vaccine pass access to KCDC facilities? If no, why not? If yes, what was the advice and I would like a copy of the advice?***

The operational decision to require a vaccine pass at many of our facilities was made by Council's Senior Leadership Team when the district moved to orange under the COVID-19 traffic light system in December. The decision was made in order to protect the community's vulnerable members (older persons, children under 12 years not vaccinated and immune compromised persons) that would be using the Council facilities. As a Council we are committed to doing as much as we can to protect our staff and communities.

Council is clear about its legal obligations so external advice was not required.

- 2. How many KCDC school children under the age of 10 have had to stop swimming lessons, a life skill, due to parents not having a COVID vaccine pass?***

Council does not hold this information so it cannot be provided. Bookings are made and cancelled for many different reasons.

On that basis I must decline this part of your request as the information requested is not held by the local authority and the person dealing with the request has no grounds for believing that the information is held by another local authority or a department or Minister of the Crown or organisation, Section 17(g)(i) of the Act refers.

You have the right to request the Ombudsman to review this decision. Complaints can be sent by email to info@ombudsman.parliament.nz, by fax to (04) 471 2254, or by post to The Ombudsman, PO Box 10152, Wellington 6143.

- 3. What options is the KCDC exploring to help these discriminated school children to continue swimming lessons?***

Council continues to support learn to swim providers at all of our facilities to keep our community safe.

4. When will the KCDC be installing special rubbish bins, critical infrastructure, specifically for the increase of littered face masks to protect the vulnerable and the community during this pandemic?

For the convenience of our visitors, Council has provided special rubbish bins for customers to dispose of masks when exiting many of our facilities.

Existing public rubbish bins available at Council facilities are also suitable for disposal of face masks.

5. Why has it taken the KCDC so long to install these special rubbish bins considering the lead in time of the announcement of the new COVID-19 traffic light system?

Existing public rubbish bins have always been available for the disposal of face masks. Members of the community are expected to use the available rubbish bins or take their masks home and dispose of them along with their household rubbish.

6. How many fraudulent Covid vaccine passes have been used to access KCDC facilities between 3-19 December 2021?

Vaccine Passes are checked by security guards at all Council facilities. These passes are not currently validated.

7. How is the KCDC determining whether a COVID vaccine pass is genuine or not as part of its health and safety responsibilities during the pandemic?

As stated above in response to our question 6, we do not validate Vaccine Passes at this time.

Yours sincerely



Mark de Haast
Group Manager Corporate Services
Te Kaihautū Ratonga Tōpū