

Laura Bowman

From: official information
Sent: Tuesday, 8 March 2022 1:54 pm
To: [REDACTED]
Cc: official information
Subject: Final Response PT 1 of 2: LGOIMA 21328 - [REDACTED] - Venue Hire and Booking Practice Policies from 1 June 2021 and any supporting documentation.
Attachments: Attachment 2.pdf; Attachment 1.pdf

Kia Ora,

I refer to your information request below, Hamilton City Council is able to provide the following response.

We acknowledge the untimely-ness of our response and have been working hard to compile all the information which you have requested. Unfortunately some aspects (indicated below) are not possible without further consultation. However, we have decided to release all that we have prepared thus far and will be in touch as soon as we can release further information.

You requested:

Copies of all –

1. Reports
2. Briefing notes
3. Correspondence / Emails
4. Meeting notes, and
5. Any other information

From June 1 2021 to date regarding Hamilton City Council's current venue hire and booking practice policies, legislation or regulation, and any proposed updates or changes.

Our Response:

1. There have not been any reports relevant to your request. Therefore, we are refusing your request as per S 17(e) of LGOIMA – this information does not exist.
2. Hamilton City Council will release this in due course. Our closed briefings require extensive approval processes before they can be released.
3. Please see Attachment 1.

Note: all redactions have been made in accordance with:

S 7(2)(a) of LGOIMA – to protect the privacy of the natural persons.

S 7(2)(g) of LGOIMA – to maintain legal professional privilege.

S 7(2)(f)(i) of LGOIMA – to maintain effective of public affairs through the free and frank expression of opinions between or to members, officers, or employees of any local authority.

4. This, along with our response to part 2, will be released in due course.
5. Please see Attachment 2.

Hamilton City Council does not have a single policy that governs hiring of Council spaces, instead each space has its own Terms of Conditions. This attachment contains current venue hire and booking terms and conditions.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Kind Regards,

Official Information Team

Legal Services & Risk | People and Organisational Performance

Hamilton Invest

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From: [REDACTED]

Sent: Friday, 5 November 2021 9:18 am

To: official information <officialinformation@hcc.govt.nz>

Subject: Re: Clarification Request: LGOIMA 21315 - [REDACTED] - Health, Safety and Wellbeing Policy from 1 Jan 2021.

Hello Tatiyana,

In that case, I'd like to shorten the time period and subject requested, as the deadline date will be expanded, as you mention.

Please could I receive copies of all reports, briefing notes, correspondence, emails, meeting notes and any other information from **June 1 2021** to date regarding Hamilton City Council's current **venue hire and booking practice** policies, legislation or regulation, and any proposed updates or changes.

Thank you for your assistance

[REDACTED]

On Thu, 4 Nov 2021, 16:43 official information, <officialinformation@hcc.govt.nz> wrote:

Kia Ora,

As per our right under LGOIMA – we are requesting clarification around your request.

Your request, as it currently stands, will require substantial collation and review and as such may be refused. However, we have provided here:

1. A copy of our current Health and Safety Policy, and all
2. Strategic Risk and Assurance Committee reports, related to our current policy.

Can you please confirm, is this all that you are after? If no, can you please narrow your request or clarify what it is exactly that you are after?

If we do not hear back from you **12 November 2021**, we will follow up and may consider this request closed.

Please note, under LGOIMA 13 (7) and (8) – our deadline date will be extended from the date that you reply to this request for clarification.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Kind Regards,

Tatiyana | Official Information & Legal Support Advisor

Legal Services & Risk | People and Organisational Performance

Email: officialinformation@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.govt.nz

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From: official information <officialinformation@hcc.govt.nz>

Sent: Wednesday, 27 October 2021 3:37 pm

To: [REDACTED]

Cc: official information <officialinformation@hcc.govt.nz>

Subject: LGOIMA 21315 - [REDACTED] - Health, Safety and Wellbeing Policy from 1 Jan 2021.

Kia Ora,

I write to acknowledge your information request of Wednesday 27 October 2021 as below.

Please be advised that your request has been passed on to the relevant team within Council and you will be informed of the outcome.

The Local Government Official Information and Meetings Act 1987 requires that we advise you of our decision on whether the Council will provide the requested information as soon as reasonably practicable, and no later than 20 working days after the day we received your request. We will respond to you no later than Wednesday 24 November 2021.

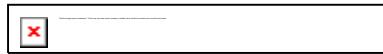
In light of the recent announcement regarding COVID-19 and New Zealand's Alert level 3, the safety of our employees is paramount. We've made necessary changes to our working environment and operations that may result in limited availability of some of our staff members. We appreciate your patience during this time. Please allow some extra time for a response to your request as we are all doing our best to accommodate the new circumstances.

Kind Regards,

Tatiyana | Official Information & Legal Support Advisor

Legal Services & Risk | People and Organisational Performance

Email: officialinformation@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.govt.nz





From: [REDACTED]
Sent: Wednesday, 27 October 2021 11:24 am
To: Governance <HCC.Governance@hcc.govt.nz>
Subject: Health, Safety and Wellbeing Policy - Request for information under the Local Government and Official Information and Meetings Act (LGOIMA)

27 October 2021
Dear Hamilton Council

Request for information under the Local Government and Official Information and Meetings Act (LGOIMA)

Would you be good enough to supply copies of all reports, briefing notes, correspondence, emails and any other information from January 1 2021 to date regarding Hamilton City Council's current Health, Safety and Wellbeing Policies, legislation or regulation, and any proposed updates or changes.

Thank you



Warning! This message was sent from outside your organization and we are unable to verify the sender.

Tēnā koe,

I'm part of a group of people who are organising a peaceful protest, in support of Trans rights, against the group Speak Up for Women who have a meeting booked at the Museum on 1st August 2021 at 2.30pm.

We'd really like to meet with you to talk about how we can organise our protest in a way that doesn't disrupt the Museum and also affirms all the community support that is there for our trans community - is there any opportunity to meet with appropriate people at the Museum to discuss this?

Thanks so much,

--

Nāku noa, nā,

[REDACTED]
they/them

Community Liaison

Tatiyana Taunoa

From: Lee-Ann Jordan
Sent: Monday, 19 July 2021 5:22 pm
To: Michelle Hawthorne
Cc: Nicole Nooyen; Ruby Nyika; Rebecca Whitehead; Helen Schlegel
Subject: RE: ACTION: venue hire

Thanks very much Michelle. Looks like we are all available for the proposed meeting so will be good to discuss then.

Lee-Ann

From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Sent: Monday, 19 July 2021 4:09 pm
To: Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>
Cc: Nicole Nooyen <Nicole.Nooyen@hcc.govt.nz>; Ruby Nyika <Ruby.Nyika@hcc.govt.nz>; Rebecca Whitehead <Rebecca.Whitehead@hcc.govt.nz>; Helen Schlegel <Helen.Schlegel@hcc.govt.nz>
Subject: RE: ACTION: venue hire

Hi Lee-Ann

A 2D bar chart illustrating the distribution of data points across a grid of 10 columns and 10 rows. The x-axis is labeled 'X' and the y-axis is labeled 'Y'. The bars are black with white outlines. The distribution is highly skewed, with the highest frequency of points in the bottom-right corner (row 10, column 10) and a long tail extending towards the top-left.

Y	X	Count
1	1	1
1	2	1
1	3	1
1	4	1
1	5	1
1	6	1
1	7	1
1	8	1
1	9	1
1	10	1
2	1	1
2	2	1
2	3	1
2	4	1
2	5	1
2	6	1
2	7	1
2	8	1
2	9	1
2	10	1
3	1	1
3	2	1
3	3	1
3	4	1
3	5	1
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3	7	1
3	8	1
3	9	1
3	10	1
4	1	1
4	2	1
4	3	1
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10	2	1
10	3	1
10	4	1
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10	9	1
10	10	1

From: Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>

Sent: Monday, 19 July 2021 3:26 pm

To: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>

Cc: Nicole Nooyen <Nicole.Nooyen@hcc.govt.nz>; Ruby Nyika <Ruby.Nyika@hcc.govt.nz>; Rebecca Whitehead <Rebecca.Whitehead@hcc.govt.nz>; Helen Schlegel <Helen.Schlegel@hcc.govt.nz>

Subject: ACTION: venue hire

Importance: High

Kia ora Michelle

Thanks for the discussion this afternoon about the booking of a space here by a group that is currently the subject of some controversy. Attached is our current hire agreement. An agreement has been signed by the hirer representing the group. The last communication received from them was last week, seeking confirmation of the booking. We have not yet responded.

So as discussed there is opportunity to contact the hirer to seek clarification/information around H&S considerations/risks/plans and reiterate our expectations for compliance with legislation and policies for which HCC is accountable as the hirer of the space as well as compliance with legislation generally. Also to share our disclaimer that the views/opinions of the hirer do not reflect the views/opinions of Waikato Museum and HCC.

I look forward to your guidance on appropriate wording for:

- the email to the hirer
- inclusion in our booking form/hire agreement (given we are reviewing our process now)
- comms either proactive or reactive about the above and HCC's responsibilities/obligations as a public entity.

Having spoken with you and just now, Ruby, it seems like a good idea for you, me, Nicole and Ruby to have a meeting tomorrow or Wednesday to discuss communications and key messaging around this event, and potentially, other related communications or events to support communities that might be impacted. Rebecca or Helen S may wish to join us.

Hopefully that suits you - I'll ask Helen Schlegel to find us a time.

Ngaa mihi

Lee-Ann

Lee-Ann Jordan

Unit Director Visitor Destinations | Visitor Destinations

DDI: [+6478386772](tel:+6478386772) | Lee-Ann.Jordan@hcc.govt.nz

Lee-Ann Jordan pronouns (she/her)

Tatiyana Taunoa

From: Lee-Ann Jordan
Sent: Wednesday, 28 July 2021 8:03 am
To: Michelle Hawthorne; Ruby Nyika
Cc: Tamsin Webb; Cherie Meecham
Subject: RE: Anti-trans event at the Waikato Museum

Thanks very much Michelle – that's super helpful.
Lee-Ann

From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Sent: Tuesday, 27 July 2021 7:11 pm
To: Ruby Nyika <Ruby.Nyika@hcc.govt.nz>
Cc: Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>; Tamsin Webb <Tamsin.Webb@hcc.govt.nz>; Cherie Meecham <Cherie.Meecham@hcc.govt.nz>
Subject: Re: Anti-trans event at the Waikato Museum

Hi Lee-Ann

The high court decision was issued 25 June. Auckland city actually let the group use a venue just not the one originally booked.

Auckland changed its position during the proceedings.

See <https://www.google.co.nz/amp/s/www.newshub.co.nz/home/new-zealand/2021/06/speak-up-for-women-to-hold-auckland-event-after-high-court-legal-drama.amp.html>

The Christchurch cancellation was in May prior to the high court decision.

The Wellington event went ahead at a council venue and Dunedin has let an event go ahead as well.

So the claims are partially correct but the person making the statements needs to add in the context and timing of the high court decision

Sent from my iPhone

On 27/07/2021, at 4:17 PM, Ruby Nyika <Ruby.Nyika@hcc.govt.nz> wrote:

Thanks Lee-Ann.

Sure thing, I'll send you some FAQs and a response to check by the morning.

Thanks,

Ruby Nyika (she/her)

Communication and Engagement Advisor | Community and Corporate

DDI: [0278763459](tel:0278763459) | Mob: [0278763459](tel:0278763459) | Email: ruby.nyika@hcc.govt.nz

<image001.jpg>

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<image002.png>

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<image003.png>

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From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>

Sent: Tuesday, 27 July 2021 4:01 pm

To: Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>; Ruby Nyika <Ruby.Nyika@hcc.govt.nz>

Cc: Tamsin Webb <Tamsin.Webb@hcc.govt.nz>; Cherie Meecham <Cherie.Meecham@hcc.govt.nz>

Subject: Re: Anti-trans event at the Waikato Museum

Just headed to [REDACTED] will look at this for you this evening.

M

Get [Outlook for iOS](#)

From: Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>

Sent: Tuesday, July 27, 2021 3:50:20 PM

To: Ruby Nyika <Ruby.Nyika@hcc.govt.nz>; Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>

Cc: Tamsin Webb <Tamsin.Webb@hcc.govt.nz>; Cherie Meecham <Cherie.Meecham@hcc.govt.nz>

Subject: FW: Anti-trans event at the Waikato Museum

Hi Ruby and Michelle

I would appreciate some assistance here.

Michelle - the writer states that SUFW has been declined from using Auckland and Christchurch council facilities – is this correct? And if so presumably this was before the high court ruling?

Ruby – I am pretty strapped for time today and tomorrow morning so could you please help me by drafting a response based on the FAQs you have been working on? See also attached post which I think is the same author.

Best wishes

Lee-Ann

From: Cherie Meecham <Cherie.Meecham@hcc.govt.nz>

Sent: Tuesday, 27 July 2021 3:25 pm

To: Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>; Tamsin Webb <Tamsin.Webb@hcc.govt.nz>

Subject: FW: Anti-trans event at the Waikato Museum

Hi, I assume you both got this email too? But if not, please see below.

Cherie

From: [REDACTED]

Sent: Tuesday, 27 July 2021 3:06 pm

Subject: Anti-trans event at the Waikato Museum

Tēnā koe,

Ko Pukenui rāua ko Te Ahuahu ngā maunga
Ko Waitangi te awa
Ko Ōmāpere te moana
Ko Te Whare Tapu o Ngāpuhi tōku iwi
Ko Te Popoto rāua ko Te Kapotai ūku hapū
Ko Rawhitiroa rāua ko Kapotai ūku marae
Nō Te Tai Tokerau ahau, me Waikato tōku kainga ināianei.

He waka eke noa

A canoe which we are all in with no exception

I am emailing you today to express my concern about the anti-trans rights group, Speak Up For Women (SUFW), who have organised an event at Te Whare Taonga o Waikato / Waikato Museum for this Sunday, 1st of August.

Although SUFW frame themselves as a women's rights group, this is done as a guise so that they can gain credibility - they were founded in response to the initial introduction of the Births, Deaths, Marriages and Relationships Registration Act (BDMRR) in 2018, and their campaigns consist entirely of opposing trans rights.

They are currently conducting a nation-wide tour to oppose the proposed amendments to the BDMRR, which would greatly improve the quality of life for trans people by simply allowing trans people to have accurate documents: updating the process so that trans people can change their birth certificates with greater ease and reduced costs. You can read all about the BDMRR here: <https://genderminorities.com/2019/02/16/accurate-birth-certificates-bdmrr-101/>

SUFW have already been barred from using Auckland City Council venues and Christchurch City Libraries. Both these councils expressed fears around the safety and wellbeing of the LGBTQI+ community if the events went ahead as planned. Although freedom of expression is important, it does not exist in a vacuum and does not supersede a person or community's freedom from discrimination. When an organisation's purpose is to oppose the freedoms and rights of a minority group, this is an issue of discrimination, oppression and harm, not of free speech. Although Venues Wellington unfortunately failed to bar SUFW from speaking at their venues, the outpour of support from the Wellington community was massive, with over 1000 people attending a protest in solidarity with the trans community.

Te Whare Taonga o Waikato promotes the value of "[Supporting our diverse community \(Whanaungatanga\)](#)." As a takatāpui (non-binary, queer, and Māori) person, this is an important and bold claim. In order to honour the spirit of this commitment, more than just lip-service must be paid. Simply using kupu Māori as a performative gesture of allyship or inclusion is quintessential tokenism, and it is my hope that Te Whare Taonga o Waikato do not partake in the destructive co-opting of Te Reo me ngā Tikanga Māori. In order to meaningfully demonstrate whanaungatanga, the recognition of those who are most marginalised is an imperative starting point; our whānau who have historically and systemically been oppressed, whether that is based on ethnicity, sex, gender, sexuality, or class. Whanaungatanga implies a reciprocal and genuine relationship with those whom we hold a connection and responsibility. It is about honouring the mana of people always, ensuring that it is never diminished or harmed in the course of another's self-promotion or gain. Whanaungatanga is never about blindly accepting anyone regardless of their beliefs and values, it is about care and aroha. It is about whānau, and part of the expectation of family is to hold those within it accountable to their actions and words, most especially when they are harmful.

Te Whare Taonga o Waikato has, to the best of my knowledge, not yet explicitly stated support for trans, gender diverse (i.e. Takatāpui, Fa'afafine) and intersex communities. I hope that the position of HCC would align with the values that are apparent within the Hamilton City Council Community Development plans around uplifting the wellbeing of all people living in Kirikiriroa. Although these plans don't seem to have been fully actioned yet, this is an important opportunity for HCC to make the right decision in uplifting and honouring the voices of trans, gender diverse (i.e. Takatāpui, Fa'afafine) intersex people and our allies in the Kirikiriroa community.

The United Nations Foundation holds the position that "Trans rights are human rights", while Article 1 of the Universal Declaration of Human Rights stipulates that "all human beings are born free and equal in dignity and rights." These statements of endorsement for the global LGBTQI+ community stand in contrast to the hateful rhetoric of SUFW's transmisogynist ideology. Furthermore, Waikato Museum has a self-professed obligation to uphold Te Tiriti o Waitangi. As Dr Elizabeth Kerekere stated in Parliament this year, "Takatāpui rights are a Treaty issue". It cannot be ignored that, by giving SUFW a platform, HCC and Te Whare Taonga o Waikato are letting down their Treaty partners by allowing hate speech towards takatāpui in our public venues.

As you may know, the recent [Counting Ourselves](#) report on issues affecting transgender and non-binary people noted levels of discrimination that were far higher than the average population, including in homelessness, sexual violence, and mental health.

I implore you to please consider barring SUFW from your venue, or at least cancelling this event.

Ngā mihi nui ki a koe,

[REDACTED]
Ngāpuhi, Te Popoto, Te Kapotai

Noah Kerbers

From: Lee-Ann Jordan
Sent: Tuesday, 3 August 2021 1:43 pm
To: Michelle Hawthorne
Cc: Ruby Nyika
Subject: RE: Speak up for women event

Hi Michelle

Sorry I should have let you know. I'm also not sure I advised Ruby either. Very well!! Comments from both groups about the professionalism of our team and very positive feedback from the Rainbow community about the safe and welcoming environment they experienced. Police and City Safe were visible and interacted well with members of both groups – Police were very pleased with our organisation and planning. The Rainbow group even posted in support of the Museum legally having to accept the booking ahead of the event and we noticed the emails complaining that we were the venue for the SUFW event tailed away or perhaps went to the Elected Members instead.

All in all I can only wish that the forecourt of the Museum is as colourful and buzzing on other days as it was on Sunday!

Thanks very much for your help Michelle and Ruby. I think our care in planning things and proactive communication with both groups paid off. It was greatly appreciated.

Lee-Ann

From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Sent: Tuesday, 3 August 2021 1:05 pm
To: Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>
Subject: Speak up for women event

Hi Lee-Ann,

Just checking in to see how the event went?

Ngaa mihi

Michelle (Mish) Hawthorne

Legal Services Manager | Kaiwhakahaere Ratonga Ture
Legal and Risk
People and Organisational Performance

Pronouns: she/her

Email: micelle.hawthorne@hcc.govt.nz



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Noah Kerbers

From: Michelle Hawthorne
Sent: Thursday, 12 August 2021 2:11 pm
To: Frances Cox-Wright; Lee-Ann Jordan
Subject: RE: Speak Up for Women hire of Museum lecture theatre

Follow Up Flag: Follow up
Flag Status: Completed

Hi Lee-Ann,

I realise this is unsolicited, however I have some concerns if Council does push for a review/policy on groups that may be viewed as promoting hate speech.

See below for my comments and France's very considered views on this. If there is a request to review policy on booking our venues in this context I would encourage getting an external legal review, and engaging Frances to support the work.

Frances has also suggested as a different track for this discussion as an opportunity for HCC to submit on the CG process – at least around the challenges we have balancing rights as a body subject to judicial review.

Happy to catch up to discuss if this one grows legs.

I had also offered to review the booking terms more or less in line with the Gardens booking form I circulated, let me know if you want to pick that up.

M

From: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Sent: Friday, 6 August 2021 4:16 pm
To: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Subject: Re: Speak Up for Women hire of Museum lecture theatre

Hi – sorry for the delayed reply..

I agree with you that we are heading into murky waters if we were to try and define terms in this space. In particular because the SUFW example involves balancing fundamental rights protected at law (Freedom of expression and peaceful assembly / freedom from discrimination). Even our courts are said not to have a comprehensive solution to the issue of conflicting rights.

The situation becomes a different one if/when there are known security risks or unlawful behaviour.

The Ministry of Justice consultation on the proposals against incitement of hatred and discrimination (hate speech) identifies that there is a problem with the current law.

- The problem is that the incitement provisions only apply to speech that targets a group because of their “colour, race, or ethnic or national origins”.
- The proposals include amending the law to additionally cover speech that incites hatred or hostility against other groups protected from discrimination by the Human Rights Act (e.g sex, gender (incl gender identity), religious belief, disability, sexual orientation).

So, it seems to me that Central Government is busy working on where to draw the line on speech that incites hatred against a group (hate speech). The consultation actually closes today, but if Councillors have issues they want to voice from the local government context, we could consider submitting further down the track as part of the legislative process. We could also get in touch with the Human Rights Team at MoJ if that was to be helpful.

[REDACTED]

Happy to discuss further!

Happy almost weekend 😊

From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Sent: Wednesday, 4 August 2021 8:18 AM
To: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: FW: Speak Up for Women hire of Museum lecture theatre

[REDACTED]

[REDACTED]

[REDACTED]

M

From: Dave Macpherson <Dave.Macpherson@council.hcc.govt.nz>
Sent: Tuesday, 3 August 2021 7:31 pm
To: James Clarke <James.Clarke@hcc.govt.nz>
Cc: Lance Vervoort <Lance.Vervoort@hcc.govt.nz>; Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>; Councillors <Councillors@hcc.govt.nz>; Maangai Maaori <MaangaiMaaori@hcc.govt.nz>; Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>; Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>; Becca Brooke <Becca.Brooke@hcc.govt.nz>; Sean Murray <Sean.Murray@hcc.govt.nz>
Subject: Re: Speak Up for Women hire of Museum lecture theatre

Kia ora Lance - thanks for the detailed work on this.

I've run across this group before (would have preferred to run over them) on social media - I made some comment in support of transgender people, or in opposition to discrimination against them, and there was a huge pile-on from this crowd attacking me, from dozens; who I mostly blocked. While a handful put forward reasonable arguments in a reasonable way, many were abusive and/or downright offensive. From that, I'd say that it's the attendees at a thing like this that would be the biggest problem, rather than the organisers that enable them.

What many (but not all) of them practice is hate speech, in my humble opinion. But we don't seem to have policies about that.

Dave

Dave Macpherson
+64 21 477 388
dave.macpherson@xtra.co.nz

On 3/08/2021, at 3:00 PM, James Clarke <James.Clarke@hcc.govt.nz> wrote:

Thanks for this Lance.

I know Mayor Paula for one was keen to explore this area fully, so I imagine would be supportive of a briefing.

Thanks,
James

James Clarke

Director of Mayor's Office

DDI: +64 7 838 6645 | MB: +64 27 808 9580 | Email: james.clarke@hcc.govt.nz

From: Lance Vervoort <Lance.Vervoort@hcc.govt.nz>

Sent: Tuesday, 3 August 2021 2:53 pm

To: Dave Macpherson <Dave.Macpherson@council.hcc.govt.nz>

Cc: Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>; Councillors <Councillors@hcc.govt.nz>;

Maangai Maaori <MaangaiMaaori@hcc.govt.nz>; Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>; Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>; Becca Brooke <Becca.Brooke@hcc.govt.nz>; Sean Murray <Sean.Murray@hcc.govt.nz>

Subject: RE: Speak Up for Women hire of Museum lecture theatre

Kia ora Dave,

I've had my team have an initial look across our facilities and Council policies to provide the information you and some other elected members were seeking.

The short answer is that there are no specific clear policies, bylaws or guidelines that provide a clear cut direction on whether we take bookings of venues from groups or individuals.

Despite there being several bylaws and policies that could be interpreted as providing some direction, including a few management policies, they aren't definitive (see below) so we essentially rely on the activity being lawful and in line with any Court rulings (including the rights of free speech and freedom of assembly under the New Zealand Bill of Rights Act, Health and Safety legislation, Crimes Act, discrimination Human Rights Act etc).

By-Laws:

- Public Places Bylaw – especially if the event was considered a “nuisance”, would compromise public health and safety or not “minimise the potential for offensive behaviour in public places” – from what I can see, I think this is some of the rationale Dunedin used in cancelling the event there (public safety concerns) - <https://www.newshub.co.nz/home/new-zealand/2021/07/dunedin-city-council-defends-cancelling-speak-up-for-women-s-venue-booking.html>
- Cultural and Recreational Facilities Bylaw – This is aimed at removing aggressive people from facilities rather than as a tool to stop events, but it does talk a lot about minimising offensive behaviour and risk to patrons. There is also a line about facilities not being used for their intended purpose.

- Safety in Public Places Bylaw – similar to Public Places – “offensive” behaviour could be argued as a “nuisance”.

Management Policies (approved by Management and not Council):

- Unreasonable Customer Policy –intended for aggressive or abuse customers at reception/council facilities but could be some justification.
- Harassment, Bullying and discrimination Policy – this is intended for issues between staff but does have the line in the purpose : ‘All Council employees, elected members, customers, volunteers and contractors are expected to treat each other, fairly with dignity and respect.’ – you could argue that our staff who feel this is inappropriate are not being treated with dignity and respect but I think this is probably not what the policy was designed for.
- Risk Management Policy –paragraph 12 outlines potential risks – it could be argued that an event could trigger these:

12. Additional care is needed in taking any action which could:

- a. impact on the reputation of Council, and HCC
- b. impact on service delivery to ratepayers
- c. impact the safety and wellbeing of HCC people and the public
- d. undermine the achievement of HCC's objectives
- e. result in financial loss
- f. result in the disclosure of sensitive information when dealing with Official Information requests.

In the past, there have been a few occasions staff have brought reports on events wanting to hire our facilities to Council for decision e.g. [REDACTED] proposed Sexpo R18 event at Claudelands back in 2011 as this would have been likely to attract the Boobs on Bikes parade that was associated to the event when it was held in Auckland. Council declined the event booking, [REDACTED] threatened legal action and if I recall correctly nothing happened in the end.

It appears as if the recent High Court ruling in Wellington looked at the test of whether the Speak up for Women group's views were hate speech that was inciting others. It appears as if the Court did not think this was the case.

If elected members want to look at this further we can put this on a briefing and get fuller information for any discussion on this.

Ngaa mihi
Lance

Lance Vervoort

Deputy Chief Executive and General Manager | Community Group | Manahautuu Haporī
EA +64 7 838 6404 | Email: Lance.Vervoort@hcc.govt.nz

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From: Dave Macpherson <Dave.Macpherson@council.hcc.govt.nz>
Sent: Friday, 23 July 2021 8:38 am
To: Lance Vervoort <Lance.Vervoort@hcc.govt.nz>
Cc: Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>; Councillors <Councillors@hcc.govt.nz>; Maangai Maaori <MaangaiMaaori@hcc.govt.nz>
Subject: Re: Speak Up for Women hire of Museum lecture theatre

Thanks Lance.

I'm wondering about our policies in this area, as I certainly wouldn't expect they would extend to "free speech" for blatantly racist groups trying to use HCC facilities for meetings, for example?

I'm aware we have turned away some groups in the past, for example Covid deniers and anti-vaxx types. Groups that set out to denigrate members of our community should not automatically get a free run at council facilities, no matter what lawyers say.

Can we have some information on this please?

Cr Dave Macpherson
+64 21 477 388
dave.macpherson@xtra.co.nz

On 23/07/2021, at 8:20 AM, Lance Vervoort <Lance.Vervoort@hcc.govt.nz> wrote:

Morena Elected Members,

A heads up that a group called Speak Up For Women has hired the Lecture Theatre at Waikato Museum on Sunday 1 August as part of a nationwide tour. Here is a link to the group's website:

www.speakupforwomen.nz

Several councils have unsuccessfully tried to stop the group holding meetings at public facilities and this has resulted in some controversy.

Wellington City Council's attempt to refuse venue hire for the Speak Up For Woman group resulted in a [High Court ruling](#) stating the group's events should go ahead. The decision by the High Court upheld the ability of the group to exercise its rights of free speech and freedom of assembly under the New Zealand Bill of Rights Act, in booking a public venue. Council's Legal Services Manager has also advised there are no legal grounds to reject the group's venue hire application in Hamilton.

As part of our responsibility for, and commitment to, providing a safe environment for staff and visitors to our facilities, the Speak Up For Women group has been asked to advise us of anything that may become a safety concern in relation to their booking, so we can work with them to put appropriate health and safety measures in place.

Members of Hamilton's LGBTQ+ community are planning a peaceful protest against the Speak Up For Women event outside the Museum. Organisers have met the Acting Museum Director, Lee-Ann Jordan, to discuss how they can avoid disruption to the Museum during the protest.

We are working with the Waikato Police and City Safe to make sure all parties and the public are kept safe. Also, appropriate support will be provided to any Waikato Museum staff who may find this situation confronting or distressing.

As this is considered an operational issue, any media enquiries arising will be forwarded to either Lee-Ann Jordan or I.

If you have any questions or concerns, please contact Lee-Ann.Jordan@hcc.govt.nz.

Noho ora mai

Lance

Lance Vervoort

Deputy Chief Executive and General Manager Community Group

EA +64 7 838 6404 | Fax: 07 838 6651 | Email: Lance.vervoort@hcc.govt.nz

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Tatiyana Taunoa

From: Lucy Ryan
Sent: Friday, 13 August 2021 4:19 pm
To: Lance Vervoort; Helen Paki; Michelle Hawthorne; Frances Baskerville; Ruby Nyika
Cc: Helen Schlegel
Subject: Draft EM messaging - [REDACTED]

Hi Lance,

Please see below for the EM messaging Ruby has developed (with input from Mish and Tompkins Wake) – thanks all. Ruby may well be completing a final comms review as I type but wanted to get it through prior to 4.30pm.

We've been made aware that [REDACTED] (a controversial speaker) has booked a room at the Hamilton Gardens at 7pm, Monday 16 August as part of a 'Freedom Speaking' tour. You can read more about his messaging [here](#). The room was booked by an individual on Wednesday evening and the Gardens team were unaware of the event's speaker and subject until last night when the group advertised it through their social media channels.

We have sought legal advice and looked into grounds to cancel the group's booking based on safety and wellbeing risks to our community. While we have explored these various avenues, we can find no clear legal grounds to cancel this group's booking.

We are required to comply with the New Zealand Bill of Rights Act 1990 when making decisions about whether to make a Council venue available for public meetings. Rights such as the right to freedom of expression and the right of peaceful assembly must be recognised and may only be subject to "such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society." In the recent decision involving the "Speak Up For Women" group that has some similarity with the present case, the High Court granted interim orders requiring Palmerston North City Council to allow a controversial meeting to proceed. The Court concluded that the decision to cancel was based on community opposition, which was not a rational and reasonable limitation on protected rights.

Although the [REDACTED] event relates to different topics, the same freedom of expression and assembly considerations have arisen. If there are clear safety concerns, and the lack of disclosure has hindered Council's ability to manage these, there may be a sound basis for cancelling the event on the basis of non-disclosure. However, absent clear evidence of unmanageable safety issues, there is a very real risk that if Council cancels the event, the organisers would be able to seek orders from the High Court requiring the event to go ahead.

All of this is based on the current state of the law. The Auckland litigation concerning an Auckland SCCO's decision to cancel a booking for [REDACTED] in August 2018 is now to be heard by the Supreme Court. The eventual Supreme Court decision will hopefully provide further guidance as to how local authorities can best navigate these "no win" situations.

If you receive any media enquiries on this matter, feel free to direct them to me. We are also working on key messaging for any concerns or queries we receive from the public.

Staff will be monitoring social media over the weekend and we reserve the right to cancel the event if any health and safety concerns arise (such as threatening or violent rhetoric online). Assuming the event goes ahead, we will have two extra security staff in place to help make sure all parties and the public are kept safe.

Since the Speak Up For Women event held in Hamilton a couple of weeks ago, we have been exploring ways to strengthen our venue booking policy to avoid similar issues in future. We have already identified some gaps in the current process and hope to discuss improvements with you at an upcoming briefing.

We will keep you updated on this but in the meantime, please reach out with any questions or concerns.

[Are councils obliged to provide a forum for unpopular views? - Tompkins Wake](#)

Look forward to discussing further.

Cheers
Lucy

Director | Hamilton Gardens

Mobile: [REDACTED] | Email: lucy.ryan@hcc.govt.nz | Private Bag 3010 | Hamilton 3240



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Tatiyana Taunoa

From: Frances Cox-Wright
Sent: Friday, 13 August 2021 4:12 pm
To: Michelle Hawthorne
Subject: FW: Attn [REDACTED] - FW: Complaints received about [REDACTED] event booking at Hamilton Gardens

Hi Mish – update from HRC. Will try and set up auto-forward in case anything comes through while I'm driving. I feel like it won't come until Monday...

From: [REDACTED]
Sent: Friday, 13 August 2021 3:56 pm
To: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: RE: Attn [REDACTED] - FW: Complaints received about [REDACTED] event booking at Hamilton Gardens

 Warning! This message was sent from outside your organization and we are unable to verify the sender.

No problem, appreciate you have a deadline. [REDACTED] is fully booked up as Duty Mediator today she is aiming to contacting you today if not she will definitely follow-up on Monday.

Feel free to contact me on Monday if you need further assistance.

Nga mihi
[REDACTED]



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Please consider the environment before printing this email

From: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Sent: Friday, 13 August 2021 3:48 pm
To: [REDACTED]
Subject: RE: Attn [REDACTED] - FW: Complaints received about [REDACTED] event booking at Hamilton Gardens

You're wonderful. Thanks for being so available for me today!

From: [REDACTED]
Sent: Friday, 13 August 2021 3:42 pm
To: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: RE: Attn [REDACTED] - FW: Complaints received about [REDACTED] event booking at Hamilton Gardens

Kia ora Frances, just checking with [REDACTED] our Duty Mediator now – I will update you soon.

Nga mihi



[REDACTED]
Infoline Team Leader | Kaitātaki Kaituku Kōrero
New Zealand Human Rights Commission | Te Kāhui Tika Tangata



We are able to provide confidential services for interpreting and translating in more than 180 languages with [EziSpeak](#), and [NZ Relay Service](#) for those with hearing or speech impairments.

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From: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>

Sent: Friday, 13 August 2021 3:36 pm

To: Infoline <infoline@hrc.co.nz>

Subject: RE: Attn [REDACTED] - FW: Complaints received about [REDACTED] event booking at Hamilton Gardens

Hi again,

Sorry to hassle you again – is there an ETA on when I can expect to hear some advice.

The booking was made last minute, for Monday, [REDACTED] inform the right people.

HRC's advice would be most valuable if we are able to get something this afternoon.

Ngaa mihi,
Frances

From: Frances Cox-Wright

Sent: Friday, 13 August 2021 11:58 am

To: infoline@hrc.co.nz

Subject: RE: Attn [REDACTED] - FW: Complaints received about [REDACTED] event booking at Hamilton Gardens

Importance: High

Hi [REDACTED]

I should have added in my original email. Our team is coming together at 2:30pm today to decide on a course of action regarding the booking. If it's at all possible to have some guidance by about 2pm that would be much appreciated.

Ngaa mihi,
Frances

From: Frances Cox-Wright

Sent: Friday, 13 August 2021 10:26 am

To: infoline@hrc.co.nz

Subject: Attn [REDACTED] - FW: Complaints received about [REDACTED] event booking at Hamilton Gardens

Kia ora [REDACTED]

Thanks for your time on the phone just now.

Below and attached is the information we have about the group. In addition we know that some other Councils have cancelled/refused bookings from this group but we are keen to get advice on what the right thing to do is in this case.

Feel free to call me back on [REDACTED]

Ngaa mihi nui

Frances Cox-Wright (*she/her*)

Policy and Bylaw Lead | Legal and Risk | People and Organisational Performance

Waea: 07 838 6726 | Frances.Cox-Wright@hcc.govt.nz



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From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>

Sent: Friday, 13 August 2021 9:41 am

To: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>

Subject: FW: Complaints received about [REDACTED] event booking at Hamilton Gardens

Can I call?

From: Lucy Ryan <Lucy.Ryan@hcc.govt.nz>

Sent: Friday, 13 August 2021 9:23 am

To: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>

Subject: FW: Complaints received about [REDACTED] event booking at Hamilton Gardens

Hi Mish,

We received a booking under the name of [REDACTED] for a 'Freedom Party' event (the booking was made under her NZ Nurses Union email address).

It turns out this was for [REDACTED] Advance New Zealand who are well known although they have a history of booking it in other people's names to avoid detection. They are an anti-vaccination, homophobic, and right wing group.

Keen to understand our legal position here and if there's anything we need to think about. At this stage, we are just info gathering and not proposing any specific actions.

Cheers

Lucy

From: Annabel Henderson Morrell <Annabel.HendersonMorrell@hcc.govt.nz>
Sent: Friday, 13 August 2021 9:04 am
To: Ruby Nyika <Ruby.Nyika@hcc.govt.nz>
Cc: Lucy Ryan <Lucy.Ryan@hcc.govt.nz>
Subject: Complaints received about [REDACTED] event booking at Hamilton Gardens

Hey Ruby see attached for the messages we've received thus far.

The event is booked for 7pm Monday 16 August with a \$25 entry charge.

Here's a direct link to the event info that [REDACTED] is sharing on Facebook:

<https://www.facebook.com/photo/?fbid=205445931596314&set=a.167887345352173>



7:00 PM START

15 Aug Sun - Auckland 9 Wainui Road, Silverdale

16 Aug Mon - Hamilton Hamilton Gardens, Cheshire Street, Hamilton

Hungerford Crescent (off Cobham Drive State Highway 2A)

17 Aug Tues - Te Awamutu Community Room, Te Awamutu

18 Aug Wed - New Plymouth Volcanoview Community Room, New Plymouth

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Entry \$25 koha per working person, Kids, Elders & Infants Free

Ngaa mihi,

Tatiyana Taunoa

From: Lucy Ryan
Sent: Friday, 13 August 2021 11:35 am
To: Lance Vervoort; Helen Paki
Cc: Ruby Nyika; Michelle Hawthorne; Helen Schlegel
Subject: FW: Complaints received about [REDACTED] event booking at Hamilton Gardens

A WIP update from legal for you all...

From: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Sent: Friday, 13 August 2021 11:20 am
To: Lucy Ryan <Lucy.Ryan@hcc.govt.nz>
Cc: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Subject: RE: Complaints received about [REDACTED] event booking at Hamilton Gardens

Thanks Lucy – I've sought some advice from the Human Rights Commission advice line... they have escalated it and I'm just waiting for a call back.

In the meantime, this [article by](#) [REDACTED] (Professor of Law, Waikato University) is quite informative.

I need to check my advice through Mish (I'm not a lawyer 😞) but my current thinking is along the lines of :

- Unfortunately, NZ's 'hate speech' laws (incitement of hatred) are lagging behind 'popular public opinion' and the rise of fake-news/ misinformation.
- The current law only protects people where hatred is incited against them because of their colour, race, or ethnic or national origins.
 - If some of [REDACTED] messaging is clearly falling within this category, we likely have a legal leg to stand on to cancel the booking.
 - If [REDACTED] is (possibly deliberately) staying away from this type of speech, then the current law values freedom of expression more strongly. There would be a legal risk to Council if we cancel the event and could be challenged in court for unlawfully limiting freedom of speech.
- The laws against the incitement of hatred/hostility are actively under review by the Government. The Government has agreed in-principle to a number of changes to these legal provisions, but they are being consulted on publicly before the law is amended.
 - This sort of helps us morally but not legally.
- Education is thought by some to be the best response to mis-information. We could consider whether we can balance the conversation through other Council communications or promotion of official government messaging, especially re:COVID-19.

Ngaa mihi,
Frances

From: Lucy Ryan <Lucy.Ryan@hcc.govt.nz>
Sent: Friday, 13 August 2021 10:49 am
To: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: RE: Complaints received about [REDACTED] event booking at Hamilton Gardens

Hey Frances,

Tamsin spoke to [REDACTED] – she used to work at HCVC and reported to Lance, She is now Group Manager Strategy and Community Services at Waipa District Council.

Hope that helps. Lance keen to understand next steps so any WIP updates you can give us along the way would be appreciated.

Cheers
Lucy

From: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Sent: Friday, 13 August 2021 10:32 am
To: Lucy Ryan <Lucy.Ryan@hcc.govt.nz>
Subject: RE: Complaints received about [REDACTED] event booking at Hamilton Gardens
Importance: High

Kia ora Lucy,

I'm doing a bit of follow up on Mish's behalf...
Can you let us know who you spoke with at Waipa District Council? We might be able to get some more intel on their considerations from them.

Ngaa mihi,
Frances

From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Sent: Friday, 13 August 2021 10:07 am
To: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: RE: Complaints received about [REDACTED] event booking at Hamilton Gardens

Could you also ask Lucy who she talked to at Waipa? Their in-house lawyer is away today so I can't follow that up. It would be good to know get more detail on the decision they made

From: Michelle Hawthorne
Sent: Friday, 13 August 2021 9:41 am
To: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: FW: Complaints received about [REDACTED] event booking at Hamilton Gardens

Can I call?

From: Lucy Ryan <Lucy.Ryan@hcc.govt.nz>
Sent: Friday, 13 August 2021 9:23 am
To: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Subject: FW: Complaints received about [REDACTED] event booking at Hamilton Gardens

Hi Mish,

We received a booking under the name of [REDACTED] for a 'Freedom Party' event (the booking was made under her NZ Nurses Union email address).

It turns out this was for [REDACTED] Advance New Zealand who are well known although they have a history of booking it in other people's names to avoid detection. They are an anti-vaccination, homophobic, and right wing group.

Keen to understand our legal position here and if there's anything we need to think about. At this stage, we are just info gathering and not proposing any specific actions.

Cheers
Lucy

Tatiyana Taunoa

From: Lucy Ryan
Sent: Friday, 13 August 2021 4:31 pm
To: Ruby Nyika; Michelle Hawthorne
Subject: FW: EM update

Hey Ruby and/or Mish, do you have the email Lee-Ann sent to the SUFW group by any chance?

From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Sent: Friday, 13 August 2021 4:01 pm
To: Ruby Nyika <Ruby.Nyika@hcc.govt.nz>; Lucy Ryan <Lucy.Ryan@hcc.govt.nz>; Helen Paki <Helen.Paki@hcc.govt.nz>; [REDACTED]
Cc: Frances Baskerville <Frances.Baskerville@hcc.govt.nz>; Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: RE: EM update

Hi all,

[REDACTED] – sorry to rush this we have a round table with lane at 4:30 to review the draft EM comms. Below is based on the comms sent during the issues with the SUFW event.

Lucy – Lee-Ann sent the SUFW group an email requesting they confirm they are not aware of any health and safety or security concerns and that they must be disclosed – suggest the same goes to the person who booked the event once we're settled on the EM comms

From: Ruby Nyika <Ruby.Nyika@hcc.govt.nz>
Sent: Friday, 13 August 2021 3:38 pm
To: Lucy Ryan <Lucy.Ryan@hcc.govt.nz>; Helen Paki <Helen.Paki@hcc.govt.nz>
Cc: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>; Frances Baskerville <Frances.Baskerville@hcc.govt.nz>
Subject: RE: EM update

Thanks Lucy, updated with your suggestions below. Let me know when that paragraph comes in and I'll see if we can weave that into the key messaging for FB, emails etc too

We've been made aware that [REDACTED] (a controversial speaker) has booked a room at the Hamilton Gardens at 7pm, Monday 16 August as part of a 'Freedom Speaking' tour. You can read more about his messaging [here](#). The room was booked by an individual on Wednesday evening and the Gardens team were unaware of the event's speaker and subject until last night when the group advertised it through their social media channels. We have sought legal advice and looked into grounds to cancel the group's booking based on safety and wellbeing risks to our community. While we have explored these various avenues, we can find no clear legal grounds to cancel this group's booking. This is supported by a High Court ruling a few weeks ago which stated Speak Up For Women's event (another controversial group) should be permitted to go ahead at a Wellington City Council facility. The decision upheld the ability of the group to exercise its rights of free speech and freedom of assembly under the New Zealand Bill of Rights Act, in booking a public venue.

If you receive any media enquiries on this matter, feel free to direct them to me. We are also working on key messaging for any concerns or queries we receive from the public.

Staff will be monitoring social media over the weekend and we reserve the right to cancel the event if any health and safety concerns arise (such as threatening or violent rhetoric online).

Assuming the event goes ahead, we will have two extra security staff in place to help make sure all parties and the public are kept safe.

Since the Speak Up For Women event held in Hamilton a couple of weeks ago, we have been exploring ways to strengthen our venue booking policy to avoid similar issues in future. We have already identified some gaps in the current process and hope to discuss improvements with you at an upcoming briefing. We will keep you updated on this but in the meantime, please reach out with any questions or concerns.

Ruby Nyika ([she/her](#))

Communication and Engagement Advisor | Community and Corporate

DDI: [0278763459](#) | Mob: [0278763459](#) | Email: ruby.nyika@hcc.govt.nz



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From: Lucy Ryan <Lucy.Ryan@hcc.govt.nz>

Sent: Friday, 13 August 2021 3:31 pm

To: Ruby Nyika <Ruby.Nyika@hcc.govt.nz>; Helen Paki <Helen.Paki@hcc.govt.nz>

Cc: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>; Frances Baskerville <Frances.Baskerville@hcc.govt.nz>

Subject: RE: EM update

Hi Ruby,

Thanks for the below – it is looking good. Mish, Frances, and I have just ended a phone call with [REDACTED] from Tompkins Wake and she is going to quickly draft up a paragraph in support of the below that perhaps we can integrate when it comes through as well.

My only feedback would be:

- [REDACTED]
- Can we also add staff will be monitoring social media over the weekend and reserving the right to cancel the event if any related posts cause any H&S concerns (for staff) – such as violent rhetoric etc?
- Maybe add that it doesn't start until 7pm and that we have booked 2 x extra security staff for the evening.
- *You can read more about his messaging [here](#).* – maybe we can ask Lance if he'd like this included.

I will flick through the legal paragraph as soon as it comes through – Mish and Frances, anything else to add?

Cheers

Lucy

From: Ruby Nyika <Ruby.Nyika@hcc.govt.nz>

Sent: Friday, 13 August 2021 3:05 pm

To: Lucy Ryan <Lucy.Ryan@hcc.govt.nz>; Helen Paki <Helen.Paki@hcc.govt.nz>

Subject: EM update

Hi Helen and Lucy,

Here's a draft of the EM briefing assuming nothing changes, let me know if you'd like any changes to it. I've kept the messaging as similar as I can to the Speak Up For Women EM update

We've been made aware that [REDACTED] (a controversial speaker) has booked a room at the Hamilton Gardens on Monday 16 August as part of a 'Freedom Speaking' tour. You can read more about his messaging [here](#).

The room was booked under an alias on Wednesday evening and the Gardens team were unaware of the event speaker and subject until last night when the group advertised it through their social media channels.

We have sought legal advice and looked into grounds to cancel the group's booking based on safety and wellbeing risks to our community. However, while we have explored these various avenues, we can find no clear legal grounds to cancel this group's booking. This is supported by a High Court ruling a few weeks ago which stated Speak Up For Women's event (another controversial group) should be permitted to go ahead at a Wellington City Council facility. The decision upheld the ability of the group to exercise its rights of free speech and freedom of assembly under the New Zealand Bill of Rights Act, in booking a public venue.

If you receive any media enquiries on this matter, feel free to direct them to me. We are also working on key messaging for any concerns or queries we receive from the public.

Assuming the event goes ahead, we will have extra security and staff in place to help make sure all parties and the public are kept safe.

Since the Speak Up For Women event held in Hamilton a couple of weeks ago, we have been exploring ways to strengthen our venue booking policy to avoid similar issues in future. We have already identified some gaps in the current process and hope to discuss improvements with you at an upcoming briefing.

We will keep you updated on this but in the meantime, please reach out with any questions or concerns.

Ruby Nyika ([she/her](#))

Communication and Engagement Advisor | Community and Corporate

DDI: [0278763459](tel:0278763459) | [REDACTED] Email: ruby.nyika@hcc.govt.nz



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Noah Kerbers

From: Frances Cox-Wright
Sent: Friday, 13 August 2021 12:38 pm
To: Michelle Hawthorne
Subject: FW: Advice for Community Group - Museum Lecture Theatre use request
Attachments: FW: DRAFT advice - [REDACTED] Evangelical Association booking request

FYI Mish,

Have you read this advice from TW from early 2020 – re an H3 booking?

I can see from the email chain that Lance and Le-Ann have received this advice previously from H3 re: SUFW booking.

From: Jennie Lavis <Jennie.Lavis@hcc.govt.nz>
Sent: Friday, 13 August 2021 12:27 pm
To: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: FW: Advice for Community Group - Museum Lecture Theatre use request

See attached email advice recently provided to the Community Group.

From: Jennie Lavis <Jennie.Lavis@hcc.govt.nz>
Sent: Friday, 16 July 2021 3:47 pm
To: [REDACTED]
Cc: Sean Murray <Sean.Murray@hcc.govt.nz>
Subject: RE: Advice for Community Group - Museum Lecture Theatre use request

Thanks [REDACTED] – just to close the loop for you, attached is what Sean sent back to Community Group.

No further action required.

Jennie Lavis
Executive Assistant, VTME Group
Ext 6443

From: [REDACTED] <@h3group.co.nz>
Sent: Friday, 16 July 2021 3:23 pm
To: Jennie Lavis <Jennie.Lavis@hcc.govt.nz>; Sean Murray <Sean.Murray@hcc.govt.nz>
Cc: Helen Schlegel <Helen.Schlegel@hcc.govt.nz>
Subject: RE: Advice for Community Group - Museum Lecture Theatre use request

I would expect non council venues e.g. churches, schools, community halls would be more than adequate in terms of size for these people.
However they may have difficulty in getting permission from those bodies hence seeking council venues where they have had legal rulings in their favour previously.
I can call the guys in Wellington to see how things went there ?

From: Jennie Lavis <Jennie.Lavis@hcc.govt.nz>

Sent: Friday, 16 July 2021 3:03 pm

To: Sean Murray <Sean.Murray@hcc.govt.nz>; [REDACTED] @h3group.co.nz>

Cc: Helen Schlegel <Helen.Schlegel@hcc.govt.nz>

Subject: Advice for Community Group - Museum Lecture Theatre use request

Hi Sean and [REDACTED]

Helen (copied) from the Community Group has reached out about a potential issue with a booking they have confirmed at the Waikato Museum.

A group "Speak up for Women" has requested to use the Museum lecture theatre space on 1 August to hold a "Speak up for Women Rally". This has been confirmed by Museum staff to the third party.

This group has courted recent controversy on Wellington and Lower Hutt (see story linked)

- Recently the High Court ruled one of the group's events should be allowed to go ahead at Palmerston North City Library, after the council cancelled the booking.
- <https://www.nzherald.co.nz/nz/speak-up-for-women-controversy-billboard-removed-mayor-apologises/CGUGDIAATDU3CCE56TUMCMJOQM/>
- It appears they held a meeting at a Council venue in Wellington last night (Michael Fowler Centre – operated by Venues Wellington, part of Wellington NZ which is a CCO of Wellington City Council)

Can we please quickly knock up some quick advice for her to share with her team on any pertinent next steps on this?

Perhaps [REDACTED] at TW could assist them?

Many Thanks

Jennie Lavis

Executive Assistant | General Manager Venues, Tourism and Major Events

DDI: 07 838 6443 | Phone 07 838 6699 | Email: jennie.lavis@hcc.govt.nz



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Noah Kerbers

From: Frances Cox-Wright
Sent: Wednesday, 13 October 2021 4:19 pm
To: Nick Chester
Subject: FW: You're invited! Free webinar on how to re-imagine community facilities bookings

Kia ora Nick,

Not sure how I came across this but some might be interested in it in the venue booking space – I'm not suggesting you add it to your own list before you go – but if you think someone in Community Group might be interested you could pass it on 😊

Ngaa mihi,
Frances

From: [REDACTED]
Sent: Wednesday, 13 October 2021 1:18 pm
To: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: You're invited! Free webinar on how to re-imagine community facilities bookings

Warning! This message was sent from outside your organization and we are unable to verify the sender.



You're invited

Kia Ora,

We're reaching out to local government facilities across Aotearoa to invite you to a free learning session with some pioneering Councils on how to re-imagine community facilities bookings.

Does this sound familiar?

- The process of booking Council or community lead facilities is time consuming and manual for both booking staff and hirers
- It's hard to get reliable data of what's going on at your community facilities
- You want tangible and measurable ways to connect local communities to local spaces so that they can do more together

In this free session, you'll hear from CEOs and other leaders at four Councils on how they have transformed their customer journeys, increased revenue and blitzed repetitive admin processes.

To find out more and register for the free webinar hosted by SpacetoCo & Public Sector Network on November 4th at 1pm click the button below.

[Register for Free Webinar](#)

You'll learn...

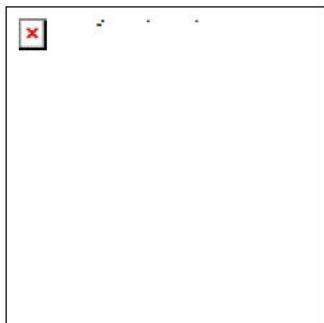
- How to transition even complex community facilities (e.g. centres, reserves and even trailers!) to online booking journeys- without losing control
- How re-imagining how facilities and assets are shared can create economic and community development benefits

- How to grow utilisation and diversify who uses your facilities

This session is hosted by **SpacetoCo** (that's us!) and **Public Sector Network**.

SpacetoCo partner with Councils to help make it easy for all community facilities and assets to be shared with local people. Public Sector Network connects Council professionals around the world, to share information and learn through examples from other government organisations.

Speakers

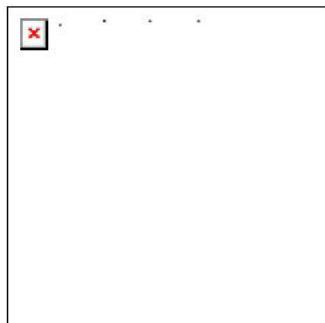


Paul Martin

CEO

Shire of Serpentine-

Jarrahdale

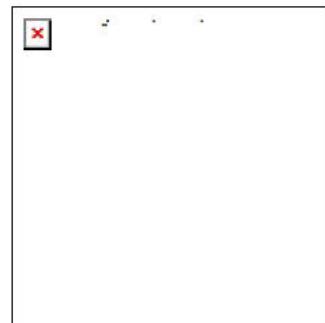


Jacqui Stretton

Community

Connections Manager

City of Charles Sturt



Michael Quirk

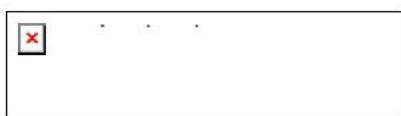
Director of Community

Development

City of Stirling

See you there!

Register for Free Webinar

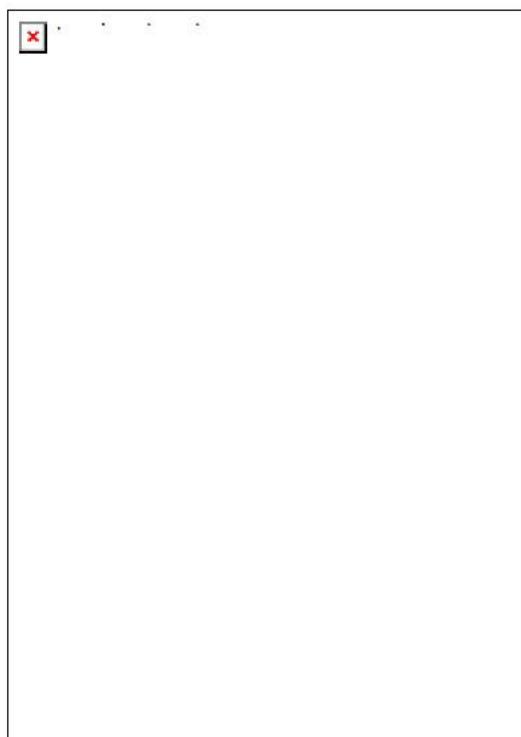


SpacetoCo's mission is to help connect communities with local spaces. We do this by providing an innovative platform that transforms local government booking processes and helps create a bookable network of community spaces. Learn more about SpacetoCo [here](#).

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P.S. Get a free guide packed with ideas to re-imagine bookings at your facilities

[here](#).



SpacetoCo, 45 St Georges Terrace, Perth, WA 6000, Australia, +61 (08) 6102 1191

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Noah Kerbers

From: Lance Vervoort
Sent: Friday, 13 August 2021 11:09 am
To: Lucy Ryan; Michelle Hawthorne
Cc: Helen Paki; Ruby Nyika; Helen Schlegel
Subject: RE: Current Update - [REDACTED]

Cheers

From: Lucy Ryan <Lucy.Ryan@hcc.govt.nz>
Sent: Friday, 13 August 2021 10:59 am
To: Lance Vervoort <Lance.Vervoort@hcc.govt.nz>; Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Cc: Helen Paki <Helen.Paki@hcc.govt.nz>; Ruby Nyika <Ruby.Nyika@hcc.govt.nz>; Helen Schlegel <Helen.Schlegel@hcc.govt.nz>
Subject: RE: Current Update - [REDACTED]

Thanks Lance, my understanding is our legal team are reaching out to [REDACTED] from Waipa as we speak and will be in touch after that. I will then sort out a time for us all to connect up (via Teams).

Cheers
Lucy

From: Lance Vervoort <Lance.Vervoort@hcc.govt.nz>
Sent: Friday, 13 August 2021 10:53 am
To: Lucy Ryan <Lucy.Ryan@hcc.govt.nz>; Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Cc: Helen Paki <Helen.Paki@hcc.govt.nz>; Ruby Nyika <Ruby.Nyika@hcc.govt.nz>; Helen Schlegel <Helen.Schlegel@hcc.govt.nz>
Subject: RE: Current Update - [REDACTED]

Thanks Lucy,

Be good for all of us to connect up to discuss once Mich has looked into legal aspects before we make any decision about the booking. I think, amongst other things, we need to look at whether this person and event is inciting hate speech that is harmful to others, as well as consistency of approach with Spek Up for Women event at the Museum.

Let me know when we are in a position to discuss.

Regards
Lance

From: Lucy Ryan <Lucy.Ryan@hcc.govt.nz>
Sent: Friday, 13 August 2021 10:25 am
To: Lance Vervoort <Lance.Vervoort@hcc.govt.nz>; Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Cc: Helen Paki <Helen.Paki@hcc.govt.nz>; Ruby Nyika <Ruby.Nyika@hcc.govt.nz>
Subject: Current Update - [REDACTED]

Hi all,

Just thought it would be handy to provide a quick update on where things are at currently with [REDACTED] - please feel free to reply all with any further updates.

- 1) Mish is currently exploring the issue and will be coming back to us from a legal standpoint. We may not necessarily have to take the same stance as we did for the Speak Up for Women event.
- 2) Ruby is drafting an update for Elected Members for approval and preparing some draft ley messaging (for whichever decision is made).
- 3) We have booked 2 x static guards who will be onsite from 4pm – 11pm for this event if it goes ahead.
- 4) I have spoken to Cr Bunting who appreciated the heads up and was supportive of whatever path we decided to take – he felt we handled the Speak Up for Women event really well.
- 5) Lance is ensuring Elected Members are aware of the situation.
- 6) Tamsin has spoken to Waipa District Council and they decided to cancel their booking of [REDACTED]
[REDACTED]

This also gives you a relatively quick overview of [REDACTED] views...

[REDACTED]

There is also this quick written overview of his theories...

[REDACTED]

Our next steps are to establish if there is anything we need to take into account from a legal perspective and then we can determine best next steps.

Cheers
Lucy

Director | Hamilton Gardens
Mobile: 021 723 071 | Email: lucy.ryan@hcc.govt.nz | Private Bag 3010 | Hamilton 3240



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Tatiyana Taunoa

From: Ruby Nyika
Sent: Sunday, 15 August 2021 10:40 am
To: Michelle Hawthorne
Subject: Fwd: Heads up Hamilton Gardens booking

You've probably been sent this email trail from others but just an FYI in case

Thanks
Ruby

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From: Dave Macpherson <Dave.Macpherson@council.hcc.govt.nz>
Sent: Sunday, August 15, 2021 10:34:05 AM
To: Richard Briggs <Richard.Briggs@hcc.govt.nz>
Cc: CouncillorsOnly <CouncillorsOnly@hcc.govt.nz>; Maangai Maaori <MaangaiMaaori@hcc.govt.nz>; Helen Paki <Helen.Paki@hcc.govt.nz>; Lucy Ryan <Lucy.Ryan@hcc.govt.nz>; Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>; Ruby Nyika <Ruby.Nyika@hcc.govt.nz>; Nicole Nooyen <Nicole.Nooyen@hcc.govt.nz>; Lance Vervoort <Lance.Vervoort@hcc.govt.nz>
Subject: Re: Heads up Hamilton Gardens booking

That's all very well Richard, but you know that - due to the subterfuge used by the organisers, the particular person the meeting was for was not known to you, and then not advised to us, until far too late for EMs to initiate any policy or practical change.

You are also missing my key argument, relating to [REDACTED] clear intent to disrupt, and reduce the effectiveness of, the programme designed to vaccinate all New Zealanders against Covid 19. This is not the same as the 'hate speech' you refer to.

You only have to look at what is happening in New South Wales right now, to see the dangerous effect the Delta variant of Covid 19 would have if it gets loose in an only partly vaccinated community. I am appalled that HCC management are hiding behind bureaucracy on this matter, and thereby (even if unintentionally) heightening the risks for us all.

Cr Dave Macpherson
+64 21 477 388
dave.macpherson@xtra.co.nz

On 15/08/2021, at 9:04 AM, Richard Briggs <Richard.Briggs@hcc.govt.nz> wrote:

Thanks Councillors for all the correspondence on this.

I have real concerns with the messages that have been spread by this individual, and would rather Council not have an association with him.

Having said all that we are in vacuum from a legislative perspective and my hands are tied.

From a bill of rights point of view we can't exclude them, they haven't breached any hate speech laws (although he does fly close), the health and safety risks are marginal and mitigated by the

security onsite. The team contacted staff at the human rights commission and reaffirmed that we couldn't deny the booking.

It is a paid event so it's not a general audience but rather those that already have views on his messages.

I am also concerned at the air time that would be created if we cancelled now.

As Lance commented that we need a clearer policy and more robust processes.

I can't legally cancel the booking, [REDACTED]

Regards

Richard

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From: Lance Vervoort <Lance.Vervoort@hcc.govt.nz>
Sent: Sunday, August 15, 2021 7:23:23 AM
To: Dave Macpherson <Dave.Macpherson@council.hcc.govt.nz>
Cc: CouncillorsOnly <CouncillorsOnly@hcc.govt.nz>; Maangai Maaori <MaangaiMaaori@hcc.govt.nz>; Richard Briggs <Richard.Briggs@hcc.govt.nz>; Helen Paki <Helen.Paki@hcc.govt.nz>; Lucy Ryan <Lucy.Ryan@hcc.govt.nz>; Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>; Ruby Nyika <Ruby.Nyika@hcc.govt.nz>; Nicole Nooyen <Nicole.Nooyen@hcc.govt.nz>
Subject: Re: Heads up Hamilton Gardens booking

Hi Dave,

Thanks for this. As per your request, Richard is reviewing this matter and will get back to Councillors on this.

In regard to discussion on our bookings policies (or lack of) I sent some preliminary information out on 3rd August which is a pre-cursor to a briefing that we will have to explore this matter further. I will update elected members and Maangai on the date of this tomorrow.

Ngaa mihi
Lance

Sent from my iPad

On 14/08/2021, at 11:05, Dave Macpherson <Dave.Macpherson@council.hcc.govt.nz> wrote:

Kia Ora Lance - in this case I am certain that the wrong decision has been made.

██████████ is a conspiracy theorist of the worst kind, who had been responsible for promoting and spreading dangerous Covid denial and anti-vaccination material for some time. His group organised, and he spoke at, illegal gatherings in contravention of lockdown provisions in 2020.

At a time when the Covid-19 Delta variation is rapidly spreading worldwide, and this country is ramping up its vaccination drive to try and head off the worst outcomes possible from the virus, it is unconscionable that the Hamilton City Council would knowingly give this dangerous person a platform to speak from in public premises, notwithstanding the subterfuge used to book it by his supporters.

I note that some months ago the Western Community Centre cancelled the booking for a similar meeting when it discovered the true nature of the meeting - we should do no less.

I am also concerned that this city will gain an unwarranted reputation as a haven for undemocratic conspiracy theorist nutters if it continues to enable them to speak in ratepayer-funded facilities - their 'free speech' spreading of misinformation dangerous to public health MAY be able to be made legally from privately-owned platforms, but they should NOT be given public platforms.

I note that I have already raised with you and Council my concerns over a lack of a facility booking policy that protects our city from this type of undemocratic group - I have yet to see any action on this.

I formally request that the Chief Executive urgently review the decision to continue the booking, and act to protect the Hamilton public from this misinformation spreader.

Councillor Dave Macpherson
+64 21 477 388
dave.macpherson@xtra.co.nz

On 13/08/2021, at 5:05 PM, Lance Vervoort
<Lance.Vervoort@hcc.govt.nz> wrote:

Kia ora everyone,

We've been made aware that ████████ (a controversial speaker) has booked a room at the Hamilton Gardens at 7pm, Monday 16 August as part of a 'Freedom Speaking' tour. You can read more about his messaging [here](#). The Gardens team were unaware of the event's speaker and subject until last night when the group advertised it through their social media channels.

We have sought legal advice and looked into the group's booking based on possible safety and wellbeing risks to our community. In exploring this matter there are no clear legal grounds to cancel this group's booking.

We are required to comply with the New Zealand Bill of Rights Act 1990 when making decisions about whether to make a Council venue available for public meetings. Rights such as the right to freedom of expression and the right of peaceful assembly must be

recognised and may only be subject to “such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.” In the recent decision involving the “Speak Up For Women” group that has some similarity with the present booking, the High Court granted interim orders requiring Palmerston North City Council to allow a controversial meeting to proceed. The Court concluded that the decision to cancel was based on community opposition, which was not a rational and reasonable limitation on protected rights.

Although the [REDACTED] event relates to different topics, the same freedom of expression and assembly considerations have arisen. If there are clear safety concerns, and the lack of disclosure has hindered Council’s ability to manage these, there may be a sound basis for cancelling the event on the basis of non-disclosure. However, unless there are unmanageable safety issues, there is a very real risk that if Council cancels the event, the organisers would be able to seek orders from the High Court requiring the event to go ahead.

All of this is based on the current state of the law. The Auckland litigation concerning an Auckland CCO’s decision to cancel a booking for [REDACTED] and [REDACTED] in August 2018 is now to be heard by the Supreme Court. The eventual Supreme Court decision will hopefully provide further guidance as to how local authorities can best navigate these “no win” situations.

Recently the Speak up for Women event and subsequent opposing protest occurred peacefully at the Waikato Museum, with all parties working constructively together.

If you receive any media enquiries on this matter, feel free to direct them to me. We are also working on key messaging for any concerns or queries we receive from the public.

Staff will be monitoring social media over the weekend and we will reserve the right to cancel the event if any health and safety concerns arise (such as threatening or violent rhetoric online). Assuming the event goes ahead, we will have two extra security staff in place to help make sure all parties and the public are kept safe.

Since the Speak Up For Women event held in Hamilton a couple of weeks ago, we have been exploring ways to strengthen our venue booking policy to avoid similar issues in future. We have already identified some gaps in the current process and hope to discuss improvements with you at an upcoming briefing. The Ministry of Justice is currently reviewing the laws protecting against incitement of hatred and discrimination (hate speech). Information on this and possible opportunities to participate in any submission process on changes to the law in the future can also be included in the briefing.

We will keep you updated on this but in the meantime, please reach out with any questions or concerns.

Ngaa mihi

Noah Kerbers

From: Jennie Lavis
Sent: Tuesday, 17 August 2021 2:45 pm
To: Frances Cox-Wright
Subject: RE: [REDACTED] event

Hi – no I had not heard. A late one for the team at the Gardens!

Jennie Lavis
Executive Assistant, VTME Group
Ext 6443

From: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Sent: Tuesday, 17 August 2021 2:44 pm
To: Jennie Lavis <Jennie.Lavis@hcc.govt.nz>
Subject: FW: [REDACTED] event

FYI – update on how everything turned out. You've probably already heard through other channels but I only just got an update so thought I would pass it on.

Ngaa mihi,
Frances

From: Lucy Ryan <Lucy.Ryan@hcc.govt.nz>
Sent: Tuesday, 17 August 2021 1:23 pm
To: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>; Ruby Nyika <Ruby.Nyika@hcc.govt.nz>; Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: RE: [REDACTED] event

Hey Mish,

It all went really well – no counter protests, a well-behaved crowd, and no drama to talk of. It did go to 11.30pm however! Thanks for checking in and thanks for all your help.

Cheers
Lucy

From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Sent: Tuesday, 17 August 2021 12:16 pm
To: Lucy Ryan <Lucy.Ryan@hcc.govt.nz>; Ruby Nyika <Ruby.Nyika@hcc.govt.nz>; Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: [REDACTED] event

Hey team,

Just checking in – how did everything end up going?

Ngaa mihi

Michelle (Mish) Hawthorne
Legal Services Manager | Kaiwhakahaere Ratonga Ture

I hope you are all well and surviving lockdown. We managed to weather this particular storm, however our EMs are interested in trying to deal with these groups. Yes it would be good to catch up if you have any time this week?

M

From: [REDACTED]
Sent: Tuesday, 17 August 2021 11:03 am
To: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Subject: RE: External Sender: FW: Complaints received about [REDACTED] event booking at Hamilton Gardens

Hi Mish

Apologies for the delay in getting back to you. I was on a course yesterday and out of the office Friday.

I'm around today if that would suit to chat through this issue and Waipā's approach?

Cheers,

Legal Counsel Waipā District Council

My usual working days are Mondays, Tuesdays and Thursdays

From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Sent: Friday, 13 August 2021 9:47 am
To: [REDACTED]
Subject: External Sender: FW: Complaints received about [REDACTED] event booking at Hamilton Gardens

CYBER SECURITY WARNING: This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

Hi

I'm after some help if possible – we've got this event booked and people are understandably not happy about it. We recently had the Speak up for women event go ahead (based on the high court injunction decision) Apparently Waipa cancelled this event? Did you have a hand in that decision at all?

Also very sorry I didn't call yesterday – things got away from me!

From: Lucy Ryan <Lucy.Ryan@hcc.govt.nz>
Sent: Friday, 13 August 2021 9:23 am
To: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Subject: FW: Complaints received about event booking at Hamilton Gardens

Hi Mish,

We received a booking under the name of Georgina for a 'Freedom Party' event (the booking was made under her NZ Nurses Union email address).

Noah Kerbers

From: Helen Schlegel
Sent: Wednesday, 1 September 2021 4:19 pm
To: Frances Cox-Wright; Michelle Hawthorne
Subject: HCC Venue Hire Policy Briefing

Good Afternoon Ladies

I'm trying to arrange a planning meeting to discuss the way forward re the briefing councillors have requested on HCC venue hire.

Are you both available on next week Wednesday 3-4pm for a teams meeting to discuss the approach to this.

The Community Group Leadership Team, Lance, Sean M and our Policy Lead Nick Chester will also be on the call.

Regards

Helen Schlegel

Executive Assistant to Lance Vervoort | Community Group
DDI: +64 7 838 6404 | Fax: 07 838 6651 | Mob: 021 920 986 Email: helen.schlegel@hcc.govt.nz



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Noah Kerbers

From: Lee-Ann Jordan
Sent: Tuesday, 7 September 2021 1:40 pm
To: Michelle Hawthorne
Cc: Baird Fleming; Lucy Ryan; Anita Robertson; Tamsin Webb; Helen Paki; Kelvin Powell; Rebecca Whitehead; Lance Vervoort
Subject: RE: PLEASE READ - Conflict management tips - webinar - would this be useful

Hi Michelle

Thank you. Yes please for all my sites: Hamilton Gardens, Hamilton Zoo and Waikato Museum and Visitor Services and Products – Directors copied to this email.

Best wishes

Lee-Ann

From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>

Sent: Tuesday, 7 September 2021 12:17 pm

To: Michelle Kerbers <Michelle.Kerbers@hcc.govt.nz>; Helen Paki <Helen.Paki@hcc.govt.nz>; Kelvin Powell <Kelvin.Powell@hcc.govt.nz>; Lucy Ryan <Lucy.Ryan@hcc.govt.nz>; Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>; Rebecca Whitehead <Rebecca.Whitehead@hcc.govt.nz>; David Bryant <David.Bryant@hcc.govt.nz>; Lance Vervoort <Lance.Vervoort@hcc.govt.nz>; Julie Sanderson <Julie.Sanderson@hcc.govt.nz>; Trish Mason <Trish.Mason@hcc.govt.nz>; Dan Finn <Dan.Finn@hcc.govt.nz>; Karin Barclay <Karin.Barclay@hcc.govt.nz>

Subject: PLEASE READ - Conflict management tips - webinar - would this be useful

Importance: High

Hi all,

With the shift to level two we are looking at ways we can support our customer facing teams across the organisation. We think that teams are more likely to encounter challenging situations because of the new restrictions put in place around level 2 – specifically central government mandated mask wearing, mandatory scanning/sign in and limiting numbers of people at our public venues.

Staff at our Zoo, Museum, Libraries, pools, Hamilton Gardens and customer service centre are most likely to need to manage a scenario where a person may refuse to follow the central government instructions. Some teams have requested security guards to help manage this and people leaders will be expected to tailor our approach to their venues, but this is also an opportunity to provide some additional support to teams who will be affected.

In the absence of in-person training at level 2 (Trish and I will be in touch separately about planning this for when we get to level 1 – we have a provider who will do conflict and robbery response training) we were thinking a webinar aimed at unit managers and team leaders (other staff can attend as well) with some short clear messages about conflict awareness and some strategies on how to manage challenging situations would be useful. This would be 1 hour max and incorporate some question time. It's not a lot of time so we'd need to be quite focussed on key messaging and simple tools/strategies that can be used. We would provide support for an HCC specific questions asked and it might be that we note these and take them off line to keep the conversation focussed on the more general conflict management message.

We have an external provider who is looking at a proposal/cost for us, ideally we would stand this up this week if we go ahead.

Can you please give me an indication ASAP of whether this would be of value.

Ngaa mihi

Noah Kerbers

Subject:	Confirmed Venue Hire Briefing Planning Meeting
Location:	Microsoft Teams Meeting
Start:	Wed 8/09/2021 3:00 pm
End:	Wed 8/09/2021 4:00 pm
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Not yet responded
Organizer:	Lance Vervoort
Required Attendees:	Maria Barrie; Kelvin Powell; Helen Paki; Rebecca Whitehead; Sean Murray; Jennie Lavis; Nick Chester; Frances Cox-Wright; Michelle Hawthorne; Lee-Ann Jordan

Meeting to discuss planning for briefing requested by EM's on venue hire set for 6 October

Agenda

1. Overview – quick context setting for how we got here:
 - a. “Speak up for Women” event at Waikato Museum
 - b. Anti-Vaccination public event at Hamilton Gardens

This has resulted in a request from EM's to take issue to a briefing to see what opportunities exist.

2. Overview of legal situation – Michelle/Frances
3. Current Policies and what opportunities exist to review or modify to take into account the refusal/cancellation of bookings that promote “hate speech”
 - a. H3 Venues
 - b. Visitor Destinations
 - c. Community Facilities and other venues (Libraries/Aquatics)
 - d. Parks
4. What are the realistic options that can be presented to council for inclusion of any of these issues into existing bylaws and policies? What are the challenges?
5. What aspects of each option need to be considered and discussed by EM's
 - a. Wellbeing of staff and public
 - b. Communications/reputational risk

Microsoft Teams meeting

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Noah Kerbers

From: Frances Cox-Wright
Sent: Monday, 20 September 2021 4:33 pm
To: Michelle Hawthorne
Subject: RE: Venue Hire and Bookings - EM Briefing info

Great - I'm planning to look at it first thing tomorrow then I have a couple of meetings.

We can catch up tomorrow afternoon or Wednesday morning? I'll send a time through for a catch up 😊

-----Original Message-----

From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Sent: Monday, 20 September 2021 4:14 pm
To: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: RE: Venue Hire and Bookings - EM Briefing info

Thanks Frances,

My week is looking not terrible, I think if we can get something back to Nick by Wednesday afternoon so he has at least a day to digest and get back to us? You definitely don't have to do anything this evening

-----Original Message-----

From: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Sent: Monday, 20 September 2021 4:13 pm
To: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Subject: RE: Venue Hire and Bookings - EM Briefing info

Hi Mish,

I haven't looked at it yet but have put time aside to look at this tomorrow. All your comments sound reasonable (without having looked at the detail yet).

I can reprioritise and look through it tonight if you want to go back to him sooner?

He has asked for comments by Friday so we have some time.

-----Original Message-----

From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Sent: Monday, 20 September 2021 3:58 pm
To: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: FW: Venue Hire and Bookings - EM Briefing info

Hi Frances,

Have you had a chance to look at this yet? I'm not entirely sure where to start. There isn't a lot of detail around why the bookings were allowed to proceed, i.e. why freedom of expression exists which I know you suggested we use as a starting point.

The legal challenge is really either a JR or a complaint to the HRC that we've breached NZBORA/HRA provisions.

I also note Nick has included bylaws as an option vs policy. Anything in the bylaws would run close to ultra vires and I don't think we even want to put that up as an option.

Can I get your thoughts or a quick catch up before I go back to Nick so we're on the same page?

Thanks, M

-----Original Message-----

From: Nick Chester <Nick.Chester@hcc.govt.nz>
Sent: Monday, 20 September 2021 1:44 pm
To: Lance Vervoort <Lance.Vervoort@hcc.govt.nz>; Rebecca Whitehead <Rebecca.Whitehead@hcc.govt.nz>; Helen Paki <Helen.Paki@hcc.govt.nz>; Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>; Maria Barrie <Maria.Barrie@hcc.govt.nz>; Sean Murray <Sean.Murray@hcc.govt.nz>; Jennie Lavis <Jennie.Lavis@hcc.govt.nz>; Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>; Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: Venue Hire and Bookings - EM Briefing info

Good afternoon everyone

I hope your Monday is going well.

Please see presentation and supporting document for the venue hire and bookings briefing with EM's. I have tried my best to keep it succinct, but as discussed, it is a very complex area so I would really appreciate your thoughts and amendments.

This is due with Lance by next Monday so if you can please make any additions (or email me thoughts) by Friday 24 September so we can get it tidied up and ready to go by then.

Many thanks

Nick

Nick Chester

Team Leader Planning and Policy | Business & Planning | Community

DDI: 07 838 6853 | Ext: 6853 | Mob: 027 2001631 | Email: nick.chester@hcc.govt.nz

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Noah Kerbers

From: Lee-Ann Jordan
Sent: Monday, 20 September 2021 4:57 pm
To: Nick Chester; Lance Vervoort; Rebecca Whitehead; Helen Paki; Maria Barrie; Sean Murray; Jennie Lavis; Michelle Hawthorne; Frances Cox-Wright
Subject: RE: Venue Hire and Bookings - EM Briefing info

Hi Nick

Following on from Lance's comments, I agree you've done a great job with a difficult subject. Slide 5 is really good and well explained.

- I have made a very few suggestions in the powerpoint - see attached.
- I also wonder about a signalling comment early on re difficulties defining 'controversial'. Some things are controversial because one non-'mainstream' group within society has views that most do not agree with and science does not support e.g. global warming deniers, holocaust deniers or perhaps anti-vaccination. But then there is other controversy where 'mainstream' groups may have different views e.g. whether an up-turned rubbish bin or a toilet seat is really art. I think EMs are focussed on the first category where they perceive moral imperatives rather than the second category but our staff would need to interpret everything on the spectrum.



Community -
Venue Hire and ...

Thanks,

Lee-Ann

p.s. no idea why the attachment is in the body of the message and not the top!

-----Original Message-----

From: Nick Chester <Nick.Chester@hcc.govt.nz>
Sent: Monday, 20 September 2021 1:44 pm
To: Lance Vervoort <Lance.Vervoort@hcc.govt.nz>; Rebecca Whitehead <Rebecca.Whitehead@hcc.govt.nz>; Helen Paki <Helen.Paki@hcc.govt.nz>; Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>; Maria Barrie <Maria.Barrie@hcc.govt.nz>; Sean Murray <Sean.Murray@hcc.govt.nz>; Jennie Lavis <Jennie.Lavis@hcc.govt.nz>; Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>; Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: Venue Hire and Bookings - EM Briefing info

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Many thanks

Nick

Nick Chester

Team Leader Planning and Policy | Business & Planning | Community

DDI: 07 838 6853 | Ext: 6853 | Mob: 027 2001631 | Email: nick.chester@hcc.govt.nz

Noah Kerbers

From: Lance Vervoort
Sent: Monday, 20 September 2021 2:54 pm
To: Nick Chester; Rebecca Whitehead; Helen Paki; Lee-Ann Jordan; Maria Barrie; Sean Murray; Jennie Lavis; Michelle Hawthorne; Frances Cox-Wright
Subject: RE: Venue Hire and Bookings - EM Briefing info

Kia ora Nick,

I think we are on the right track here. Factual and succinct and asks Ems for direction in an open ended way at the end.

We need to finish off the latter part of the Discussion Topic Summary document.

We also need to amend slide 11 "Other responses" which says "Waikato Museum staff wore similar colours on the day of the SUFW even in Hamilton" I think it should say "Waikato Museum staff wore similar colours on the day of the SUFW event in Hamilton"

Ngaa mihi
Lance

-----Original Message-----

From: Nick Chester <Nick.Chester@hcc.govt.nz>
Sent: Monday, 20 September 2021 1:44 pm
To: Lance Vervoort <Lance.Vervoort@hcc.govt.nz>; Rebecca Whitehead <Rebecca.Whitehead@hcc.govt.nz>; Helen Paki <Helen.Paki@hcc.govt.nz>; Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>; Maria Barrie <Maria.Barrie@hcc.govt.nz>; Sean Murray <Sean.Murray@hcc.govt.nz>; Jennie Lavis <Jennie.Lavis@hcc.govt.nz>; Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>; Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: Venue Hire and Bookings - EM Briefing info

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Many thanks
Nick

Nick Chester
Team Leader Planning and Policy | Business & Planning | Community
DDI: 07 838 6853 | Ext: 6853 | Mob: 027 2001631 | Email: nick.chester@hcc.govt.nz

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Noah Kerbers

From: Frances Cox-Wright
Sent: Tuesday, 21 September 2021 4:37 pm
To: Michelle Hawthorne
Subject: RE: Venue Hire and Bookings - EM Briefing info
Attachments: Feedback Venue Hire Briefing - FCW.docx

Hi Mish,

See attached my feedback - let me know what you think!

Ngaa mihi,
Frances

-----Original Message-----

From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Sent: Monday, 20 September 2021 3:58 pm
To: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: FW: Venue Hire and Bookings - EM Briefing info

Hi Frances,

Have you had a chance to look at this yet? I'm not entirely sure where to start. There isn't a lot of detail around why the bookings were allowed to proceed, i.e. why freedom of expression exists which I know you suggested we use as a starting point.

The legal challenge is really either a JR or a complaint to the HRC that we've breached NZBORA/HRA provisions.

I also note Nick has included bylaws as an option vs policy. Anything in the bylaws would run close to ultra vires and I don't think we even want to put that up as an option.

Can I get your thoughts or a quick catch up before I go back to Nick so we're on the same page?

Thanks, M

-----Original Message-----

From: Nick Chester <Nick.Chester@hcc.govt.nz>
Sent: Monday, 20 September 2021 1:44 pm
To: Lance Vervoort <Lance.Vervoort@hcc.govt.nz>; Rebecca Whitehead <Rebecca.Whitehead@hcc.govt.nz>; Helen Paki <Helen.Paki@hcc.govt.nz>; Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>; Maria Barrie <Maria.Barrie@hcc.govt.nz>; Sean Murray <Sean.Murray@hcc.govt.nz>; Jennie Lavis <Jennie.Lavis@hcc.govt.nz>; Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>; Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: Venue Hire and Bookings - EM Briefing info

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This is due with Lance by next Monday so if you can please make any additions (or email me thoughts) by Friday 24 September so we can get it tidied up and ready to go by then.

Many thanks
Nick

Noah Kerbers

From: Nick Chester
Sent: Friday, 24 September 2021 1:35 pm
To: Helen Schlegel
Subject: Content Manager records
Attachments: Community - Venue Hire and Booking EM Briefing Slide Pack - 6 Oct 2021.PPTX; Community - Venue Hire and Booking EM Briefing Slide Pack - 6 Oct 2021.tr5; Community - Discussion Topic Summary - Venue Booking and Hire EM Briefing - October 2021.DOCX; Community - Discussion Topic Summary - Venue Booking and Hire EM Briefing - October 2021.tr5

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Helen - final briefing pack for Lance's approval. Michelle and Frances also provided some feedback which I'll forward through.

Nick

-----< Content Manager Record Information >-----

Record Number: D-3901797
Title: Community - Venue Hire and Booking EM Briefing Slide Pack - 6 Oct 2021

-----< Content Manager Record Information >-----

Record Number: D-3901809
Title: Community - Discussion Topic Summary - Venue Booking and Hire EM Briefing - October 2021

Noah Kerbers

From: Nick Chester
Sent: Friday, 24 September 2021 1:36 pm
To: Helen Schlegel
Subject: FW: Venue Hire and Bookings - EM Briefing info

From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Sent: Wednesday, 22 September 2021 2:47 pm
To: Nick Chester <Nick.Chester@hcc.govt.nz>; Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: FW: Venue Hire and Bookings - EM Briefing info

Hi Nick,

I appreciate that some of this may not be needed, depending on how Lance wants to run the briefing, as he may want to try to focus more on what we can do now rather than a more academic discussion. However, Frances has put together the notes below for me – which outline the current key cases in this space and some of the key points we may want to cover.

One point which we may want to keep out of the discussion is the use of Bylaws which is in the current presentation. We're on the fence about whether we raise this and explain why using a bylaw as a solution/intervention would be problematic, the other is to just note this and address the question if it gets raised.

Frances also had some interesting thoughts in the unintended consequences space – which is possibly too much detail for this briefing, but another point to consider. It would be good to get a steer on what involvement you need from us on the day as well so we can be prepared.

Happy for a phone call to discuss if needed.

M

Freedom of Expression is protected but is subject to reasonable limits

- Freedom of expression is an important value enshrined in the Bill of Rights Act 1990. This includes the freedom to seek, receive and impart information and opinions of any kind, in any form.
- Freedom of expression is said by the New Zealand Courts to be “as wide as human thought and imagination”.
- Like all rights and freedoms in the Bill of Rights Act, the right to freedom of expression can be limited by law in such a way that can be justified in a free and democratic society.

Balancing freedom of expression with other rights and interests

There are several laws in Aotearoa that limit freedom of expression that are justified. These laws seek to balance freedom of expression and other rights and interests.

- E.g. in the context of “hate speech”, freedom of expression is limited where it incites racial disharmony. The current law only protects hate speech that targets people based on their colour, race, ethnic or national origins.
- Reforms are underway and include increasing the groups that are protected by the incitement provisions to include some or all of the grounds in the Human Rights Act, e.g. sexual orientation, religious belief, disability, age, political opinion, etc.

Current legal situation

In Auckland the booking of an alt-right group was cancelled because there were health, safety and security concerns.

- The Court of Appeal held that the decision to cancel the booking was a rational and reasonable response to the security risks, so was a justified limitation on the rights to freedom of expression and peaceful assembly.

In Palmerston North the Council cancelled the SUFW event, to replace it with a facilitated debate to which SUFW would be invited.

- The High Court held that the decision to cancel was based on Council sensitivity to strong community opposition to SUFW, which was not a rational and reasonable limitation on BORA rights to freedom of expression and freedom of assembly.

Key distinction: the reason for declining/cancelling the booking.

- Security risks (Auckland) vs. the views the group were going to express (Palmerston North).

“Councils may feel that they are currently facing a no-win situation. If they hire venues to controversial groups, they face significant criticism and protests from constituents. If they refuse, they may face legal action for breaching the BORA.” (Tompkins Wake, 2021)

Law applied to recent Hamilton City Council bookings

- SUFW – based on the Palmerston North City Council High Court Decision, if we cancelled the SUFW event, or anti-vaccination event bookings because we wanted to restrict what they could say in a privately-booked space, HCC would have been at risk of legal challenge by Judicial Review or a complaint to the Human Rights Commission that we have breached NZBORA/HRA provisions. HCC was able to reasonably manage security concerns in both cases.
- Legitimate grounds to cancel/decline a booking are:
 - using the space for unlawful activity
 - genuine health and safety and/or security risk that cannot be managed.

Council responses/possible interventions

- (Include or have as back pocket info) Bylaw isn't really an option: Any bylaw/policy Council puts in place must comply with the Bill of Rights Act. If it doesn't, the Bill of Rights Act will still prevail and Council may be open to legal challenge.
 - LGA section 155(3) “No bylaw may be made which is inconsistent with the New Zealand Bill of Rights Act 1990”.
 - This means Council cannot apply a more restrictive approach to limit freedom of expression (or any other rights/freedoms) than the law already provides.
- Re-directing enquiries to more suitable venues (i.e. closed venues for mis-information/ controversial speech so that it's not spreading/harm in to passers-by?).
- Cost-recovery: We could add to our bookings policy that we will pass on the costs of additional security risks to the booking-holder and these must be paid in advance of the event? This could be reflected in fees and charges. This may act as a deterrent to people booking these events.
- Strengthening our requirements for full disclosure about the nature of the event and reserve the right to cancel the booking if this is not made.

Considering unintended consequences

What is the outcome Elected Members seek for our community and the wellbeing of Hamiltonians? For example:

- to protect the community at large from the spread of misinformation, or controversial views or material?
- to preserve the reputation of HCC and its facilities?
- Both of the above?

Do suggested interventions achieve the outcome/s in the best possible way?

- E.g. If we strengthen our ability to decline bookings, does this impact on other community-run facilities and Councils who may have fewer resources to investigate and manage the risks and threats that may be associated?

If we stop a group from speaking in a privately booked space, are they more likely to gather in a public space instead? Would the impact be to limit the spread of their message or enable it to spread more widely?

Other minor points:

1. Change references to free speech to “freedom of expression”
2. References to Wellington City Council High Court case should be Palmerston North City Council – but it was Wellington that lit up the Michael Fowler Centre.

-----Original Message-----

From: Nick Chester <Nick.Chester@hcc.govt.nz>

Sent: Monday, 20 September 2021 1:44 pm

To: Lance Vervoort <Lance.Vervoort@hcc.govt.nz>; Rebecca Whitehead <Rebecca.Whitehead@hcc.govt.nz>; Helen Paki <Helen.Paki@hcc.govt.nz>; Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>; Maria Barrie

<Maria.Barrie@hcc.govt.nz>; Sean Murray <Sean.Murray@hcc.govt.nz>; Jennie Lavis <Jennie.Lavis@hcc.govt.nz>;

Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>; Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>

Subject: Venue Hire and Bookings - EM Briefing info

Good afternoon everyone

I hope your Monday is going well.

Please see presentation and supporting document for the venue hire and bookings briefing with EM's. I have tried my best to keep it succinct, but as discussed, it is a very complex area so I would really appreciate your thoughts and amendments.

This is due with Lance by next Monday so if you can please make any additions (or email me thoughts) by Friday 24 September so we can get it tidied up and ready to go by then.

Many thanks

Nick

Nick Chester

Team Leader Planning and Policy | Business & Planning | Community

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Noah Kerbers

From: Nick Chester
Sent: Wednesday, 6 October 2021 11:16 am
To: Frances Cox-Wright
Subject: RE: Venue Hire Briefing

[REDACTED]

Nick

From: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Sent: Wednesday, 6 October 2021 10:49 am
To: Nick Chester <Nick.Chester@hcc.govt.nz>
Subject: Venue Hire Briefing

Kia ora Nick,

Just wanted to say ka pai on a tricky briefing! And if you want to workshop any potential Policy I'm happy to be involved/contribute.

I think key thing for me re: legal/policy interaction

Things we CAN'T do are make a policy/guideline that:

- attempts to re-draw the “bar” where Freedom of Expression can be limited; and/or
- puts Council in a position where they are deciding who they will hire venues to **based on what they have to say** (except where already clearly protected by hate speech – but this is covered when we refuse to host unlawful activity)

Initial musings of things we COULD put in a policy/guideline:

- The process Council will take when accepting bookings
- The things Council will consider in assessing any security risk or risk to public safety
- Maybe... how Council will mitigate the effects of bookings that don't align with our values but aren't illegal, a security risk or substantial threat to public health and safety (i.e. exercising our own ‘corporate?’ free speech)

Ngaa mihi

Frances Cox-Wright (*she/her*)

Policy and Bylaw Lead | Legal and Risk | People and Organisational Performance

Waea: 07 838 6726 | Frances.Cox-Wright@hcc.govt.nz



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Noah Kerbers

From: Nick Chester
Sent: Tuesday, 12 October 2021 9:09 am
To: Tamsin Webb; Frances Cox-Wright
Cc: Rebecca Whitehead; Julie Ambury; Helen Schlegel
Subject: Venue Booking and Hire Policies Next Steps
Attachments: Venue Booking and Hire Policies Next Steps 12 October 2021.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Key Info

Good morning all, hope your week has started well

Following last week's EM briefing on the bookings/event hire policies and procedures, I have pulled all the relevant information together so this can be picked up and continued once I finish at the end of this week.

Tamsin – I understand you have an interest in looking at the booking procedures side of things. Frances – you will have an interest in next steps of a potential policy if that's the road to go down.

No date has been set to take this back to EM's so that will need to be worked through and decided.

Hopefully all the info in the document will be helpful in guiding discussions from here.

Just a note that I have included Joanna from my team as a potential person to help – she doesn't have a heap of capacity so I wouldn't see her leading anything but she's certainly someone with some good insights into publicly controversial issues from her experiences with public art.

If there is anything else I can help with before the end of the week, please let me know.

Cheers

Nick

[Nick Chester](#)

Team Leader Planning and Policy | Business & Planning | Community

DDI: 07 838 6853 | Ext: 6853 | Mob: 027 2001631 | Email: nick.chester@hcc.govt.nz



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Noah Kerbers

From: Rebecca Whitehead
Sent: Friday, 15 October 2021 10:25 am
To: Helen Schlegel
Subject: FW: Venues Briefing
Attachments: Topic Request Form - HCC Venue Booking Policies next steps October 2021.docx

From Nick

From: Nick Chester <Nick.Chester@hcc.govt.nz>
Sent: Wednesday, 13 October 2021 12:00 pm
To: Rebecca Whitehead <Rebecca.Whitehead@hcc.govt.nz>
Subject: RE: Venues Briefing

Yup see attached – pretty basic really! Just put Helen P's name on it as I don't think we are sure exactly who will present at this stage.

From: Rebecca Whitehead <Rebecca.Whitehead@hcc.govt.nz>
Sent: Wednesday, 13 October 2021 7:21 am
To: Nick Chester <Nick.Chester@hcc.govt.nz>
Subject: FW: Venues Briefing

Any chance you could pull this together for us – date isn't urgent so I don't think we need to push for anything pre xmas .

From: Helen Schlegel <Helen.Schlegel@hcc.govt.nz>
Sent: Tuesday, 12 October 2021 11:59 am
To: Rebecca Whitehead <Rebecca.Whitehead@hcc.govt.nz>; Nick Chester <Nick.Chester@hcc.govt.nz>
Subject: Venues Briefing

Hi Both

Am I correct that this item needs to come back to a briefing?

If so can I have a form completed please

Cheers

Helen Schlegel

Executive Assistant to Lance Vervoort | Community Group
DDI: +64 7 838 6404 | Fax: 07 838 6651 | Mob: 021 920 986 Email: helen.schlegel@hcc.govt.nz



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Noah Kerbers

From: Joanna van Walraven
Sent: Monday, 1 November 2021 3:47 pm
To: Frances Cox-Wright
Subject: Re: Venue Hire Briefing and next steps

Thanks! This is great stuff

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From: Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Sent: Monday, November 1, 2021 3:38:52 PM
To: Joanna van Walraven <Joanna.vanWalraven@hcc.govt.nz>
Subject: Venue Hire Briefing and next steps

Kia ora Joanna,

Nice to hear your voice this afternoon!

I've attached the brief conversation Nick and I had after the briefing – might give you some insight as to where his head was at before his departure.

Also Nick's handover document attached, which I think you have, but the Content Manager links to the briefing material are in there at the beginning of that document.

Happy to workshop ideas and next steps, or discuss any time.

Ngaa mihi

Frances Cox-Wright (*she/her*)
Policy and Bylaw Lead | Legal and Risk | People and Organisational Performance
Waea: 07 838 6726 | Frances.Cox-Wright@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.govt.nz

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Noah Kerbers

From: Jennie Lavis
Sent: Wednesday, 8 December 2021 1:06 pm
To: Helen Schlegel
Subject: FW: Venue Hire and Bookings - EM Briefing info - extra
Attachments: Community - Venue Hire and Booking EM Briefing Slide Pack - 6 Oct 2021.PPTX; Community - Venue Hire and Booking EM Briefing Slide Pack - 6 Oct 2021.tr5; Community - Discussion Topic Summary - Venue Booking and Hire EM Briefing - October 2021.DOCX; Community - Discussion Topic Summary - Venue Booking and Hire EM Briefing - October 2021.tr5

Hi Helen – I can't copy this into the L Drive folder as it's the same subject as another. But this is the only other email I have on this topic that you don't already have.

I have changes the subject line and will now add this in.



Jennie Lavis
Executive Assistant, VTME Group
Ext 6443

From: Jennie Lavis
Sent: Monday, 20 September 2021 2:54 pm
To: Sean Murray <Sean.Murray@hcc.govt.nz>; Nick Chester <Nick.Chester@hcc.govt.nz>
Subject: FW: Venue Hire and Bookings - EM Briefing info

Hi Sean and Nick – re slide 8

Here's what I can tell you about the creation of the "event booking policy" (2011-2012) and its deletion (2014). This is rough outline of what I remember happening, quickly checked off against council reports and minutes and other documents I can find in CM.

End of 2011:

- Council received a staff council report to "approve Claudelands to enter into negotiations for Erotica Expo."
- 11 Nov 2011 meeting - S&P Committee declined this request and requested a further report on the creation of a bookings policy.

April 2012:

The issue was discussed at the Strategy and Policy meeting 5th April 2012. Councillors were given three options for inclusion in the 'Events Booking Policy' as follows:

Option 1 - Council's approach to event approval will be based only on legislative requirements. As this is inherent, the policy will not have a section on 'approved events'.

Option 2 - Council's approach to event approval will be based on legislative requirements but will also from time to time take into consideration the appropriateness of the proposed event(s) to be held within its facilities.

Option 3- Council's approach to event approval will be twofold:

- based only on legislative considerations for events held in event facilities (ticketed events)
- taking into consideration the appropriateness of the proposed event(s) to be held in public spaces (non-ticketed events).

Council were requested to identify which option they would prefer to see reflected in Section 5.2 of the draft policy. The option selected was Option 3.

Option 3 was confirmed at a full Council meeting 11th April 2012 and the policy was adopted.

2014:

Under a report called “ Council Policy Review 30 April 2014”, the policy is noted for deletion alongside others. There’s no comment in the report on the reasons for it being made obsolete but it was a decision of the Council following a Councillor workshop with SLT on 4 April.

Sean – this may ring some bells – it was called an “EM Planning Day” and it was held at The Link in Te Aroha Street. They went through every policy and decided whether it stayed or was updated or removed. The agenda from this day states the policy was “recently developed and should be retained”. However, it was eventually added to the “removal” list so one must assume the conversation that took place that day got it placed on the delete pile.

Sean – can you remember anything more about this conversation on the day?

Jennie

-----Original Message-----

From: Nick Chester <Nick.Chester@hcc.govt.nz>
Sent: Monday, 20 September 2021 1:44 PM
To: Lance Vervoort <Lance.Vervoort@hcc.govt.nz>; Rebecca Whitehead <Rebecca.Whitehead@hcc.govt.nz>; Helen Paki <Helen.Paki@hcc.govt.nz>; Lee-Ann Jordan <Lee-Ann.Jordan@hcc.govt.nz>; Maria Barrie <Maria.Barrie@hcc.govt.nz>; Sean Murray <Sean.Murray@hcc.govt.nz>; Jennie Lavis <Jennie.Lavis@hcc.govt.nz>; Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>; Frances Cox-Wright <Frances.Cox-Wright@hcc.govt.nz>
Subject: Venue Hire and Bookings - EM Briefing info

Good afternoon everyone

I hope your Monday is going well.

Please see presentation and supporting document for the venue hire and bookings briefing with EM's. I have tried my best to keep it succinct, but as discussed, it is a very complex area so I would really appreciate your thoughts and amendments.

This is due with Lance by next Monday so if you can please make any additions (or email me thoughts) by Friday 24 September so we can get it tidied up and ready to go by then.

Many thanks

Nick

Nick Chester

Team Leader Planning and Policy | Business & Planning | Community

DDI: 07 838 6853 | Ext: 6853 | [REDACTED] nick.chester@hcc.govt.nz

Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.govt.nz Like us on Facebook | Follow us on Twitter

Hamilton Gardens Pavilion Hire

Terms and Conditions

Reviewed December 2020

COVID-19

The Hirer agrees to abide by all rules and directives published and updated by the government from time to time at covid19.govt.nz. The Hirer understands and accepts that Hamilton City Council (Council) may immediately terminate this Agreement if the Hirer breaches any of the government rules or directives.

LEGAL ENTITY

All Hirers must be a legal entity. Council reserves the right to ask for proof of legal entity. A legal entity is a registered group or individual who has capacity to enter into agreements, assume obligations and incur and pay debts etc.

PAYMENT

A GST invoice will be issued for the hire cost. Full payment of the invoice must be made no later than 20th of the month following the date of invoice and prior to the commencement of the booking. A final invoice will be issued with any additional charges after the hire period. Council reserves the right to increase fees at 1 July each year.

BOND

A bond may be payable in addition to the hire cost and is due 15 working days prior to the first day of the hire period. The bond may be used to pay for any damage to the property, missing property and any additional cleaning. After the Pavilion is inspected the bond will either be refunded via internet banking or retained to cover damages. The Hirer will be sent an email itemising any damages and associated costs. Council reserves the right to recover costs in excess of the bond amount from the Hirer.

BOOKING CONFIRMATION

To confirm a booking, the Hirer must:

- Sign and return to Council the letter of confirmation
- Make payment in full for the booking and any bond as per these terms and conditions.
- Complete and submit a Health and Safety Plan if one is required.
- Agree to pay for and implement the Hamilton Gardens Traffic Management Plan (TMP) and hire Council's Site Traffic Management Supervisor (STMS) if required.

CANCELLATION OR CHANGE OF BOOKING DATE

Subject to availability, the Hirer may cancel or move a booking prior to the event. Cancellation fees will apply depending on the length of notice given:

- A full refund will be given if the booking is cancelled or moved more than 90 days before commencement.
- 20% of the invoice will be retained if the booking is cancelled/moved less than 90 days and more than 60 days before commencement.

- 50% of the invoice will be retained if the booking is cancelled/moved less than 60 days and more than 30 days before commencement.
- 100% of the full invoice will be retained if the booking is cancelled/moved less than 30 days before commencement.

The Hirer will receive a full refund of any Bond paid. The Hirer will be liable for any additional costs e.g. catering, hired in equipment that has been previously ordered.

OUTSTANDING DEBTS

The Hirer will be liable for any unpaid debts and any associated collection cost.

RIGHTS AND ASSIGNMENT AND SUBLETTING

The Hirer cannot assign or sublet any of the rights they are given under this agreement.

AREAS OF USE

The Hirer will be permitted to use those areas of the Hamilton Gardens Pavilion (Pavilion) for the dates, times and purpose specified in the letter of confirmation. If access is required before 8am the Hirer must contact the Bookings Team to arrange this. The booking does not cover any areas outside the Pavilion. Requests to use the outside areas must be made to the Bookings Team.

VENUE CAPACITY

The Hirer must not permit any hired area to be occupied by more people than is specified (based on standing room only):

Room	Room Max Capacity	Room m ²
Central Court*	270	543m ²
Exhibition Hall*	300	266m ²
Chartwell Room	115	153m ²
Huddleston Room	20	26m ²

* 500 maximum in Central Court and Exhibition Hall

ALCOHOL

Alcohol is permitted at the discretion of the Bookings Team and subject to the requirements of the Sale and Supply of Alcohol Act 2012. It is the Hirer's responsibility to understand and comply with all alcohol requirements, restrictions or guidelines and to apply for and obtain any Special Licence for the sale or supply of alcohol.

SMOKING

Hamilton Gardens and the Pavilion is a smoke free environment. Smoking is only permitted in the carparks.

HEALTH AND SAFETY

It is the Hirer's responsibility to ensure that the requirements of the Health and Safety at Work Act 2015, as it applies to the Hirer's intended use of the Pavilion are met. The Hirer is responsible for the safety of their staff and patrons. The Hirer must immediately notify the Bookings Team of all near misses, accidents and potential harm to the environment (spills, emissions or discharges). The Business Development Manager may, at their sole discretion, require a Health and Safety Plan to

be submitted by the Hirer prior to confirmation of the booking.

CLEAN UP

The Hirer is responsible for ensuring that at the end of the hire period the hired room(s), and kitchen (including washing dishes, stove, microwave and fridge) if used, is cleaned and stacked away, chairs are stacked, trestles are collapsed, and the premises left securely locked. Any rubbish must be sorted and put in the bins provided behind the Pavilion. The carpet (and chairs if soiled) will be vacuumed by Council. If additional costs are incurred because of these tasks not being undertaken, then the Hirer may be charged by invoice and/or the sum deducted from the Bond.

SIGNAGE AND EQUIPMENT

Signs are only permitted outside the Pavilion with prior approval of the Business Development Manager. Signs and decorations can only be attached to internal walls with Velcro.

Fittings or equipment must not be removed, altered, adjusted or damaged. At the end of the hire period, all equipment must be reinstated or stored. Council staff will inspect the facility and equipment after all events and request any damage to be repaired immediately at the Hirer's expense. If any equipment is broken inform the Bookings Team as soon as possible.

POWER SUPPLY

The Hirer must not permit anyone to make alterations to any electrical plant, wiring or installation without the permission of the Business Development Manager. Council will replace non-working electric light bulbs but will not be responsible or liable to the Hirer whatsoever for the failure, or non-supply of electricity. Any electrical equipment used at the Pavilion must have a current testing tag.

SECURITY ALARM

The Pavilion has an audible electronic alarm system. If this is activated by the Hirer, the Hirer is liable for the security call out fee of \$50.00.

PARKING

For events with high traffic volumes, it may be necessary to implement the Hamilton Gardens Traffic Management Plan (TMP) and hire Council's Site Traffic Management Supervisor (STMS) and Traffic Controllers (TCs) to control traffic. Implementing the TMP and associated costs will be discussed with the Hirer.

FIRE SAFETY AND EMERGENCY EVACUATION

Candles, naked flames or flammable decorations are not permitted in or around the Pavilion. The Hirer must ensure all exit doors, fire hose reels, fire extinguishers, fire alarm switches and fire alarms remain unobstructed and readily accessible at all times.

During Business Hours (9am – 5pm) Staff will act as the building fire wardens. After hours the Hirer must appoint fire wardens, and ensure they are aware of their duties and onsite at all times.

In the event of a fire the fire warden must:

- wear the supplied high viz vest and evacuate the building directing people to the assembly area which is located on the Round Lawn in front of the Pavilion.
- During the evacuation dial 111 for the Fire Service
- After the Fire Service has been called check all areas such as toilets have been evacuated
- Remain beside the main entrance to the pavilion to prevent re-entry to the Pavilion
- Liaise with the Fire Service who will identify fire wardens by the high viz vest.

Never return to the building until the all clear has been given by the Fire Service. If persons in the building refuse to leave do not use force. Note their location and report it to the fire service.

RIGHTS OF THE OPERATOR TO ENTER

Council will retain keys for the Pavilion. Staff may enter any part of the premises at any time and may admit other Council agents or police officers but will not unreasonably interfere with the Hirer's permitted use.

Council staff or agents are entitled without notice to enter and take possession of the premises in the event of non-performance of any of the provisions of this agreement or expiration of the hire term. In the event of this action, the Hirer and all other occupiers will be required to vacate the premises.

INDEMNITY, LIABILITIES

The Hirer will indemnify Council, its employees or agents against all claims, demands, losses, damages, costs and expenses arising from the Hirer's use of the Pavilion or any breach of this Agreement.

Council is not liable for the loss of or damage to any of the Hirer's property in or around the Pavilion. Any equipment/property left at the Pavilion is at the Hirer's own risk.

Council is not liable for any loss or expense that the Hirer incurs if the Council is not able to make the Pavilion to the Hirer because of fire, flood, earthquake, failure or other unavailability of any building services or other event beyond Council's reasonable control.

To the extent permitted by law and without limiting any of the Hirer's rights under the Consumer Guarantees Act 1993, Council shall not be liable to the Hirer for any loss arising under or in connection with this Agreement, whether in contract, tort (including negligence) or otherwise. The Hirer shall not be entitled to any refunds if there is a breach of this Agreement.

The maximum amount of Council's liability (if any) under or in relation to this Agreement for any loss, damage, claim or expense is limited to an amount equal to the Venue Hire Price.

INSURANCE

The Council does not undertake to arrange for or maintain any insurance cover, property, contents or otherwise, for the Pavilion or the Event for the benefit of the Hirer. The Hirer is responsible to arrange for and maintain any insurance cover they consider necessary and adequate.

12/01/2022



NAME
ADDRESS1
ADDRESS2
CITY POSTCODE

Hungerford Crescent
Private Bag 3010
Hamilton 3240
New Zealand

TEL +64 7 958 5940
hamilton.gardens@hcc.govt.nz
hamiltongardens.co.nz

EMAIL

Dear NAME,

Thank you for choosing Hamilton Gardens for your special day.

Your Choose an item. has been provisionally booked in the Choose an item. on the Click or tap to enter a date. from time to time.

Please complete and return the attached form. Once received, we will send you an invoice for Choose an item. (inclusive of GST). This is a non-refundable administration fee. Your booking will be confirmed when we receive payment. Payment is due on the 20th of the month following the invoice date otherwise your booking will be cancelled.

We have a range of indoor venues for wedding receptions, and also as a wet weather option. Please speak to our team for more options, or to enquire about the booking our reception rooms.

Attached is a map to help direct your guests to the venue. The closest car park to the Choose an item. is through Choose an item. on Cobham Drive.

Please do not hesitate to contact me if I can help you further.

Yours sincerely,

Choose an item.
Choose an item.

BOOKING CONFIRMATION

1

<i>Do we have your correct event details?</i>	Event	Wedding Ceremony
	Location	Choose an item.
	Date	Click or tap to enter a date.
	Time	time to time

2

Carefully check the terms and conditions

TERMS AND CONDITIONS:

To ensure the gardens are preserved and respected please note the following:

- Confetti is not permitted in any of the gardens
- Unless special provisions have been made in terms of the Reserves Act 1977 a booking cannot give anyone exclusive access to an area in Hamilton Gardens. The public do retain a right to enter a garden so please do not exclude them. In our experience most people are very considerate of events.
- Alcohol is not permitted in any areas of the gardens without permission
- Amplified equipment is not permitted in any areas of the gardens without permission
- Vehicle access is not permitted to any areas of the gardens, including the garden lawns
- Bollards/chains/gates cannot be removed for health & safety reasons
- Please respect the integrity of the gardens and restrict members of your group to the paths and grassed areas
- Please take all your belongings with you when you leave, including any rubbish.
- **Any chairs hired from Hamilton Gardens will need to be collected by the hirer from the Hamilton Gardens Information Centre and returned after use.**
- **Ceremony fee is non-refundable if booking is cancelled after confirmation has been signed and returned**
- **Our privacy statement is available online – www.hamilton.govt.nz/privacy**

CATERERS

At Hamilton Gardens our contracted caterers offer a wide range of menus to fit your tastes and budgets. Please contact the caterers' directly for menus and quotes.

Caterer	Website	Telephone
HG Café	www.hgcafe.co.nz	07 856 6581
Maggy's Catering	www.maggyscatering.co.nz	07 846 6185
Edible Solutions	www.ediblesolutions.co.nz	07 847 8960
Montana Catering	www.montanacatering.co.nz	07 839 3459
Kerr & Ladbrook	www.kerrandladbrook.co.nz	07 838 9338
Phoenix Events/Friends	www.phoenixdecohire.co.nz	080 150019
Spit Roast Catering Company	www.srcc.co.nz	0800 762 787
Three Forks	www.3forks.co.nz	021 2344675

Please Note: Only these caterers can provide catering at Hamilton Gardens (including the pavilion). Please provide the name of one of our catering supplier you'll be using for your event:

Caterer: _____

3

Sign and date

I understand and accept the Terms and Conditions:

Signed

Name

Date

4

Return this page to
our bookings team



bookings.gardens@hcc.govt.nz



Visit our office: Hungerford Crescent, Cobham Drive (SH1)



Please call if you have any queries: 07 958 5940

5

Payment

We will send you an invoice which you can pay using the following methods:

- Internet Banking
- Bookings office located at Hamilton Gardens (weekdays only)
- Hamilton City Council, Municipal Building

We can accept cash, Eftpos, credit card (2.5% surcharge) or a cheque at the Booking office.

Payment is due by the 20th of the following month after invoice is received or prior to event depending on which comes first



Questions? Phone 07 838 6782 www.hamiltongardens.co.nz

ACCESSIBILITY GUIDE

EASILY ACCESSIBLE

Includes concrete and brick pathways and wooden boardwalks. Suitable for most pushchairs, wheelchairs and mobility scooters.

LIMITED ACCESSIBILITY

May include steep paths, stairs and uneven surfaces.

NO MOBILITY SCOOTERS

Not suitable for hired mobility scooters.

Hire a wheelchair or mobility scooter.

Phone 07 838 6782

Please return before 4.30pm

DISTANCES FROM INFORMATION CENTRE

130m	Gate 1 carpark
210m	Gate 2 carpark
610m	Turtle Lake loop
75m	Te Parapara Garden
105m	Italian Renaissance Garden
110m	Japanese Garden
110m	English Flower Garden
115m	Chinese Scholars' Garden
125m	Modernist Garden
210m	Herb Garden
230m	Kitchen Garden
260m	Concept Garden/Huddleston
125m	Indian Char Bagh Garden
190m	Surrealist Garden
200m	Tudor Garden
260m	Concept Garden
330m	Mansfield Garden via Herb/Kitchen
355m	Mansfield Garden via Tudor/Concept
410m	Picturesque Garden via Herb/Kitchen
435m	Picturesque Garden via Tudor/Concept

12 January 2022



NAME
ADDRESS1
ADDRESS2
CITY POSTCODE

Hungerford Crescent
Private Bag 3010
Hamilton 3240
New Zealand

TEL +64 7 958 5940
hamilton.gardens@hcc.govt.nz
hamiltongardens.co.nz

EMAIL

Dear NAME

Booking Reference:

Event: Choose an item.

Date: 30/07/2021

Thank you for considering the Hamilton Gardens Pavilion for your event.

Item	Booking details	Price (Inc GST)
Room Hire	Date: Time: Choose an item. Room: Choose an item.	\$
Equipment	24 x 1.5m Round Tables 40 x 2.4m Trestle Tables Choose an item.	Included Included Included
Set-up/Pack-down		Not included
Total including GST		\$

Please complete and return the attached form. Once received, we will send you an invoice for the full amount. Your booking will be confirmed when we receive payment. Payment is due on the 20th of the month following the invoice date otherwise your booking will be cancelled.

Attached is a map to help direct your guests to the venue. During the busier summer months please promote the use of the Gate 2 carparks.

If your event is open to the public, please see attached opportunities to promote your event.

Please do not hesitate to contact me if you have any questions, or if I can be of any further assistance with your planning.

Yours sincerely,

Shayla McKinley
Choose an item.

BOOKING CONFIRMATION

1

Do we have the details for your booking?

Event Choose an item.
Location Choose an item.
Date Click or tap to enter a date.
Time Choose an item.

2

Carefully check the terms and conditions

TERMS AND CONDITIONS:

Please read the Terms and Conditions attached and sign below to indicate that you have understood and accept the conditions.

Our Privacy Statement is available online – www.hamilton.govt.nz/privacy.

3

Sign and date

I understand and accept the Terms and Conditions:

Signed

Name

Date

4

Catering

At Hamilton Garden's our contracted caterers offer a wide range of menus to fit your tastes and budgets. Please contact the caterers' directly for menus and quotes.

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Montana Catering	www.montanacatering.co.nz	07 839 3459
Kerr & Ladbrook	www.kerrandladbrook.co.nz	07 838 9338
Phoenix Events/Friends	www.phoenixdecohire.co.nz	080 150019
Spit Roast Catering Company	www.srcc.co.nz	0800 762 787
Three Forks	www.3forks.co.nz	021 2344675

Please Note: Only these caterers can provide catering at Hamilton Gardens
 Please provide the name of one of our catering supplier you'll be using for your event:
Caterer -----

5

Waste minimisation

We are striving to reduce the amount of waste we produce and we would like your support. The first step is to take advantage of our recycling bins for glass, cardboard, plastics and aluminium located at the back of the Hamilton Gardens Pavilion. Below is a great link which has useful information to help reduce waste at your event:
<http://beyondthebin.org.nz/videos-for-event-organisers/>

6

Return this page to our bookings team



bookings.gardens@hcc.govt.nz



Visit our office: Hungerford Crescent, Cobham Drive (SH1)



Please call if you have any queries: 07 958 5940

7

Payment

We will send you an invoice which you can pay using the following methods:

- Internet Banking
- Bookings office located at Hamilton Gardens (weekdays only)
- Hamilton City Council, Municipal Building

We can accept cash, eftpos, credit card (2.5% surcharge) or a cheque at the Booking office. Payment is due by the 20th of the following month after invoice is received or prior to event depending on which comes first.

CAN WE HELP PROMOTE YOUR EVENT?

Is your event open to the public? We can help.

WEBSITE AND SOCIAL MEDIA

We can share your event to our website and Facebook page.

WEBSITE hamiltongardens.co.nz
FACEBOOK facebook.com/hamiltongardensNZ

PLEASE EMAIL DETAILS OF YOUR EVENT TO: hamilton.gardens@hcc.govt.nz

EVENT NAME	Promotional name
LOCATION	Where in the Gardens
DATE	Day/s your event will be open to the public
TIMES	Times your event will be open to the public
TICKETS	How much are tickets? Where can people buy tickets?
BLURB	Small description of your event. Links to your website. Links to any event pages you have created in Facebook
PHOTO	Email a landscape photo (minimum size 1MB) to hamilton.gardens@hcc.govt.nz See the www.hamiltongardens.co.nz/events page for examples.

OTHER ORGANISATIONS

Also, you can share your event with these organisations:

Eventfinda	National event guide. List your event online at www.eventfinda.com
Visit Hamilton	Waikato based event guide. List your event online at https://www.visithamilton.co.nz/whatson/submit-an-event
Hamilton & Waikato Tourism	List your event on their website www.hamiltonwaikato.com by emailing info@hamiltonwaikato.com for more information.
New Zealand Gardener	List your event on their website or weekly e-newsletter by emailing mailbox@nzgardener.co.nz There is a 10 week print lead time.
Rural Living	A lifestyle magazine pitched firmly at the Franklin 'suits and gumboots' community. Has a comprehensive list of events in Auckland and Waikato. Email info@ruralliving.co.nz
Let's Go Kids	List your event on this family focused website by visiting: www.letsgokids.co.nz
Local Facebook promotion	There are a number of family focused Facebook sites you can approach: <ul style="list-style-type: none"> ▪ Fun things to do in Hamilton Waikato ▪ Happening Hamilton Waikato ▪ Kids Waikato ▪ Waikato Things to do with kids



Thank you for choosing Hamilton Gardens for your event.

Please share this housekeeping information with your attendees.



Toilets, including disability toilets are in the foyer of the Hamilton Gardens Pavilion as well as by the Red Arch and Playground. Baby changing facilities are available in the disability toilets.



Hamilton Gardens is a smoke free environment. Smoking is only permitted in the carparks.



In the event of a fire, evacuate the building and assemble on the Round lawn in front of the Pavilion. Please dial 111 for the fire service.



In the event of an earthquake, DROP down on your hands and knees, COVER your head and neck (or your entire body if possible) under a sturdy table or desk and HOLD on to your shelter until the shaking stops.



In a medical emergency, dial 111. For minor first aid, go to the Hamilton Gardens Information Centre between 9am and 5pm. After hours please go to Anglesea Clinic – Accident & Urgent Medical Ltd. Phone 07 858 0800.



Limited free carparking is available during peak times at Gate 1 and Gate 2. We encourage visitors to carpool, cycle, walk or use public buses during peak summer months.



NEED TO CHAT TO OUR TEAM?

Our Information Centre is open daily from 9am to 5pm.

SOME USEFUL NUMBERS

Waikato Security
Hamilton City Council 24/7

07 834 8106
07 838 6699

Follow us online!

[hamiltongardensNZ](#) [hamiltongardens](#)

HAMILTON GARDENS

NEW ZEALAND



ACCESSIBILITY GUIDE

EASILY ACCESSIBLE

Includes concrete and brick pathways and wooden boardwalks. Suitable for most pushchairs, wheelchairs and mobility scooters.

LIMITED ACCESSIBILITY

May include steep paths, stairs and uneven surfaces.

NO MOBILITY SCOOTERS

Not suitable for hired mobility scooters.

Hire a wheelchair or mobility scooter.
Phone 07 838 6782

Please return before 4.30pm

DISTANCES FROM INFORMATION CENTRE

130m	Gate 1 carpark
210m	Gate 2 carpark
610m	Turtle Lake loop
75m	Te Parapara Garden
105m	Italian Renaissance Garden
110m	Japanese Garden
110m	English Flower Garden
115m	Chinese Scholars' Garden
125m	Modernist Garden
210m	Herb Garden
230m	Kitchen Garden
260m	Concept Garden/Huddleston
125m	Indian Char Bagh Garden
190m	Surrealist Garden
200m	Tudor Garden
260m	Concept Garden
330m	Mansfield Garden via Herb/Kitchen
355m	Mansfield Garden via Tudor/Concept
410m	Picturesque Garden via Herb/Kitchen
435m	Picturesque Garden via Tudor/Concept

Waikato Museum Facility/Events Agreement

Between: and	The Waikato Museum (In this Hire Agreement called the “Operator”) 1 Grantham Street, Hamilton Contact: Visitor Experience Manager DDI: (07) 838 6606 Mobile: Fax: Email: museum@hcc.govt.nz	
Hirer:	Name of Hirer: Address Email address for Invoice <div style="float: right;">Authority Code: W209.10.100</div>	
Function Room Hire	Venue: Museum Foyer	
Period of Hire	Dates/Time of Hire:	
Fees	Fees are inclusive of facility hire fee, security, cleaning, booking fee etc. Venue hire:	
	All Charges GST Inclusive	
General Provisions	The General Provisions attached form part of this Hire Agreement.	
EXECUTED AS AN AGREEMENT SIGNATURE	For the Waikato Museum <hr/> Signature Name: Position: Date:	For Hirer <hr/> Signature Name: Position: Date:

Facility and/or Event Booking Sheet

All further communications to Events Coordinator:

Event Type:

Date of Event:

Actual Time of Event:

Off-site Co-ordinator:

Areas Required for Event:	Start	to	Finish
----------------------------------	--------------	-----------	---------------

Special Requests/Instructions (Equipment, Staff, Event Management, podium etc)

FACILITIES HIRE AGREEMENT: GENERAL PROVISIONS

COVID-19

The Hirer agrees to abide by all rules and directives published and updated by the government from time to time at covid19.govt.nz The Hirer understands and accepts that Hamilton City Council (Council) may immediately terminate this Agreement if the Hirer breaches any of the government rules or directives.

Hire of Facilities & Shared Areas Only

The hire of Facilities relates only to that part of the Facilities indicated on the first page to this Hire Agreement and the Operator shall at all times be entitled to use and deal with the remainder of the Waikato Museum without reference to you.

Hire Fees

You must pay the Hire Fees, (20% Deposits upon booking), as set out on the first page of this Hire Agreement inclusive of GST without deduction or set-off.

Catering

You are responsible to make your own arrangements with the caterer. The Operator shall be under no liability in connection with any catering.

The Waikato Museum is not a licensed facility therefore the sale of liquor is not permitted unless a 'special licence' is acquired. Liquor may be served free of charge, but not to minors.

Waikato Museum is a smoke free facility.

Sponsorship

You must discuss any sponsorship requirements or issues with the Operator.

You must use the full name of the Waikato Museum in any of your communications concerning the Waikato Museum or any part thereof.

You must not do anything that the Operator determines may prejudice any sponsorship arrangements entered into by the Operator.

Cancellation

You may cancel the hire not less than 14 days prior to the hire date by written notice to the Operator but the Operator may keep the 20% deposit to defray its costs.

As major events take precedence over functions, The Operator may cancel the function hire on written notice prior to the hire date and if you are not in default, it will repay the deposit. The Operator will work with you to find alternative premises.

Bond/Deposit

The bond is 20% of total charges. The bond is payable upon acceptance/signing of the contract. The bond is non-refundable if a cancellation for the booking is made within 14 days of the booking. Total charges can be paid in advance, on the date of booking or we can invoice the total due less the 20% bond already paid. Accurate contact details must be supplied on the contract, for the latter.

Care of Property

You must not cause any damage to the Facilities, leave any materials from your activities or make any unusual soiling. The Operator will undertake general cleaning of the Facilities after your function (which is included in the Hire price) of any reasonable soiling. Any extra cleaning or repairs will be on-charged to you.

General Compliance

You must ensure that your use of the Facilities complies with all New Zealand laws, bylaws, regulations, codes, standards, resource consents, and any necessary authorisations or consents.

You must comply with any procedures or policies maintained by the Operator or applicable to the Waikato Museum.

You must abide by all reasonable requests of the Museum Director or his or her nominee during your use of the Facilities.

Restrictions on Use of Facilities

You must not cause or permit any nuisance or annoyance to the Operator, other licensees or tenants, patrons, or neighbours, of the Waikato Museum, or any other person.

Signage

You must not affix, paint, or exhibit, or permit to be affixed, painted, or exhibited, any name, sign, nameplate, signboard, or advertisement of any description within, on or to the Waikato Museum without the prior approval in writing of the Operator.

Additions and Alterations

You must not make nor allow to be made any alterations or additions to any part of the Facilities (including, without limitation, decorating the facilities) without first obtaining the written consent of the Operator.

Security

The Operator shall ensure that adequate security for the event is provided. In addition to the Duty Manager, at least one security guard will be required for events held in Museum foyer, and two for those held in the Marae Atea.

Duty Manager

It is a health and safety requirement that the venue provides a Duty Manager for each hire of the Facility. The Duty Manager represents the Operator and will be in charge of the premises during your function.

Access

Generally access to the facility will be provided via the side entry door located at the front right hand side of the building. Access via the main entry doors will only be provided for large events and will at all times be directly supervised by a security guard.

During the course of the event, by prior arrangement with the operator, a tour of the Museum may be conducted by a Museum Public Programme Leader. This will incur an additional hourly fee. You will not permit or in anyway facilitate access to other parts of the facility not described in this agreement.

Hire Equipment

Basic equipment is available with your hire, including a microphone, lectern, fixed whiteboard (lecture theatre) and 75 folding chairs.

Technical Assistance

The venue will be set for your function, however if you require a technician for your event, this can be arranged at the normal charge out rates.

Operator's Access to Facilities

The Operator is entitled to enter the Facilities at any time (without notice) to carry out any work.

Neglect of Other Tenants/Licensees

The Operator shall not be responsible to you for any act or default or neglect of any other tenant, licensee, customer or patron of the Waikato Museum and notwithstanding the provision of security.

Force Majeure

The Operator is excused from performing its obligations to the extent it is prevented from doing so because of an event outside its control.

Liability

You will be liable to the Operator for any loss or damage howsoever caused arising as a result of your acts or omissions, or your failure to comply with any provision of this Hire Agreement.

You will indemnify and hold the Operator harmless with respect to any liability, claim, demand, charge, loss, damage, costs, expenses, action or proceeding from the Operator or any third party as a result of any act or omission by you, any breach of this Hire Agreement by you, or any infringement or breach of any copyright or intellectual property (including, without limitation, all legal costs and expenses of the Operator).

Notwithstanding any other provision of this Hire Agreement the Operator will not be liable to you under any circumstances for any form of direct or indirect or economic loss including (without limitation) loss of profit, revenue, savings or goodwill.

General

You are responsible for the acts and omissions of your employees, agents and invitees.

You are deemed to have inspected the Facilities and you acknowledge that the Operator has made no representation concerning the adequacy or appropriateness of the Facilities for your purposes.

If there is a dispute between the parties concerning this Hire Agreement, the parties shall attempt to resolve the matter themselves. If the matter is not resolved within 3 months, the dispute shall be referred to arbitration in accordance with the Arbitration Act 1996.

You assure the Operator that no form of inducement or reward has been or will be directly or indirectly provided to any of the Operator's representatives.

No delay or failure to act is a waiver. No waiver is effective unless it is in writing. A waiver of a breach is not a waiver of any other breach.

You must pay all the Operator's legal costs (including as between solicitor and client) for the enforcement or attempted enforcement of the Operator's rights remedies under this Hire Agreement.

Each provision of this Hire Agreement shall be read and construed as a separate and severable provision. If any provision is held unenforceable for any reason by any body of competent jurisdiction, then that provision shall be severed and the remainder shall be read as if the severable provision were omitted and the other provisions of this Hire Agreement shall remain enforced.

Laura Bowman

From: official information
Sent: Tuesday, 29 March 2022 5:02 pm
To: Jessica Wilson
Cc: official information
Subject: Final Response PT 2 of 2: LGOIMA 21328 - Jessica Wilson - Venue Hire and Booking Practice Policies from 1 June 2021 and any supporting documentation.

Kia Ora,

I refer to your **information request below**, Hamilton City Council is able to provide the following response.

As per your request below, Hamilton City Council has sought legal advice with regard to the outstanding documents to be provided.

That being said, in accordance with S 7(2)(f)(i) and S 7(2)(g) of LGOIMA, we are withholding this final correspondence under Free and Frank Expression and Legal Professional Privilege.

We can however, provide the following summary:

A briefing was held for Elected Members on 6 October 2021 in order to discuss this issue. Following discussion, staff were asked to develop options around what a policy or guidelines could look like together with analysis of risks and benefits, which Elected Members could review.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Kind Regards,

Official Information Team

Legal Services & Risk | People and Organisational Performance

Email: officialinformation@hcc.govt.nz



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From: official information <officialinformation@hcc.govt.nz>

Sent: Tuesday, 8 March 2022 1:54 pm

To: Jessica Wilson <jessica.wilson67743@gmail.com>

Cc: official information <officialinformation@hcc.govt.nz>

Subject: Final Response PT 1 of 2: LGOIMA 21328 - Jessica Wilson - Venue Hire and Booking Practice Policies from 1 June 2021 and any supporting documentation.

Kia Ora,

I refer to your information request below, Hamilton City Council is able to provide the following response.

We acknowledge the untimely-ness of our response and have been working hard to compile all the information which you have requested. Unfortunately some aspects (indicated below) are not possible without further consultation. However, we have decided to release all that we have prepared thus far and will be in touch as soon as we can release further information.

You requested:

Copies of all –

1. Reports
2. Briefing notes
3. Correspondence / Emails
4. Meeting notes, and
5. Any other information

From June 1 2021 to date regarding Hamilton City Council's current venue hire and booking practice policies, legislation or regulation, and any proposed updates or changes.

Our Response:

1. There have not been any reports relevant to your request. Therefore, we are refusing your request as per S 17(e) of LGOIMA – this information does not exist.
2. Hamilton City Council will release this in due course. Our closed briefings require extensive approval processes before they can be released.
3. Please see Attachment 1.

Note: all redactions have been made in accordance with:

S 7(2)(a) of LGOIMA – to protect the privacy of the natural persons.

S 7(2)(g) of LGOIMA – to maintain legal professional privilege.

S 7(2)(f)(i) of LGOIMA – to maintain effective of public affairs through the free and frank expression of opinions between or to members, officers, or employees of any local authority.

4. This, along with our response to part 2, will be released in due course.
5. Please see Attachment 2.

Hamilton City Council does not have a single policy that governs hiring of Council spaces, instead each space has its own Terms of Conditions. This attachment contains current venue hire and booking terms and conditions.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Kind Regards,

Official Information Team

Legal Services & Risk | People and Organisational Performance

Email: officialinformation@hcc.govt.nz



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From: Jessica Wilson <jessica.wilson67743@gmail.com>

Sent: Friday, 5 November 2021 9:18 am

To: official information <officialinformation@hcc.govt.nz>

Subject: Re: Clarification Request: LGOIMA 21315 - Jessica Wilson - Health, Safety and Wellbeing Policy from 1 Jan 2021.

Hello Tatiyana,

In that case, I'd like to shorten the time period and subject requested, as the deadline date will be expanded, as you mention.

Please could I receive copies of all reports, briefing notes, correspondence, emails, meeting notes and any other information from **June 1 2021** to date regarding Hamilton City Council's current **venue hire and booking practice** policies, legislation or regulation, and any proposed updates or changes.

Thank you for your assistance

Jessica

On Thu, 4 Nov 2021, 16:43 official information, <officialinformation@hcc.govt.nz> wrote:

Kia Ora,

As per our right under LGOIMA – we are requesting clarification around your request.

Your request, as it currently stands, will require substantial collation and review and as such may be refused. However, we have provided here:

1. A copy of our current Health and Safety Policy, and all
2. Strategic Risk and Assurance Committee reports, related to our current policy.

Can you please confirm, is this all that you are after? If no, can you please narrow your request or clarify what it is exactly that you are after?

If we do not hear back from you **12 November 2021**, we will follow up and may consider this request closed.

Please note, under LGOIMA 13 (7) and (8) – our deadline date will be extended from the date that you reply to this request for clarification.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Kind Regards,

Tatiyana | Official Information & Legal Support Advisor

Legal Services & Risk | People and Organisational Performance

Email: officialinformation@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.govt.nz

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From: official information <officialinformation@hcc.govt.nz>

Sent: Wednesday, 27 October 2021 3:37 pm

To: jessica.wilson67743@gmail.com

Cc: official information <officialinformation@hcc.govt.nz>

Subject: LGOIMA 21315 - Jessica Wilson - Health, Safety and Wellbeing Policy from 1 Jan 2021.

Kia Ora,

I write to acknowledge your information request of Wednesday 27 October 2021 as below.

Please be advised that your request has been passed on to the relevant team within Council and you will be informed of the outcome.

The Local Government Official Information and Meetings Act 1987 requires that we advise you of our decision on whether the Council will provide the requested information as soon as reasonably practicable, and no later than 20 working days after the day we received your request. We will respond to you no later than Wednesday 24 November 2021.

In light of the recent announcement regarding COVID-19 and New Zealand's Alert level 3, the safety of our employees is paramount. We've made necessary changes to our working environment and operations that may result in limited availability of some of our staff members. We appreciate your patience during this time. Please allow some extra time for a response to your request as we are all doing our best to accommodate the new circumstances.

Kind Regards,

Tatiyana | Official Information & Legal Support Advisor

Legal Services & Risk | People and Organisational Performance

Email: officialinformation@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.govt.nz

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From: Jessica Wilson <jessica.wilson67743@gmail.com>

Sent: Wednesday, 27 October 2021 11:24 am

To: Governance <HCC.Governance@hcc.govt.nz>

Subject: Health, Safety and Wellbeing Policy - Request for information under the Local Government and Official Information and Meetings Act (LGOIMA)

27 October 2021
Dear Hamilton Council

Request for information under the Local Government and Official Information and Meetings Act (LGOIMA)

Would you be good enough to supply copies of all reports, briefing notes, correspondence, emails and any other information from January 1 2021 to date regarding Hamilton City Council's current Health, Safety and Wellbeing Policies, legislation or regulation, and any proposed updates or changes.

Thank you

Jessica