

Laura Bowman

From: official information
Sent: Monday, 16 August 2021 5:28 pm
To: [REDACTED]
Cc: official information
Subject: FINAL RESPONSE: LGOIMA 21225 - [REDACTED] - All Communications regarding Extraordinary Council Meeting 12/07/2021 between EMs, Mayor & her office, CE and Others.
Attachments: Combined Emails - James_Redacted.pdf; Combined Emails - Richard Briggs_Redacted.pdf; Combined Emails - Governance_Redacted (002)_Redacted - Copy.pdf

Kia Ora,

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

Please find attached, all communications relevant to your request.

Note all redactions have been made in accordance with the following:

- S 7(2)(a) – To protect the privacy of natural persons.
- S 7(2)(g) – Maintain legal professional privilege.
- S 7(2)(f)(i) – Maintain the effective conduct of public affairs through free and frank expression of opinions between members, officers or employees of any local authority.

If you have any queries, please do not hesitate to contact us.

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.

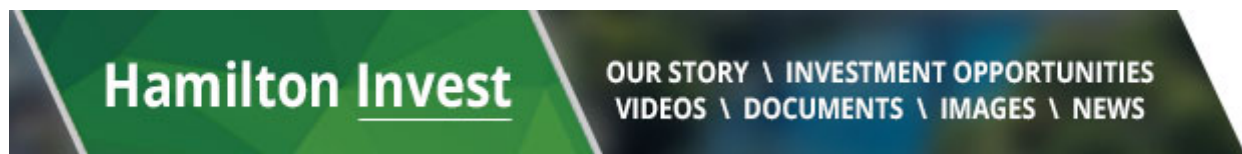
Kind Regards,

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

[Like us on Facebook](#) [Follow us on Twitter](#)



From: [REDACTED]
Sent: Monday, 16 August 2021 1:52 pm
To: official information <officialinformation@hcc.govt.nz>
Subject: Re: LGOIMA 21225 - [REDACTED] - All Communications regarding Extraordinary Council Meeting 12/07/2021 between EMs, Mayor & her office, CE and Others.

Kia ora,

As a follow up to my previous email, I will be referring the handling of this request, and the fact that the delay means the information will not be released before the meeting for which it is required, to the Ombudsman. The fact that this information has not, and appears will not, be released before that meeting means that I am not able to make an informed, evidence backed submission to the council and its committees.

On Thu, Aug 12, 2021 at 11:22 AM [REDACTED] > wrote:

Kia ora.

I specifically submitted this request in time to receive it back from the council before the follow up meeting that is scheduled for the 17th of August. There is currently another OIA request I have with NZTA related to the Innovating Streets project. Part of that is also sitting with HCC for review, and the extension that NZTA have given also places the response after the meeting next week. Taken together they suggest an attempt to delay the release of the information until after the meeting. I would appreciate if the information could be released as soon as possible.

On Thu, Aug 12, 2021 at 10:39 AM official information <officialinformation@hcc.govt.nz> wrote:

Kia Ora [REDACTED]

We apologise for the delay, this is currently sitting with our Legal Services Manager for review. Unfortunately, she has been away on sick leave but is back today.

My oversight in not having sent an extension notice to you earlier. We are hoping to have a final response for you by 20 August 2021.

If you have any queries, please contact:

Michelle Hawthorne

Legal Services Manager

Michelle.Hawthorne@hcc.govt.nz

07 24500008

Kind regards,

Tatiana Taunoa (*Pronouns: she/her*)

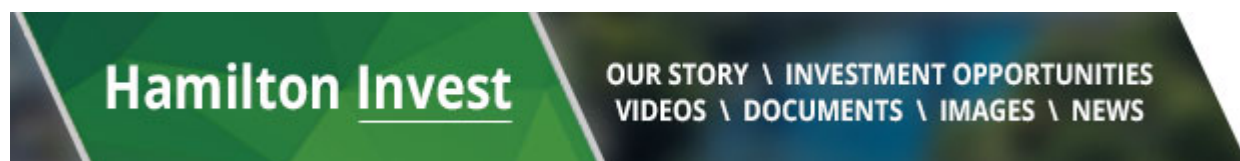
Official Information & Legal Support Advisor | Legal Services & Risk

People and Organisational Performance

DDI: +6478386455 | Tatiana.Taunoa@hcc.govt.nz or officialinformation@hcc.govt.nz

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

 [Like us on Facebook](#)  [Follow us on Twitter](#)



From: [REDACTED]
Sent: Thursday, 12 August 2021 8:45 am
To: official information <officialinformation@hcc.govt.nz>
Subject: Re: LGOIMA 21225 - [REDACTED] All Communications regarding Extraordinary Council Meeting 12/07/2021 between EMs, Mayor & her office, CE and Others.

Kia ora

This response is now overdue, and no extension has been sought. Can you please confirm when this information will be released.

I look forward to hearing from you.

[REDACTED]

On Thu, Jul 15, 2021 at 10:26 AM official information <officialinformation@hcc.govt.nz> wrote:

Kia Ora,

I write to acknowledge your information request of Wednesday 14 July 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 11 August 2021.

Kind Regards,

Tatiyana | Official Information & Legal Support Advisor

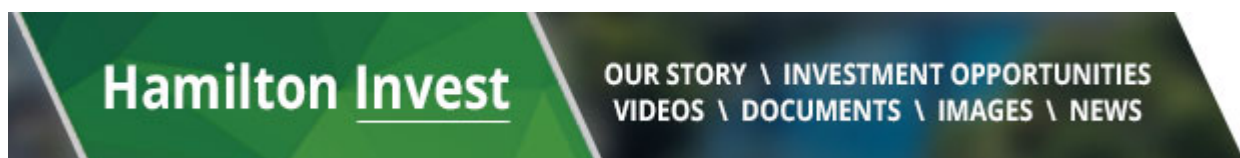
Legal Services & Risk | People and Organisational Performance

Email: officialinformation@hcc.govt.nz



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

 [Like us on Facebook](#)  [Follow us on Twitter](#)



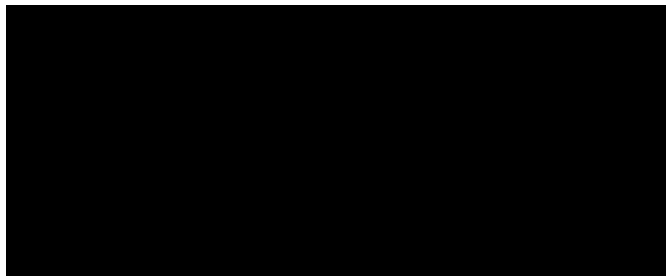
From: [REDACTED]
Sent: Wednesday, 14 July 2021 11:00 pm
To: official information <officialinformation@hcc.govt.nz>
Subject: LGOIMA request

Kia ora.

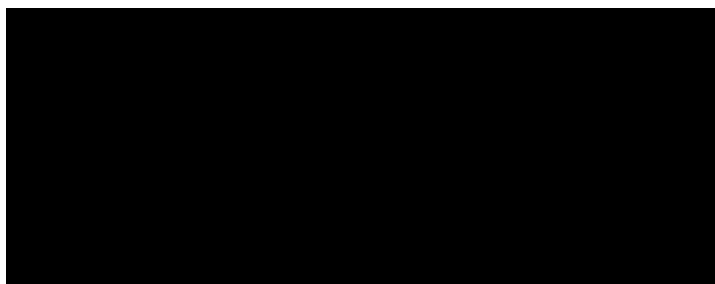
Under the Local Government Official Information and Meetings Act I make the following request.

- a. Please provide a copy of the email sent to all elected members to call the extraordinary council meeting held on 12 July 2021, as well as details related to when (date and time) and by whom it was sent.
- b. Please provide copies of all emails related to the extraordinary council meeting held on 12 July 2021 sent to/from Mayor Paula Southgate, James Clarke, Richard Briggs, internal and external legal advisors, and the person responsible for sending the email to all elected members to call the extraordinary council meeting.
- c. Please provide all emails and attachments discussing and or seeking legal advice on the calling of the extraordinary meeting held on 12 July 2021.
 - i. If any emails related to the above request are withheld, please provide metadata relating to the withheld emails including the sender, any recipients (including carbon copy and blind carbon copy), the subject line of the withheld email, the time it was sent, and the file name and file type of any attachments.

--



--



--
[Redacted]

--
[Redacted]



From: Jason Harrison <Jason.Harrison@hcc.govt.nz>
Sent: Thursday, 1 July 2021 9:24 am
To: Mayor <Mayor@hcc.govt.nz>; Councillors <Councillors@hcc.govt.nz>
Cc: Richard Briggs <Richard.Briggs@hcc.govt.nz>; Lance Vervoort <Lance.Vervoort@hcc.govt.nz>; Eeva-Liisa Wright <Eeva-Liisa.Wright@hcc.govt.nz>; Dan Silverton <Dan.Silverton@hcc.govt.nz>
Subject: EM UPDATE (1 July 2021): Hamilton Kirikiriroa Innovating Streets (HKIS) - Ward St Project
Importance: High

Good Morning Mayor Paula & Councillors,

-

The purpose of this email is to provide you with the next steps for agreeing the look/feel of Ward St following the end of the HKIS Innovating St Ward St project trial on Saturday 3 July.

This is a long email containing a lot of detail so I've structured it with a high level summary (& required actions) followed by the supporting detail.

Summary

The Ward St trial is due to end this Saturday (3 July 2021). To help guide Elected Members (EMs) decision as to what the next iteration of Ward St will look like (i.e. the interim treatment) staff have reviewed the feedback received to date (as at Friday 18 June 2021), and held drop-in session for co-design participants and EMs.

Four options have been developed and are attached for EMs consideration.

The challenge I have is how do I take instruction from EMs on what option to implement without

a IO Committee resolution. The next IO Committee meeting is 17 August 2021.

While I am not proposing 'do nothing' until a formal decision is made by EMs, I am suggesting that a staff report to the 17 August 2021 IO Committee is required to ratify EMs decision on the preferred 'interim' treatment. One reason that I like this approach is that all traffic data and survey results for the Ward St trial will be available to me from mid-July. Currently you only have feedback data as at 18 June 2021.

During the period of time between ending of the trial (3 July) and the IO Committee meeting (17 August) I am proposing we implement changes that are common across the majority of the options which are (i.e. in effect 'phasing the trial out'):

1. Over the month of July we reduce the amount of street furniture (plantings, seating) on-site.
2. Additional parking is introduced – during this period we would look to induce 3xP10 outside PWC and 1xMobility & 2xP30 along the southside of Ward St – to achieve this will need to remove sections of the people spaces created for the trial.
3. Reinstate 2 lanes on the approaches to both intersections. This would mean a lost of 2xP30 & 2xMobility outside WRC (NB: the lost of this parking will happen towards the end of July after the official opening of the Regional Council building).

With all changes the safety of people is our first priority.

I appreciate there is a lot of information to take in and I would be happy to talk further with EMs either individually or in a group setting on the matters raised in this email.

Key Actions for EMs is:

1. Feedback on the proposed approach to take a report to the IO Committee (17 August) to formal confirm the preferred 'interim' treatment
2. Feedback on the proposed changes to be undertaken between 3 July – 17 August

The rest of this email covers in detail the following points:

1. Ward St Interim Optioneering Matrix
2. The EM Decision-making process
3. Construction Planning
4. Comms Planning
5. Other Considerations

Ward St Interim Optioneering Matrix

As noted in my EM Update (22 June) staff have identified 4 'interim' options for EM consideration:

- Option A - Reverting back to the pre-trial road layout
- Option B – Reverting back to pre-trial road layout, with the pedestrian crossing remaining in place
- Option C – A version of the trial road layout with the following changes:
 - No parking on the north side of Ward St
 - Combination of angled and parallel parking on the south side of Ward St

Option D – A version of the trial road layout with the following changes:

- Cycle lane on north side is realigned past the retailer businesses so parking is against the kerb
- Introduction of additional parallel parking

Attached is a draft of the optioneering matrix that staff have developed to consider each option against. The matrix is based on the feedback that staff had received as at Friday 18 June 2021. A copy of this feedback was included in the EM Update (22 June). A concept plan of each option is attached.

NB1: The plans are at high-level concept stage only and there are construction details that will need to be considered as part of the detailed design. We will only conduct the detailed design (including safety audit) for the preferred option going forward (i.e. if any of Options B, C & D are preferred). No detailed design process is required for Option A.

EMs Decision-making Process

This has been a challenging matter to work through. Key question for me is how do staff act on EMs direction on what the proposed interim treatment should be given that the next IO Committee meeting is 17 August 2021.

I've sort guidance from Governance who have suggested that a EMs resolution is required on the preferred interim treatment.

In the event that I need to take a paper to the 17 August 2021 IO Committee, I would suggest that the following course of action is undertaken:

1. Over the month of July we reduce the amount of street furniture (plantings, seating) on-site.
2. Additional parking is introduced – during this period we would look to induce 3xP10 outside PWC and 1xMobility & 2xP30 along the southside of Ward St – to achieve this will need to remove sections of the people spaces created for the trial.
3. Reinstate 2 lanes on the approaches to both intersections. This would mean a lost of 2xP30 & 2xMobility outside WRC (NB: the lost of this parking will happen towards the end of July after the official opening of the Regional Council building).

By 'phasing out' the trial (3 July – 17 August) staff will be able to provide a staff report that includes all data and surveys completed for the Ward St trial. Currently only feedback up to 18 June 2021 has been considered in the optioneering matrix.

Construction Planning

Regardless of what option is endorsed by EMs all options will require Ward St to be resurfaced to provide a 'blank' canvas for the new road marking, and in the process will remove the temporary art work on the road.

In preparation for the resurfacing works we are planning to remove some of the planters & street furniture. Currently we are looking for new homes for the planting/trees that won't remain on-site.

Clearing the street of the temporary trial elements, from between the kerbs, will be done using a small team to work systematically along the street to minimise disruptions to businesses, customers, and the public during the daytime. Resurfacing works being planned as night works, again to minimise disruptions to businesses, customers, and the public.

NB2: The Waikato Regional Council (WRC) has its official opening planned for Monday 19 July 2021. If we are unable to complete all 'phasing out' changes before this date then we will look to stage it around this event.

Comms Planning

Our project's Comms Team are sending out a Project Update (No 6) on the latest regarding Ward St. Key messages are:

- The Ward Street trial will end on 3 July. This means we'll 'phase out' collecting trial data about the impact of the trial (in July) and some of the elements introduced as part of HKIS will begin to be removed or changed starting in the following week.
- What Ward Street looks like following the trial will be informed by feedback gathered as part of the Innovating Streets project. The long-term permanent upgrade of Ward Street will take into account all of the data and feedback captured during the trial.

The webpage for Innovating Streets will be updated to reflect the information contained in Project Update No. 6.

We are also exploring options for supporting businesses in Ward St to promote Ward St is open for business, plus any targeted advertising for businesses.

Businesses and co-design participants will be updated as part of the Project Update (No. 6).

In addition to the Project Update (No. 6), following feedback to the actions outlined in this email our intention to update (i.e. inform) businesses, other co-design participants, and the public. We expect the updates to be provided through the following forums:

- Businesses – a follow up meeting with Ward St Businesses arranged through HCBA
- Co-design participants – email, plus targeted discussions/meetings with selected participants (TBC)
- General Public – Media Release & Website

NB3: Please note it is my intention that no changes, even the 'phasing out' changes are undertaken until the stakeholders noted above are communicated with on the 'phasing out' process and decision-making process for the interim treatment.

Other Considerations

The role of Bryce St as part of the biking network

Some of the feedback I received from last week's EM drop-in sessions was regarding what role

Bryce Street can play in connecting our biking network and whether this street could be used to access the city centre as an alternative to Ward St.

Staff have engaged a study which is currently expected to be completed by 30 September 2021. This work includes the following scope:

- Complete investigation, baseline monitoring, route selection, and concept design of cycle improvements along Bryce Street between the Western Rail Trail and Claudelands Road

In terms of the role Bryce St will play I would expect any biking facilities on that street would encourage people on bikes crossing the city (i.e. heading east-west / west-east along the network). While there may be some who may use this route to access the city centre there is still a case to be made that the nature desire line into the city centre (from the Western Rail Trail) is through Ward St.

Other feedback I received asked staff look at the footpath at the bottom of the Wintec Wall (Anglesea St) being used as a dedicated northbound biking/active mode lane. Staff are investigated this.

Permanent changes to Ward St

As part of the story to be told about the upcoming permanent changes to Ward St the following budgets have been approved in the 2021-31 LTP:

- Ward St / Anglesea St Intersection
 - Yr2 - \$1.236m
- Ward St / Tristram St Intersection
 - Yr2 - \$1.545m
- Ward St
 - Yr1 - \$1.500m
 - Yr2 - \$3.090m

There is a story to be told about how the HKIS Ward St trial has provided insights/feedback that has informed the interim treatment and will inform the permanent works.



Transport Strategy

Through IO Chair Angela O'Leary staff have been given the challenge that by December 2021 to grip up the various transport related initiatives (e.g. parking, active modes, PT, route priorities, network safety) into a high level citywide transport strategic position that can be used to anchor future trials and transport initiatives so we can be clear how each trial/initiative is giving effect to it.

Ngaa mihi

Jason Harrison

Unit Manager | City Transportation

DDI: 07 838 6904 | MOB: [REDACTED] | Email: jason.harrison@hcc.govt.nz



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



[Like us on Facebook](#)



[Follow us on Twitter](#)

This email and any attachments are strictly confidential and may contain privileged information. If you are not the intended recipient please delete the message and notify the sender. You should not read, copy, use, change, alter, disclose or deal in any manner whatsoever with this email or its attachments without written authorisation from the originating sender. Hamilton City Council does not accept any liability whatsoever in connection with this email and any attachments including in connection with computer viruses, data corruption, delay, interruption, unauthorised access or unauthorised amendment. Unless expressly stated to the contrary the content of this email, or any attachment, shall not be considered as creating any binding legal obligation upon Hamilton City Council. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Hamilton City Council.

From: [Amy Viggers](#)
To: [Becca Brooke](#)
Subject: RE: Innovating Streets Meetings
Date: Monday, 5 July 2021 5:42:00 pm

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Becca Brooke <Becca.Brooke@hcc.govt.nz>
Sent: Monday, 5 July 2021 7:57 am
To: Amy Viggers <Amy.Viggers@hcc.govt.nz>
Subject: Fwd: Innovating Streets Meetings

To discuss.

Get [Outlook for Android](#)

From: James Clarke <James.Clarke@hcc.govt.nz>
Sent: Friday, July 2, 2021 7:16:33 PM
To: Rochelle Miller <Rochelle.Miller@hcc.govt.nz>; Becca Brooke <Becca.Brooke@hcc.govt.nz>
Subject: Innovating Streets Meetings

Rochelle,

Please can you work with Governance on Monday morning to set up:

- an EM Zoom to discuss Innovating Streets by Wednesday at the latest. Becca, let's discuss exact attendee list once I've spoken to Paula.
- a hold in Paula's/key staff's diary (not other EMs yet please) for a possible extraordinary council meeting, about four working days later.

Thanks,
James

James Clarke

Director of Mayor's Office

DDI: +64 7 838 6645 | MB: +[REDACTED] | Email: james.clarke@hcc.govt.nz

From: [James Clarke](#)
To: [Councillors](#)
Cc: [Norm Hill](#); [Senior Leadership Team](#); [Governance Unit](#); [Jason Harrison](#); [Dan Silverton](#); [Maria Tipene](#); [Tania Hermann](#)
Subject: Extraordinary Council Meeting
Date: Tuesday, 6 July 2021 7:32:48 pm
Importance: High

Kia ora koutou,

I am writing to let you know that Mayor Paula has requested an extraordinary Council meeting to discuss Ward St. This will take place next Monday at 1pm. An invitation from Governance will follow shortly.

As you know, significant concerns have been raised by businesses on Ward Street regarding the effects of the Innovating Streets trial. There is further concern now regarding what some of the businesses perceive to be the slow removal of the trial. The current plan, as communicated by staff late last week, will see elements of the trial gradually unpicked over the next few weeks, with more substantive changes deferred until after an Infrastructure Operations committee meeting on 17 August.

Given that the trial had a clearly communicated end date which has now passed, Mayor Paula thinks it's important to have a discussion about next steps, and whether some elements of the trial can be removed faster. In the meantime, we're receiving lots of feedback from all parts of the community which we'll ensure you're all sighted on.

Thanks,
James

James Clarke

Director of Mayor's Office

DDI: +64 7 838 6645 | MB: +[REDACTED] | Email: james.clarke@hcc.govt.nz

From: [Becca Brooke](#)
To: [Eeva-Liisa Wright](#); [Amy Viggers](#)
Cc: [Jason Harrison](#)
Subject: RE: Extraordinary Council Meeting
Date: Wednesday, 7 July 2021 10:40:05 am

Hi EL,

Essentially James' email was the notice and we followed through with a appointment this morning.

It would be ideal if you could get the memo through to us today so that we can attach it to a cover report and circulate the agenda this arvo/evening to meet the 2 working day legal timeframe. We could possibly circulate tomorrow morning as we would still meet the 2 working day timeframe as long as we circulate prior to 1pm but if you could get something through to us today that would be great.

Thanks,
Becca

From: Eeva-Liisa Wright <Eeva-Liisa.Wright@hcc.govt.nz>
Sent: Wednesday, 7 July 2021 9:57 am
To: Amy Viggers <Amy.Viggers@hcc.govt.nz>
Cc: Becca Brooke <Becca.Brooke@hcc.govt.nz>; Jason Harrison <Jason.Harrison@hcc.govt.nz>
Subject: Fwd: Extraordinary Council Meeting

Morning Amy, can you please help and advise on reporting timeframes please and when meeting date will be confirmed.... Or is this email confirmation?

Following a discussion with Richard, for this meeting, Staff a providing a memo through to the CE based on Elected member update emails from last week.

Also so you are aware, i am on jury service this week, so I am currently sitting in the court room as a reserve. I am limited with equipment, resources and contact while I am here.

Thanks
Eeva-Liisa

Get [Outlook for iOS](#)

From: James Clarke <James.Clarke@hcc.govt.nz>
Sent: Tuesday, July 6, 2021 7:32:46 PM
To: Councillors <Councillors@hcc.govt.nz>
Cc: Norm Hill <Norm.Hill@council.hcc.govt.nz>; Senior Leadership Team <MX@hcc.govt.nz>; Governance Unit <GovUnit@hcc.govt.nz>; Jason Harrison <Jason.Harrison@hcc.govt.nz>; Dan Silvertson <Dan.Silvertson@hcc.govt.nz>; Maria Tipene <Maria.Tipene@hcc.govt.nz>; Tania Hermann <Tania.Hermann@hcc.govt.nz>
Subject: Extraordinary Council Meeting

Kia ora koutou,

I am writing to let you know that Mayor Paula has requested an extraordinary Council meeting to discuss Ward St. This will take place next Monday at 1pm. An invitation from Governance will follow shortly.

As you know, significant concerns have been raised by businesses on Ward Street regarding the effects of the Innovating Streets trial. There is further concern now regarding what some of the businesses perceive to be the slow removal of the trial. The current plan, as communicated by staff late last week, will see elements of the trial gradually unpicked over the next few weeks, with more substantive changes deferred until after an Infrastructure Operations committee meeting on 17 August.

Given that the trial had a clearly communicated end date which has now passed, Mayor Paula thinks it's important to have a discussion about next steps, and whether some elements of the trial can be removed faster. In the meantime, we're receiving lots of feedback from all parts of the community which we'll ensure you're all sighted on.

Thanks,
James

James Clarke

Director of Mayor's Office

DDI: +64 7 838 6645 | MB: +[REDACTED] [REDACTED] | Email: james.clarke@hcc.govt.nz

From: [Jason Harrison](#)
To: [Mayor](#); [Councillors](#)
Cc: [Richard Briggs](#); [Lance Vervoort](#); [Eeva-Liisa Wright](#); [Dan Silverton](#)
Subject: EM UPDATE (7 July 2021): Hamilton Kirikiriroa Innovating Streets (HKIS) - Ward St Project
Date: Wednesday, 7 July 2021 1:16:23 pm
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
Importance: High

Good Afternoon Mayor Paula and Councillors,

The purpose of this email is to update EMs on work happening on Ward St this week and next.

Works happening this week

Further to my previous update on 1 July 2021, a small work crew have been onsite Monday/Tuesday this week de-planting the de-mulching the big planters on Ward St in preparation for removing them and the other planters that have been identified for relocation.

Originally I had planned to have the planters (identified for relocation off site), road marking of additional parking bays, and remarking the cycle lane on the south side (PWC side) done last night – unfortunately between getting resource available and the wet weather this didn't happen.

This work has been rescheduled for Thursday night with a single lane closure planned from 8pm (i.e. west bound lane only, heading toward HGHS) and all these work completed this night. This work is weather dependent. Currently the weather forecast looks favourable.

We have also arranged for perception surveys to be circulated to co-design participants and Ward St businesses. The surveys focusses on collecting feedback on the co-design process and post-installation of physical changes. This survey closes Sunday 11 July 2021.

Work happening next week

Next week we are planning on changing the Ward St / Anglesea St intersection back to 2 lanes on the approach to the intersection.

NB1: The Waikato Regional Council (WRC) has its official opening planned for Monday 19 July 2021, works planned to change the Ward St / Tristram St intersection back to 2 lanes on the approach to the intersection will happen after this date.

NB2: From the extraordinary Council meeting on Monday (12 July) if a decision is made to implement one of the four options I have discussed with our maintenance team (Infrastructure Alliance) how quickly we can get the road resurfaced to provide a 'blank' canvas for the new road markings. Wednesday night (14 July) is the date we have ringed fenced for completing this work, subject to a EM decision on Monday.

As always, if you have any questions/feedback please send this through me directly.

[Ngaa mihi](#)

Jason Harrison

Unit Manager | City Transportation

DDI: 07 838 6904 | MOB: [REDACTED] | Email: jason.harrison@hcc.govt.nz



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



[Like us on Facebook](#)



[Follow us on Twitter](#)

This email and any attachments are strictly confidential and may contain privileged information. If you are not the intended recipient please delete the message and notify the sender. You should not read, copy, use, change, alter, disclose or deal in any manner whatsoever with this email or its attachments without written authorisation from the originating sender. Hamilton City Council does not accept any liability whatsoever in connection with this email and any attachments including in connection with computer viruses, data corruption, delay, interruption, unauthorised access or unauthorised amendment. Unless expressly stated to the contrary the content of this email, or any attachment, shall not be considered as creating any binding legal obligation upon Hamilton City Council. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Hamilton City Council.

From: [Becca Brooke](#)
To: [Michelle Hawthorne](#); [Amy Viggers](#)
Subject: Fwd: Innovating Streets Urgent Meeting
Date: Sunday, 11 July 2021 4:15:33 pm

Get [Outlook for Android](#)

From: Angela O'Leary <Angela.OLeary@council.hcc.govt.nz>
Sent: Sunday, 11 July 2021, 1:01 pm
To: Councillors
Cc: James Clarke; Rob Pascoe; Governance; CouncillorsOnly; Senior Leadership Team
Subject: Re: Innovating Streets Urgent Meeting

[REDACTED]

[REDACTED]

[REDACTED]

Councillor Angela O'Leary
Chair of Infrastructure Operations
Hamilton City Council

A Private Bag 3010, Hamilton 3240, New Zealand
P [07 838 6699](tel:078386699) **M** [REDACTED]
E angela.oleary@council.hcc.govt.nz

On 10/07/2021, at 7:12 PM, Dave Macpherson
<Dave.Macpherson@council.hcc.govt.nz> wrote:

Kia ora James

From: [Paula Southgate](#)
To: [Amy Viggers](#)
Subject: Fwd: Innovating Streets Urgent Meeting
Date: Sunday, 11 July 2021 7:02:27 pm

Get [Outlook](#) for iOS

From: Paula Southgate <paula.southgate@council.hcc.govt.nz>

Sent: Sunday, July 11, 2021 7:01 PM

To: Becca Brooke; Richard Briggs; James Clarke

Subject: Fwd: Innovating Streets Urgent Meeting

Can someone please step in to provide confirmation of the governance advice we received about the process please?

Get [Outlook](#) for iOS

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

Sent: Sunday, July 11, 2021 6:56 PM

To: Geoff Taylor

Cc: Angela O'Leary; Councillors; James Clarke; Rob Pascoe; Governance; CouncillorsOnly; Senior Leadership Team

Subject: Re: Innovating Streets Urgent Meeting

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dave

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

On 11/07/2021, at 6:20 PM, Geoff Taylor <geoff.taylor@council.hcc.govt.nz> wrote:

[REDACTED]

From: [Governance](#)
To: [Melanie Hill \(Governance\)](#); [Amy Viggers](#)
Subject: Extraordinary Council Meeting
Start: Monday, 12 July 2021 1:00:00 pm
End: Monday, 12 July 2021 5:00:00 pm
Location: Council Chamber and Zoom

Kia ora,

This Extraordinary Council meeting has been scheduled at the request of Mayor Paula for the purpose of discussing Ward st, as outlined in the email from James and included below.

Below is a zoom link for those that require it:

<https://zoom.us/j/97620787885?pwd=WGlseFlnTVROQ0oyM3ptLzNxVldhZz09>

Meeting ID: 976 2078 7885

Passcode: 789708

Kia ora koutou,

I am writing to let you know that Mayor Paula has requested an extraordinary Council meeting to discuss Ward St. This will take place next Monday at 1pm. An invitation from Governance will follow shortly.

As you know, significant concerns have been raised by businesses on Ward Street regarding the effects of the Innovating Streets trial. There is further concern now regarding what some of the businesses perceive to be the slow removal of the trial. The current plan, as communicated by staff late last week, will see elements of the trial gradually unpicked over the next few weeks, with more substantive changes deferred until after an Infrastructure Operations committee meeting on 17 August.

Given that the trial had a clearly communicated end date which has now passed, Mayor Paula thinks it's important to have a discussion about next steps, and whether some elements of the trial can be removed faster. In the meantime, we're receiving lots of feedback from all parts of the community which we'll ensure you're all sighted on.

Thanks,

James

James Clarke
Director of Mayor's Office

DDI: +64 7 838 6645 | MB: +[REDACTED] | Email: james.clarke@hcc.govt.nz <<mailto:james.clarke@hcc.govt.nz>>

From: [Sarah Thomson](#)
To: [Amy Viggers](#)
Subject: Fwd: Extraordinary Meeting proposed for today
Date: Monday, 12 July 2021 10:27:56 am

Sarah Thomson
Hamilton City Councillor
02102434312

Begin forwarded message:

From: Dave Macpherson <Dave.Macpherson@council.hcc.govt.nz>
Date: 12 July 2021 at 10:10:22 AM NZST
To: Richard Briggs <Richard.Briggs@hcc.govt.nz>
Cc: James Clarke <James.Clarke@hcc.govt.nz>, Angela O'Leary <Angela.OLeary@council.hcc.govt.nz>
Subject: Extraordinary Meeting proposed for today


Kia ora Richard - on Saturday, I emailed James in a response to his email justifying the Extraordinary Meeting proposed today.

I asked for a legal opinion on whether such a meeting should be called for the reasons stated. I have not had a response, or an acknowledgement.

Further to my comments on Saturday, a Councillor has suggested to me that Standing Orders, P.13 allows the Mayor to call such a meeting.

However, if you read on in the Stabding Orders, including the next page; there must be reasons why the meeting could not be called with the normal notice; so what I'm saying is that the matters to be raised in the Extraordinary Meeting are ALREADY on the agenda for the next Infrastructure Cttee meeting, so there is no valid reason why there needs to be a meeting without proper notice.

Dave

Dave Macpherson
+ 
dave.macpherson@xtra.co.nz

From: [Amy Viggers](#)
To: [Michelle Hawthorne](#)
Subject: Fwd: Extraordinary Council Meeting
Date: Monday, 12 July 2021 10:54:08 am

Begin forwarded message:

From: Governance <HCC.Governance@hcc.govt.nz>
Date: 7 July 2021 at 8:36:00 AM NZST
To: Councillors <Councillors@hcc.govt.nz>
Cc: Norm Hill <Norm.Hill@council.hcc.govt.nz>, Senior Leadership Team <MX@hcc.govt.nz>, Governance Unit <GovUnit@hcc.govt.nz>, Jason Harrison <Jason.Harrison@hcc.govt.nz>, Senior Leadership Team EA's <SLTEA's@hcc.govt.nz>, Communications Agenda <CommunicationsAgenda@hcc.govt.nz>, BSLT meeting <BSLT.meeting@hcc.govt.nz>
Subject: Extraordinary Council Meeting

Kia ora,

This Extraordinary Council meeting has been scheduled at the request of Mayor Paula for the purpose of discussing Ward st, as outlined in the email from James and included below.

Below is a zoom link for those that require it:
[https://zoom.us/j/97620787885?](https://zoom.us/j/97620787885?pwd=WGlseFlnTVROQ0oyM3ptLzNxVldhZz09)
[pwd=WGlseFlnTVROQ0oyM3ptLzNxVldhZz09](#)
Meeting ID: 976 2078 7885
Passcode: 789708

Kia ora koutou,

I am writing to let you know that Mayor Paula has requested an extraordinary Council meeting to discuss Ward St. This will take place next Monday at 1pm. An invitation from Governance will follow shortly.

As you know, significant concerns have been raised by businesses on Ward Street regarding the effects of the Innovating Streets trial. There is further concern now regarding what some of the businesses perceive to be the slow removal of the trial. The current plan, as communicated by staff late last week, will see elements of the trial gradually unpicked over the next few weeks, with more substantive changes deferred until after an Infrastructure Operations committee meeting on 17 August.

Given that the trial had a clearly communicated end date which has now passed, Mayor Paula thinks it's important to have a discussion about next steps, and whether some elements of the trial can be removed faster. In the meantime, we're receiving lots of feedback from all parts of the community

From: [Amy Viggers](#)
To: [Michelle Hawthorne](#)
Subject: Fwd: Innovating Streets Urgent Meeting
Date: Monday, 12 July 2021 11:17:16 am

Begin forwarded message:

From: Dave Macpherson <Dave.Macpherson@council.hcc.govt.nz>
Date: 12 July 2021 at 11:15:16 AM NZST
To: Paula Southgate <paula.southgate@council.hcc.govt.nz>
Cc: Geoff Taylor <geoff.taylor@council.hcc.govt.nz>, Angela O'Leary <Angela.OLeary@council.hcc.govt.nz>, Councillors <Councillors@hcc.govt.nz>, James Clarke <James.Clarke@hcc.govt.nz>, Rob Pascoe <Rob.Pascoe@council.hcc.govt.nz>, Governance <HCC.Governance@hcc.govt.nz>, CouncillorsOnly <CouncillorsOnly@hcc.govt.nz>, Senior Leadership Team <MX@hcc.govt.nz>
Subject: Re: Innovating Streets Urgent Meeting

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Cr Dave Macpherson

[REDACTED]
dave.macpherson@xtra.co.nz

On 11/07/2021, at 6:37 PM, Paula Southgate

From: [Amy Viggers](#)
To: [Tyler Gaukrodger](#)
Subject: FW: Extraordinary Meeting proposed for today
Date: Monday, 12 July 2021 11:39:00 am

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED] 
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

From: Amy Viggers <Amy.Viggers@hcc.govt.nz>
Sent: Monday, 12 July 2021 11:15 am
To: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Subject: Fwd: Extraordinary Meeting proposed for today

Begin forwarded message:

Tatiana Taunoa

From: Sarah Thomson
Sent: Tuesday, 6 July 2021 7:40 pm
To: James Clarke
Cc: Angela O'Leary
Subject: Re: Extraordinary Council Meeting

Hi James

Can you advise see what the motion is that's being put forward?

Sarah Thomson
Hamilton City Councillor
[REDACTED]

On 6/07/2021, at 7:32 PM, James Clarke <James.Clarke@hcc.govt.nz> wrote:

Kia ora koutou,

I am writing to let you know that Mayor Paula has requested an extraordinary Council meeting to discuss Ward St. This will take place next Monday at 1pm. An invitation from Governance will follow shortly.

As you know, significant concerns have been raised by businesses on Ward Street regarding the effects of the Innovating Streets trial. There is further concern now regarding what some of the businesses perceive to be the slow removal of the trial. The current plan, as communicated by staff late last week, will see elements of the trial gradually unpicked over the next few weeks, with more substantive changes deferred until after an Infrastructure Operations committee meeting on 17 August.

Given that the trial had a clearly communicated end date which has now passed, Mayor Paula thinks it's important to have a discussion about next steps, and whether some elements of the trial can be removed faster. In the meantime, we're receiving lots of feedback from all parts of the community which we'll ensure you're all sighted on.

Thanks,
James

James Clarke
Director of Mayor's Office
DDI: +64 7 838 6645 | MB: [REDACTED] | Email: james.clarke@hcc.govt.nz

Tatiana Taunoa

From: Eeva-Liisa Wright
Sent: Wednesday, 7 July 2021 10:05 am
To: James Clarke
Cc: Jason Harrison
Subject: Fwd: Extraordinary Council Meeting

Hi James, thanks for your email. To avoid any confusion, can you please reconfirm this report is ward street only, as innovating streets included Rostrevor Street as a full project and there have been process questions also raised by elected members for this location.

Also, in your email you reference receiving lots of feedback from the community post trial completion. Can you please ensure these are forwarded to Jason and myself for awareness if appropriate, noting we have received the business feedback from PWC, WRC, Craig Investment partners and Hamilton Tyre and Battery via email.

Thank you
Kind regards
Eeva-Liisa

Get [Outlook for iOS](#)

From: James Clarke <James.Clarke@hcc.govt.nz>
Sent: Tuesday, July 6, 2021 7:32 PM
To: Councillors
Cc: Norm Hill; Senior Leadership Team; Governance Unit; Jason Harrison; Dan Silverton; Maria Tipene; Tania Hermann
Subject: Extraordinary Council Meeting

Kia ora koutou,

I am writing to let you know that Mayor Paula has requested an extraordinary Council meeting to discuss Ward St. This will take place next Monday at 1pm. An invitation from Governance will follow shortly.

As you know, significant concerns have been raised by businesses on Ward Street regarding the effects of the Innovating Streets trial. There is further concern now regarding what some of the businesses perceive to be the slow removal of the trial. The current plan, as communicated by staff late last week, will see elements of the trial gradually unpicked over the next few weeks, with more substantive changes deferred until after an Infrastructure Operations committee meeting on 17 August.

Given that the trial had a clearly communicated end date which has now passed, Mayor Paula thinks it's important to have a discussion about next steps, and whether some elements of the trial can be removed faster. In the meantime, we're receiving lots of feedback from all parts of the community which we'll ensure you're all sighted on.

Thanks,
James

James Clarke
Director of Mayor's Office
DDI: +64 7 838 6645 | MB: [REDACTED] | Email: james.clarke@hcc.govt.nz

Tatiana Taunoa

From: Dan Silverton
Sent: Friday, 9 July 2021 11:03 am
To: James Clarke; Jeanette Tyrrell
Subject: Innovating Streets update
Attachments: Innovating Streets update

Hi James and Jeanette,

I have drafted the attached email to send to Ward St businesses (via HCBA), the community co-designers and our project update database, ahead of Monday's Extraordinary Council meeting.

Let me know if you have any thoughts on this.

Dan Silverton

Communication and Engagement Team Leader

DDI: [078386596](tel:078386596) | Mob: [REDACTED] | Email: dan.silverton@hcc.govt.nz



Hamilton City Council | 260 Anglesea St | Hamilton 3240 | www.hamilton.govt.nz

 [Like us on Facebook](#)  [Follow us on Instagram](#)

This email and any attachments are strictly confidential and may contain privileged information. If you are not the intended recipient please delete the message and any attachments without written authorisation from the originating sender. Hamilton City Council does not accept any liability whatsoever in connection with the use of this email or any attachments. Unless expressly stated to the contrary the content of this email, or any attachment, shall not be considered as creating any binding contract. The content of this email and any attachments does not necessarily reflect the views of Hamilton City Council.

Tatiana Taunoa

From: Innovating Streets
Sent: Friday, 9 July 2021 2:46 pm
To: Amy Viggers; Angela O'Leary; Becca Brooke; Dave Macpherson; Ewan Wilson; Geoff Taylor; Governance; James Clarke; Kesh Naidoo-Rauf; Mark Bunting; Martin Gallagher; Maxine van Oosten; Paula Southgate; Rob Pascoe; Ryan Hamilton; Sarah Thomson; James Whetu; Norm Hill; Olly Te Ua; Te Pora Thompson-Evans; Andrew Parsons; Blair Bowcott; Chris Allen; David Bryant; Eeva-Liisa Wright; Lance Vervoort; Louise Lukin; Murray Heke; Richard Briggs; Sean Hickey; Sean Murray
Subject: Hamilton Kirikiriroa Innovating Streets Update

Kia ora,

This email is to provide an update and inform you on the next steps for Hamilton City Council's Innovating Streets programme.

Ward Street – what has happened since the trial ended

- A work crew was onsite Monday and Tuesday this week de-planting and de-mulching the planter boxes in preparation for removing and/or relocating them.
- Overnight, about a dozen of these were removed and/or relocated, and some carparking was reinstated on the south side.
- The parking that has been reinstated is:
 - 3 x P10 (outside the PWC building)
 - 2 x P30 (outside YiWan Noodles)
 - 1 x mobility park (outside YiWan Noodles)
- Planter boxes and street furniture (seats) were relocated to realign the west-bound cycle lane. However, due to the wet weather, additional marking of the green cycle lane was unable to be completed.

Ward Street – what is happening

- An Extraordinary Council meeting for **1pm on Monday 12 July** to discuss the Innovating Streets trial on Ward Street. The agenda for the meeting can be found [here](#).
- **There is an opportunity to provide feedback on the trial, and your views on the future state of Ward Street, either by written submission or verbal presentation in the public forum.**
- To provide a written submission or to request to speak in public forum, email governance@hcc.govt.nz.
- You'll be updated again following the meeting about any decisions that are made.

Rostrevor Street

- On Monday 5 July, Rostrevor Street was reopened to traffic and for parking.
- Temporary traffic management (cones and signs) is in place and staff are monitoring vehicle speeds.
- The street art remains on the road so the temporary traffic management includes a 30kph speed limit.
- Next week staff will review if any of the temporary traffic management tactics can be removed from the street.
- A report on the Rostrevor Street trial based on the feedback received and data captured will be presented to the Infrastructure Operations meeting on 17 August.

Ngaa mihi nui
The Innovating Streets Team

From: [REDACTED]
<matt@matthewbeveridge.co.nz>
Sent: Friday, 9 July 2021 3:43 pma
To: Governance <HCC.Governance@hcc.govt.nz>
Subject: Innovating Streets Urgent Meeting

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

To whom it may concern.

I have become aware, because of the work of people on social media, that the council is calling an urgent meeting on Monday related to the Ward Street Innovating Streets Project. By the admission of the Council's own staff, the feedback period for this project closes less than 24 hours before this meeting. The staff also state that "A complete summary of trial feedback and data is currently not available." Additionally, they point out that "The data collected through traffic surveys is expected to be available from Friday 16 July." Which is four days after this proposed meeting.

On the FAQ page related to this project the council states

What happens at the end of the trials?

- While we don't know which street improvements will work best for people, we don't intend for either street to go back to exactly the way it was.
- A full evaluation will be completed at the end of the trial to inform any future decisions on permanent changes to both streets.

Which run counter to two elements of the urgent meeting. The calling of the meeting, along with the proposed options, suggest that the council wish to forgo a "full evaluation" as well as "to go back to exactly the way it was".

It appears that the council is being overly sensitive to claims it hasn't consulted with people, and its response is to ignore its own outlined plans for consultation and fall in line with the requests of a vocal minority of vested interests, while ignoring, sidestepping, and misleading the voters of this city.

This is not the first time that the council has failed to exercise its moral and legal obligations to consultation, it is unlikely to be the last, but it should not be allowed to happen at this point in time.

The council should accept that it needs to follow the process it has set out in its own promotion of this project, and cancel the proposed meeting for Monday.



From: [REDACTED]
Sent: Saturday, 10 July 2021 10:06 am
To: James Clarke
Subject: Re: Innovating Streets Urgent Meeting

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

Kia ora James.

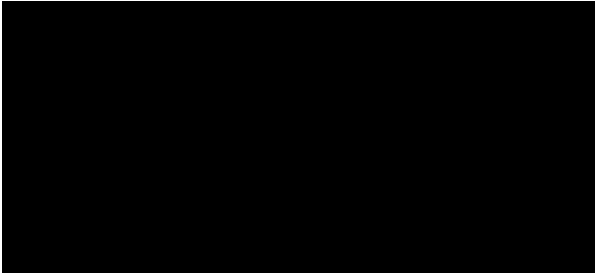
I have read the agenda, doing so did nothing to ease my concerns, nor has your email.

Her position seems to be that she is prepared to make a decision based on anecdotal feedback from those who have been able to obtain access to her, as opposed to the results of the council funded consultation with those who have used the street. She is making a decision to subvert the process that has been publicly communicated, so as to circumvent the feedback that has been received from those who don't have access to her, but have engaged in the consultation process as carried out by the council.

These actions are apparently to address concerns that business owners in the area have no certainty of when changes are happening. This lack of certainty seems to have been caused by the council failing to articulate the process to the business owners, and make sure they understood what the process post trial would be. It is an issue that can be addressed by making clear to the business owners the time frame, and allowing the feedback process to continue as planned.

Her argument that the feedback being gathered will not be lost, but it seems that the whole point of the extraordinary meeting is to avoid having to address the detailed results of the feedback. In particular, her repeated mention of businesses gives the strong impression that her focus is on addressing the concerns of a small number of businesses, while ignoring the interests and engagement of those who have provided feedback to the process. People who have provided feedback on the expectation that it will help inform the decision making of the council.

It should also be noted that bringing forward a potential council decision on this to over a month ahead of what the community was previously advised the decision date would be is an act of bad faith, that does not give your own community adequate time to prepare to speak to the meeting. The approach the Mayor is taking is also inconsistent with the Ombudsman's guidelines on good decision making for local government, particularly around fair process and giving people a fair chance to comment before a decision is made and decision makers basing their decisions off supporting evidence, which by your staff's own admission they haven't been able to provide.



On 9/07/21 4:44 pm, James Clarke wrote:

Kia ora 

Thanks for your feedback, which has been shared with all Elected Members.


I assume from your email that you have read the [agenda](#), but I thought it worth flagging a couple of the key points in Mayor Paula's chair's report. She mentions the feedback that we have received, and also notes that delaying action until after 17 August is in itself a decision. Therefore she – supported by several other Councillors – thinks it's right that Council meets to discuss the feedback they've heard, and considers the best way forward. That doesn't mean that the feedback that's being gathered will be lost; on the contrary, Mayor Paula is determined to learn from it – not just for the sake of decisions on Ward Street, but for the wider development of the CBD.

Best,
James

James Clarke

Director of Mayor's Office

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

From: 
Sent: Friday, 9 July 2021 3:43 pm
To: Governance <HCC.Governance@hcc.govt.nz>
Subject: Innovating Streets Urgent Meeting

To whom it may concern.

I have become aware, because of the work of people on social media, that the council is calling an urgent meeting on Monday related to the Ward Street Innovating Streets Project. By the admission of the Council's own staff, the feedback period for this project closes less than 24 hours before this meeting. The staff also state that "A complete summary of trial feedback and data is currently not available." Additionally, they point out that "The data collected through traffic surveys is expected to be available from Friday 16 July." Which is four days after this proposed meeting.

On the FAQ page related to this project the council states

What happens at the end of the trials?

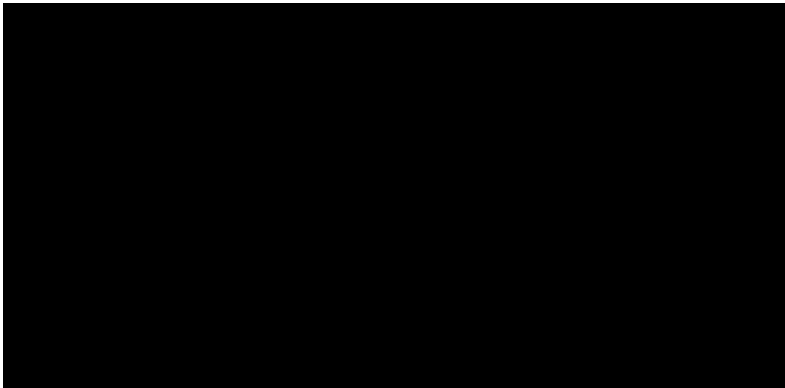
1. While we don't know which street improvements will work best for people, we don't intend for either street to go back to exactly the way it was.
2. A full evaluation will be completed at the end of the trial to inform any future decisions on permanent changes to both streets.

Which run counter to two elements of the urgent meeting. The calling of the meeting, along with the proposed options, suggest that the council wish to forgo a “full evaluation” as well as “to go back to exactly the way it was”.

It appears that the council is being overly sensitive to claims it hasn’t consulted with people, and its response is to ignore its own outlined plans for consultation and fall in line with the requests of a vocal minority of vested interests, while ignoring, sidestepping, and misleading the voters of this city.

This is not the first time that the council has failed to exercise its moral and legal obligations to consultation, it is unlikely to be the last, but it should not be allowed to happen at this point in time.

The council should accept that it needs to follow the process it has set out in its own promotion of this project, and cancel the proposed meeting for Monday.



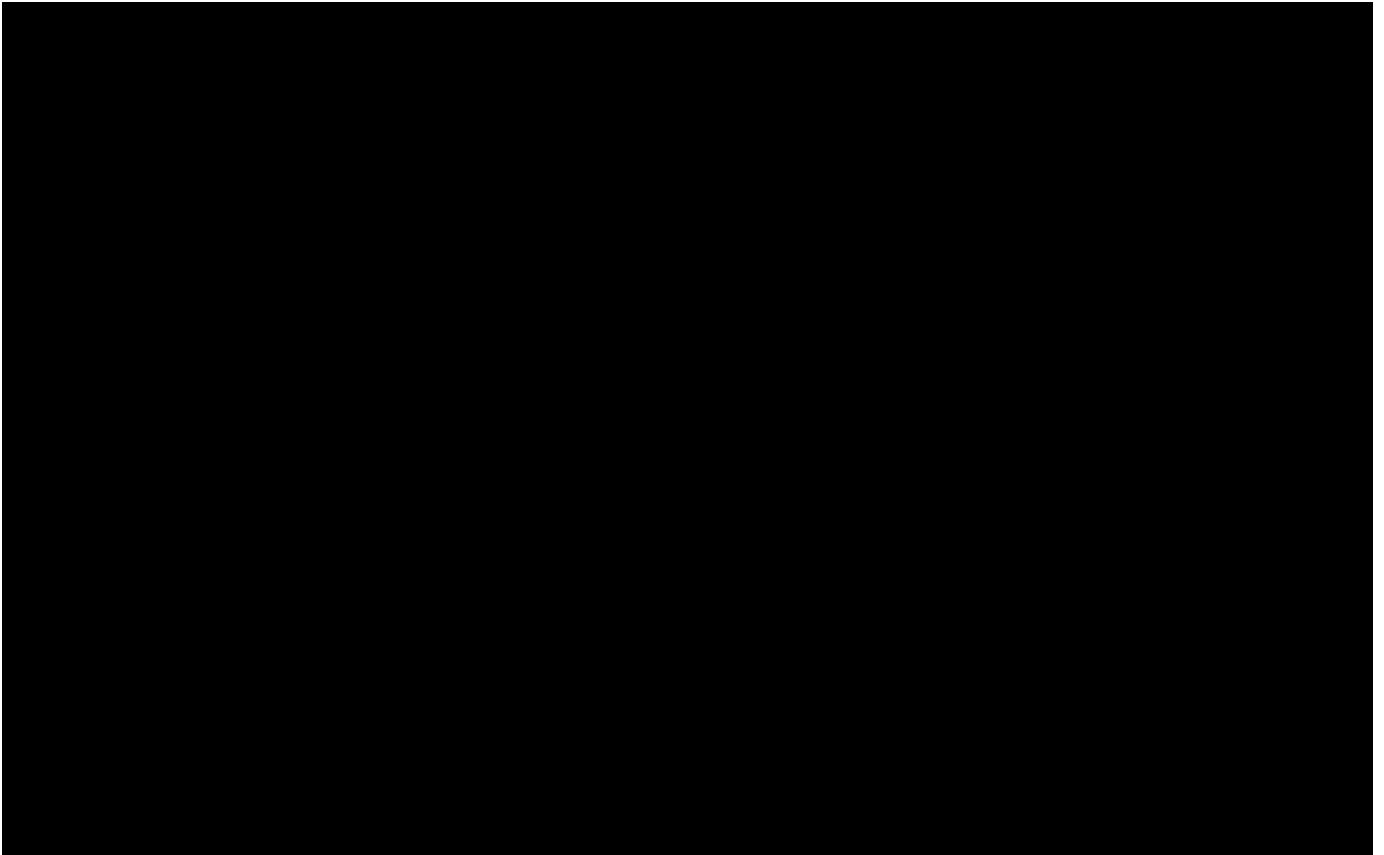
Tatiana Taunoa

From: Paula Southgate
Sent: Sunday, 11 July 2021 9:33 am
To: James Clarke
Subject: Fwd: Innovating Streets Urgent Meeting

Have we a response sent?

Begin forwarded message:

From: Rob Pascoe <Rob.Pascoe@council.hcc.govt.nz>
Date: 10 July 2021 at 10:45:44 AM NZST
To: Dave Macpherson <Dave.Macpherson@council.hcc.govt.nz>, Governance <HCC.Governance@hcc.govt.nz>
Cc: CouncillorsOnly <CouncillorsOnly@hcc.govt.nz>
Subject: Re: Innovating Streets Urgent Meeting



Rob Pascoe East Ward Councillor
Chair of the Finance Committee
Phone: [REDACTED]

From: Dave Macpherson <Dave.Macpherson@council.hcc.govt.nz>
Sent: Saturday, July 10, 2021 8:45:29 AM
To: Governance <HCC.Governance@hcc.govt.nz>
Cc: CouncillorsOnly <CouncillorsOnly@hcc.govt.nz>
Subject: Re: Innovating Streets Urgent Meeting

I agree with the letter writer. This is not a matter that should cause normal democratic procedures to be suspended.

Cr Dave Macpherson



dave.macpherson@xtra.co.nz

On 9/07/2021, at 4:15 PM, Governance <HCC.Governance@hcc.govt.nz> wrote:

Kia ora all,

Please see the below feedback received in the Governance inbox.

Ngaa Mihi,

Melanie Hill

Poutiaki Kawanatanga

Governance & Elected Member Support Coordinator | Governance

DDI: 07 838 6766 |  | Email: Melanie.Hill1@hcc.govt.nz

<image001.gif>

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

<image002.gif>[Like us on Facebook](#) <image003.gif>[Follow us on Twitter](#)

This email and any attachments are strictly confidential and may contain privileged information. If you are not the intended recipient please delete the message and notify the sender. You should not read, copy, use, change, alter, disclose or deal in any manner whatsoever with this email or its attachments without written authorisation from the originating sender. Hamilton City Council does not accept any liability whatsoever in connection with this email and any attachments including in connection with computer viruses, data corruption, delay, interruption, unauthorised access or unauthorised amendment. Unless expressly stated to the contrary the content of this email, or any attachment, shall not be considered as creating any binding legal obligation upon Hamilton City Council. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Hamilton City Council.

From: 

Sent: Friday, 9 July 2021 3:43 pma

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

Subject: Innovating Streets Urgent Meeting

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

To whom it may concern.

I have become aware, because of the work of people on social media, that the council is calling an urgent meeting on Monday related to the Ward Street Innovating Streets Project. By the admission of the Council's own staff, the feedback period for this project closes less than 24 hours before this meeting. The staff also state that "A complete summary of trial feedback and data is currently not available." Additionally, they point out that "The data collected through traffic surveys is expected to be available from Friday 16 July." Which is four days after this proposed meeting.

On the FAQ page related to this project the council states

What happens at the end of the trials?

While we don't know which street improvements will work best for people, we don't intend for either street to go back to exactly the way it was.

A full evaluation will be completed at the end of the trial to inform any future decisions on permanent changes to both streets.

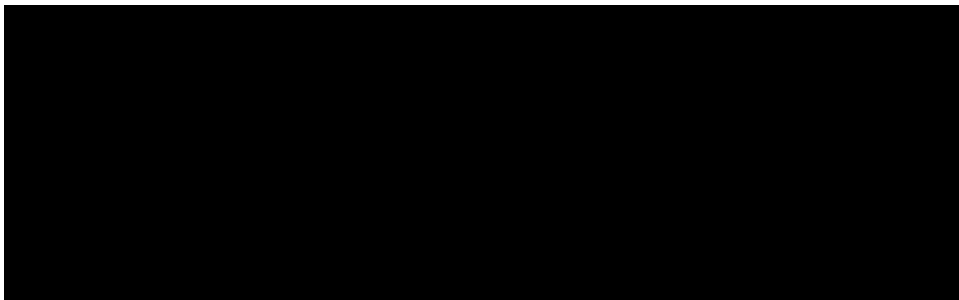
Which run counter to two elements of the urgent meeting. The calling of the meeting, along with the proposed options, suggest that the council wish to forgo a “full evaluation” as well as “to go back to exactly the way it was”.

It appears that the council is being overly sensitive to claims it hasn't consulted with people, and its response is to ignore its own outlined plans for consultation and fall in line with the requests of a vocal minority of vested interests, while ignoring, sidestepping, and misleading the voters of this city.

This is not the first time that the council has failed to exercise its moral and legal obligations to consultation, it is unlikely to be the last, but it should not be allowed to happen at this point in time.

The council should accept that it needs to follow the process it has set out in its own promotion of this project, and cancel the proposed meeting for Monday.

Ngā mihi, nā



From: Amy Viggers <Amy.Viggers@hcc.govt.nz>

Sent: Tuesday, 6 July 2021 8:26 am

To: Eeva-Liisa Wright <Eeva-Liisa.Wright@hcc.govt.nz>; Jason Harrison <Jason.Harrison@hcc.govt.nz>; Tania Hermann <Tania.Hermann@hcc.govt.nz>

Cc: Becca Brooke <Becca.Brooke@hcc.govt.nz>; Maria Tipene <Maria.Tipene@hcc.govt.nz>

Subject: FW: Extraordinary Council Meeting

Morena,

So you are aware we have received the below and will be identifying timings for the meeting this morning.

Ngaa mihi,
Amy Viggers

From: James Clarke <James.Clarke@hcc.govt.nz>

Sent: Monday, 5 July 2021 9:25 pm

To: Richard Briggs <Richard.Briggs@hcc.govt.nz>

Cc: Paula Southgate <Paula.Southgate@council.hcc.govt.nz>; Geoff Taylor <geoff.taylor@council.hcc.govt.nz>; Amy Viggers <Amy.Viggers@hcc.govt.nz>; Louise Lukin <Louise.Lukin@hcc.govt.nz>

Subject: Extraordinary Council Meeting

Kia ora Richard,

I am writing on behalf of Mayor Paula to request an extraordinary Council meeting to discuss Ward St.

As you know, significant concerns have been raised by businesses on Ward Street regarding the effects of the Innovating Streets trial. There is further concern now regarding what some of the businesses perceive to be the slow removal of the trial. The current plan, as communicated by staff late last week, will see elements of the trial gradually unpicked over the next few weeks, with more substantive changes deferred until an Infrastructure Operations committee meeting on 17 August.

Mayor Paula would like the opportunity for staff to be able to update Elected Members on the current plans and options for going faster, and for Elected Members to debate those plans and options.

In terms of timing, I understand that next Monday (12 July) afternoon seems to work best, and will hopefully give all EMs the opportunity to participate (via Zoom), whilst moving quickly enough to address the urgency of the situation.

Thanks,
James

James Clarke

Director of Mayor's Office

DDI: +64 7 838 6645 | MB: + [REDACTED] | Email: james.clarke@hcc.govt.nz

Tatiana Taunoa

From: [REDACTED]
Sent: Wednesday, 7 July 2021 5:25 pm
To: Richard Briggs
Subject: RE: Extraordinary Council Meeting

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

Sorry for delay, been bombarded.



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

www.lachlanmuldowney.co.nz

From: Richard Briggs <Richard.Briggs@hcc.govt.nz>
Sent: Friday, 2 July 2021 6:01 pm
To: [REDACTED]
Subject: Fwd: Extraordinary Council Meeting

Get [Outlook for iOS](#)

From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Sent: Friday, July 2, 2021 5:58:30 PM
To: James Clarke <James.Clarke@hcc.govt.nz>; Richard Briggs <Richard.Briggs@hcc.govt.nz>; Becca Brooke <Becca.Brooke@hcc.govt.nz>
Cc: Jeanette Tyrrell <jeanette@sagepr.co.nz>
Subject: Re: Extraordinary Council Meeting

Thanks James,



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Becca Brooke <Becca.Brooke@hcc.govt.nz>

Sent: Friday, 2 July 2021 3:07 pm

To: James Clarke <James.Clarke@hcc.govt.nz>; Richard Briggs <Richard.Briggs@hcc.govt.nz>

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

Subject: Extraordinary Council Meeting

Hi both,

I have spoken to Michelle and as Council delegated the IO Cttee powers, they can essentially withdraw them if they wish however there would be other avenues EMs could take if they wanted to i.e.

Could move a procedural motion to defer the matter or refer back to IO cttee.

Could vote against the agenda being confirmed.

Could not show up to the meeting meaning we wouldn't have quorum.

I note that there is a resolution on the table **noting** that following the completion of the trial, further updates will come to the IO committee for final decisions on any long term designs. I would like to double check with Michelle re revocation of previous motions and how that may apply (or not) in this circumstance. Michelle and I only managed to have a very brief conversation as she was heading to a personal appointment.

Other considerations:

Norm as a member of the IO committee wouldn't get a formal vote if this comes to a Council meeting.

EMs need to be satisfied they have enough information to make an informed decision on a matter and from what I have heard, staff are advising that there wouldn't yet be enough information to make an informed decision – this may put EMs in a vulnerable predicament.

I have verbally covered off some other points with you both.

Thanks,

Becca Brooke ([she/her](#))

Menetia Mana Whakahaere | Governance Manager
Governance Unit

DDI: 07 838 6439 | Mob: [REDACTED] | Email: becca.brooke@hcc.govt.nz



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

Like us on Facebook Follow us on Twitter

This email and any attachments are strictly confidential and may contain privileged information. If you are not the intended recipient please delete the message and notify the sender. You should not read, copy, use, change, alter, disclose or deal in any manner whatsoever with this email or its attachments without written authorisation from the originating sender. Hamilton City Council does not accept any liability whatsoever in connection with this email and any attachments including in connection with computer viruses, data corruption, delay, interruption, unauthorised access or unauthorised amendment. Unless expressly stated to the contrary the content of this email, or any attachment, shall not be considered as creating any binding legal obligation upon Hamilton City Council. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Hamilton City Council.

Tatiana Taunoa

From: Eeva-Liisa Wright
Sent: Thursday, 8 July 2021 2:42 pm
To: Richard Briggs; Becca Brooke
Cc: Amy Viggers
Subject: RE: Final Draft for CE Approval Memo to Extraordinary Council Meeting (12 July 2021) - HKIS Ward St Project_7July2021
Attachments: Final Draft for CE Approval Memo to Extraordinary Council Meeting (12 July 2021) - HKIS Ward St Project_7July2021.docx

Yes – in exec update emails – with a whole lot of other data.

I will remove attachments.

I have updated memo – attached

I made one wording change to memo – Adding in the following updated word above clause 5.0 –

The Waikato Regional Council (WRC) has advised that they have their official opening planned for Monday 19 July 2021. To accommodate this event, works planned to change the Ward St / Tristram St intersection back to 2 lanes on the approach to the intersection are scheduled after the 19 July 2021

Thanks

EI

Eeva-Liisa Wright

Mana hautuu Whakahaere mahi | General Manager – Infrastructure Operations

Phone: 07 838 6699 | Mob: [REDACTED] | Email: eeva-liisa.wright@hcc.govt.nz

From: Richard Briggs <Richard.Briggs@hcc.govt.nz>
Sent: Thursday, 8 July 2021 2:33 pm
To: Eeva-Liisa Wright <Eeva-Liisa.Wright@hcc.govt.nz>; Becca Brooke <Becca.Brooke@hcc.govt.nz>
Cc: Amy Viggers <Amy.Viggers@hcc.govt.nz>
Subject: RE: Final Draft for CE Approval Memo to Extraordinary Council Meeting (12 July 2021) - HKIS Ward St Project_7July2021

Makes sense.

Happy not to table them have we provided them previously?

From: Eeva-Liisa Wright <Eeva-Liisa.Wright@hcc.govt.nz>
Sent: Thursday, 8 July 2021 2:30 pm
To: Richard Briggs <Richard.Briggs@hcc.govt.nz>; Becca Brooke <Becca.Brooke@hcc.govt.nz>
Cc: Amy Viggers <Amy.Viggers@hcc.govt.nz>
Subject: Final Draft for CE Approval Memo to Extraordinary Council Meeting (12 July 2021) - HKIS Ward St Project_7July2021

Hi Richard, memo for Extra Ordinary Council meeting for your approval.

I have worked with governance on memo – Risk have been kept high level – Becca confirming with Mish.

Note information is from exec updates to Elected Members.

Decision required whether to include current identified options concept design drawings as an attachment as I would not want to limit identified options being considered by Elected Members for Ward Street – staff may not have found the best solution yet due to incomplete information, data analysis and consultation processes. Happy to not include attachemetns and table at the meeting if required.

I understand there may be other options being looked into by key stakeholders which I have not seen yet

Thanks

EL

Tatiana Taunoa

From: Becca Brooke
Sent: Monday, 12 July 2021 10:57 am
To: Richard Briggs
Subject: Fwd: Extraordinary Council Meeting

Just forwarding so you have on hand. Decision making stuff at the end. I'll send you the other email I sent earlier soon.

I haven't talked to anyone about this except staff. Primarily you, James EL and Michelle and Amy.

Technical process is legit under standing orders re calling a meeting. Legality is fine based on my discussions with Michelle. The Council can bring forward a decision or matter if there are reasons why it can't wait. The issue will be around whether the reasons are valid for calling the meeting which isn't something staff can subjectively advise on and shouldn't be drawn into due to the politics on this one.

My advice to James was that we shouldn't be calling a meeting unless it's urgent and the matter can't wait. I told him he needed to cover that in the notice email. I also advised what the risks were around decision making principles and reputational risks and have also outlined my concerns re EMs being put in a vulnerable position if they were to try and make a decision without the relevant things being covered particularly around consultation and data. Although very unlikely, I did note worst case scenario could be judicial review depending on decision.

Get [Outlook for Android](#)

From: Becca Brooke
Sent: Wednesday, July 7, 2021 1:02:57 PM
To: Richard Briggs <Richard.Briggs@hcc.govt.nz>; James Clarke <James.Clarke@hcc.govt.nz>
Cc: Amy Viggers <Amy.Viggers@hcc.govt.nz>; Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>; Eeva-Liisa Wright <Eeva-Liisa.Wright@hcc.govt.nz>; Jason Harrison <Jason.Harrison@hcc.govt.nz>
Subject: RE: Extraordinary Council Meeting

Hi Richard and James,

Michelle and I have had a catch up on this.

It's a bit complicated because it really depends on what is going to be put forward as a motion but below is some wording to have on hand to cover various scenarios:

That the Council:

- a. receives the report;
- b. notes that this matter has previously been dealt with under delegation the Infrastructure Operations Committee and the Hearings and Engagement Committee, but that the next steps of the Innovating Streets project in relation to Ward Street have been brought forward to an Extraordinary Council meeting to be considered sooner than originally planned due to concerns raised by stakeholders;

- c. notes that Council Committees are subject to the control of the Council and must carry out all general and special directions of the Council (LGA Sch 7 cl 30(3));
- d. approves *(whatever decision they want to make i.e. expedites the removal of all trial elements)*;
- e. requests staff to report back to the 17 August 2021 Infrastructure Operations Committee meeting with further information on interim options *(or other specific instructions)*;

OR

- f. approves that all future decisions and updates relating to the Innovating Streets Project come directly to the Council for consideration *(if this is what they want)*.

The other key thing to have on hand are the decision making requirements under the LGA as summarised below:

For any decision, Council should:

- Assess the problem or issue to be addressed, the options for addressing it, and the costs, benefits, and impacts of those options.
- Consider the views of the community at all stages of the decision-making, particularly including persons likely to be affected by or interested in the matter.
- Consult prior to making any decision or pre-determination on an option.
- Make decisions in the interests of the community's social, economic, environmental, and cultural well-being, now and in the future.
- Provide reasons for decisions made, and identify and explain any inconsistency with other Council plans or policies.

Before making any significant decisions on this matter, Elected Members should be satisfied they have all the information required to make an informed and transparent decision.

EL and Jason will no doubt cover the decision making process followed and agreed so far and current resolutions as part of their memo.

Richard – I am on leave on Monday but I will make sure Amy is prepped to respond to any Governance issues that may arise. Michelle will also be in attendance and will be able to assist with any technical or legal matters that may arise.

Thanks, Becca

From: Richard Briggs <Richard.Briggs@hcc.govt.nz>

Sent: Wednesday, 7 July 2021 11:08 am

To: James Clarke <James.Clarke@hcc.govt.nz>; Becca Brooke <Becca.Brooke@hcc.govt.nz>

Cc: Amy Viggers <Amy.Viggers@hcc.govt.nz>

Subject: RE: Extraordinary Council Meeting

From a staff perspective we aren't providing a motion.

EL team is drafting a memo to me with all the information in it, then I suggest a one item chairs report is created which references the memo (which is attached) with a short paragraph that notes there has been lots of discussions within the community, and with individual EMs and that the Mayor wanted to bring everyone together and consider the next steps. You could note that it is an extraordinary council meeting rather than a briefing as the scheduled date for the report is August 17 and a number of Councillors have indicated this is too far away, given the community discussion, and they wanted an opportunity to question the direction before then – the extraordinary meeting provides that opportunity. The recommendation should be at least the report is received.

Should someone put forward an amendment other than receiving the report, the amendment needs to address the change from IO to Council discussion – Becca (with Michelle) will need to have suitable wording prepared.

Regards

Richard

From: James Clarke <James.Clarke@hcc.govt.nz>
Sent: Tuesday, 6 July 2021 8:12 pm
To: Becca Brooke <Becca.Brooke@hcc.govt.nz>; Richard Briggs <Richard.Briggs@hcc.govt.nz>
Cc: Amy Viggers <Amy.Viggers@hcc.govt.nz>
Subject: Re: Extraordinary Council Meeting

Thanks. Can we discuss Zoom v chamber tomorrow?

Also, Sarah has asked me what the motion is. I need to discuss that further with you/the team/Paula and will let EMs know ASAP. I assume I'm under no obligation to reveal this three working days in advance. If I am, please call me night or day!

What's the process/timing from here in terms of circulating a report?

Thanks,
James

James Clarke
Director of Mayor's Office
DDI: +64 7 838 6645 | MB: +[REDACTED] | Email: james.clarke@hcc.govt.nz

From: Becca Brooke <Becca.Brooke@hcc.govt.nz>
Sent: Tuesday, July 6, 2021 12:26:10 PM
To: James Clarke <James.Clarke@hcc.govt.nz>; Richard Briggs <Richard.Briggs@hcc.govt.nz>
Cc: Amy Viggers <Amy.Viggers@hcc.govt.nz>
Subject: RE: Extraordinary Council Meeting

Cool – something from either from you or Richard is fine. Key things to cover from a legal perspective is when the meeting will be and why the item of business can't wait till the next scheduled meeting.

Will be 1pm on Monday – I am assuming will be a mix of zoom and in the chamber or does Paula want this to be a full zoom meeting?

Thanks,
Becca

From: James Clarke <James.Clarke@hcc.govt.nz>
Sent: Tuesday, 6 July 2021 9:20 am
To: Becca Brooke <Becca.Brooke@hcc.govt.nz>; Richard Briggs <Richard.Briggs@hcc.govt.nz>
Cc: Amy Viggers <Amy.Viggers@hcc.govt.nz>
Subject: Re: Extraordinary Council Meeting

Very happy to. I just didn't to breach process if Richard had to agree to this, you had to set the time, etc. And I think Richard might be planning to forward my below email to Crs.

Very happy to send an email to Crs myself if that's the best way forward. Just let me know.

James Clarke
Director of Mayor's Office
DDI: +64 7 838 6645 | MB: +[REDACTED] | Email: james.clarke@hcc.govt.nz

From: Becca Brooke <Becca.Brooke@hcc.govt.nz>
Sent: Tuesday, July 6, 2021 9:07:06 AM
To: Richard Briggs <Richard.Briggs@hcc.govt.nz>; James Clarke <James.Clarke@hcc.govt.nz>
Cc: Amy Viggers <Amy.Viggers@hcc.govt.nz>
Subject: RE: Extraordinary Council Meeting

Hi James,

Can you please confirm you will be sending an email through to EMs about this before we send an invitation out?

[REDACTED]



Cc Amy and I into the email so that we can then follow with a meeting invite.

Thanks,
Becca

From: Richard Briggs <Richard.Briggs@hcc.govt.nz>
Sent: Monday, 5 July 2021 10:07 pm
To: James Clarke <James.Clarke@hcc.govt.nz>
Cc: Paula Southgate <Paula.Southgate@council.hcc.govt.nz>; Geoff Taylor <Geoff.Taylor@council.hcc.govt.nz>; Amy Viggers <Amy.Viggers@hcc.govt.nz>; Louise Lukin <Louise.Lukin@hcc.govt.nz>; Becca Brooke <Becca.Brooke@hcc.govt.nz>
Subject: Re: Extraordinary Council Meeting

Thanks you.

Get [Outlook for iOS](#)

From: James Clarke <James.Clarke@hcc.govt.nz>
Sent: Monday, July 5, 2021 9:24:52 PM
To: Richard Briggs <Richard.Briggs@hcc.govt.nz>
Cc: Paula Southgate <Paula.Southgate@council.hcc.govt.nz>; Geoff Taylor <Geoff.Taylor@council.hcc.govt.nz>; Amy Viggers <Amy.Viggers@hcc.govt.nz>; Louise Lukin <Louise.Lukin@hcc.govt.nz>
Subject: Extraordinary Council Meeting

Kia ora Richard,

I am writing on behalf of Mayor Paula to request an extraordinary Council meeting to discuss Ward St.

As you know, significant concerns have been raised by businesses on Ward Street regarding the effects of the Innovating Streets trial. There is further concern now regarding what some of the businesses perceive to be the slow removal of the trial. The current plan, as communicated by staff late last week, will see elements of the trial gradually unpicked over the next few weeks, with more substantive changes deferred until an Infrastructure Operations committee meeting on 17 August.

Mayor Paula would like the opportunity for staff to be able to update Elected Members on the current plans and options for going faster, and for Elected Members to debate those plans and options.

In terms of timing, I understand that next Monday (12 July) afternoon seems to work best, and will hopefully give all EMs the opportunity to participate (via Zoom), whilst moving quickly enough to address the urgency of the situation.

Thanks,
James

Tatiana Taunoa

From: Amy Viggers
Sent: Monday, 12 July 2021 10:57 am
To: Richard Briggs
Subject: Fwd: Innovating Streets Urgent Meeting

Hi Richard,

The below is a copy of the email I was referring to.

Ngaa mihi,
Amy

From: James Clarke <James.Clarke@hcc.govt.nz>
Sent: Sunday, 11 July 2021 7:35 pm
To: Paula Southgate <paula.southgate@council.hcc.govt.nz>; Becca Brooke <Becca.Brooke@hcc.govt.nz>; Richard Briggs <Richard.Briggs@hcc.govt.nz>
Cc: [REDACTED]; Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>; Amy Viggers <Amy.Viggers@hcc.govt.nz>; David Bryant <David.Bryant@hcc.govt.nz>
Subject: Re: Innovating Streets Urgent Meeting

Richard said the below earlier today Paula. Not sure if you've seen it:

From a staff perspective we are providing current context to an ongoing debate around what has been a controversial project.

The mayor has every right to request a meeting given this controversy.

Whether we have enough information on not, to make a decision depends on the construct of the ultimate resolution.

But bearing in mind that the quality of a decision is considered in the broader context of the information available to elected members (of all the information - not just that of staff).

Here are the relevant standing orders which appear to support the process we've instigated:

5. GIVING NOTICE ORDINARY/ EXTRAORDINARY MEETINGS

5.1 ORDINARY MEETINGS - PUBLIC NOTICE

All meetings scheduled for the following month must be publicly notified not more than 14 days and not less than 5 days before the end of every month, together with the dates on which and the times and places at which those meetings are to be held. In the case of meetings held on or after the 21st day of the month public notification must be given not more than 10 nor less than 5 working days before the day on which the meeting is to be held.

s. 46, LGOIMA.

5.2 ORDINARY MEETING - NOTICE TO MEMBERS

The Chief Executive must give notice in writing to each member of the local authority of the time and place of any meeting. Notice must be given at least 14 days before the meeting unless the council has adopted a schedule of meetings, in which case notice must be given at least 14 days before the first meeting on the schedule.

cl. 19 (5), Schedule 7, LGA 2002.

5.3 EXTRAORDINARY MEETING - CALL FOR MEETING

Under these Standing Orders, an extraordinary meeting refers to any meeting outside of the adopted Schedule of Meetings. Additionally, any meeting within the Schedule of Meetings where the date of that meeting is brought forward such that the requirement for notice set out in 8.2 cannot be met is also to be treated as an Extraordinary meeting.

An extraordinary council meeting may be called by:

- (a) resolution of the Council, or
- (b) a request in writing delivered to the Chief Executive which is signed by:
 - i. the Mayor or Chairperson, or
 - ii. no less than one third of the total membership of the Council (including vacancies).

cl. 22 (1) Schedule 7, LGA 2002.

5.4 EXTRAORDINARY MEETING - TO MEMBERS

Notice in writing of the time and place of an extraordinary meeting called under Standing Order 8.3 and of the nature of business to be considered must be given by the Chief Executive to each member of the Council at least 5 working days before the day appointed for the meeting.

Where this is not possible, notice must be given to each member of the Council and the Chief Executive to the best means is reasonable in the circumstances and at least 24 hours before the time appointed for the meeting.

If the meeting is called by a resolution then notice must be provided within such lesser period as is specified in the resolution, provided it is not less than 24 hours.

cl. 22 (3), Schedule 7, LGA 2002.

5.5 EXTRAORDINARY MEETINGS INCONSISTENT WITH NOTICE REQUIREMENTS

If the nature of business requires a meeting to be held at an earlier time than is allowed by the notice requirements specified in standing order 8.4, a meeting may be called by the Mayor or Chairperson, or if the Mayor and Chairperson are not available, the Chief Executive.

Where an extraordinary meeting of the Council is called and notice of that meeting was inconsistent with the standing orders the Council must, as soon as practicable following the meeting, give public notice stating

- (a) the meeting has occurred;
- (b) the general nature of business transacted; and
- (c) the reasons why it was not correctly notified.

cl. 22 (2) Schedule 7, LGA 2002 and s. 46 (3) & (4) LGOIMA.

5.6 CHIEF EXECUTIVE MAY MAKE ARRANGEMENTS

The Chief Executive is to make any other arrangements for the notification of meetings, including extraordinary meetings, as the Council may, from time to time, determine.

s. 46(5) LGOIMA.

Becca is on leave so I'm copying a bit wider.

Best,

James

James Clarke

Director of Mayor's Office

DDI: +64 7 838 6645 | MB: [REDACTED] | Email: james.clarke@hcc.govt.nz

From: Paula Southgate <paula.southgate@council.hcc.govt.nz>

Sent: Sunday, July 11, 2021 19:01

To: Becca Brooke; Richard Briggs; James Clarke

Subject: Fwd: Innovating Streets Urgent Meeting

Can someone please step in to provide confirmation of the governance advice we received about the process please?

Get [Outlook](#) for iOS

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

Sent: Sunday, July 11, 2021 6:56 PM

To: Geoff Taylor

Cc: Angela O'Leary; Councillors; James Clarke; Rob Pascoe; Governance; CouncillorsOnly; Senior Leadership Team

Subject: Re: Innovating Streets Urgent Meeting

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

Dave

Dave Macpherson

[REDACTED]

dave.macpherson@xtra.co.nz

On 11/07/2021, at 6:20 PM, Geoff Taylor <geoff.taylor@council.hcc.govt.nz> wrote:

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

Geoff Taylor

Deputy Mayor

Hamilton City Council

Private Bag 3010

Hamilton 3240

New Zealand

Ph: [07 838 6699](tel:078386699)

Mob: [REDACTED]

Email: geoff.taylor@council.hcc.govt.nz

On 11/07/2021, at 1:01 PM, Angela O'Leary
<Angela.OLeary@council.hcc.govt.nz> wrote:

[REDACTED]



[REDACTED]

Councillor Angela O'Leary

Chair of Infrastructure Operations

Hamilton City Council

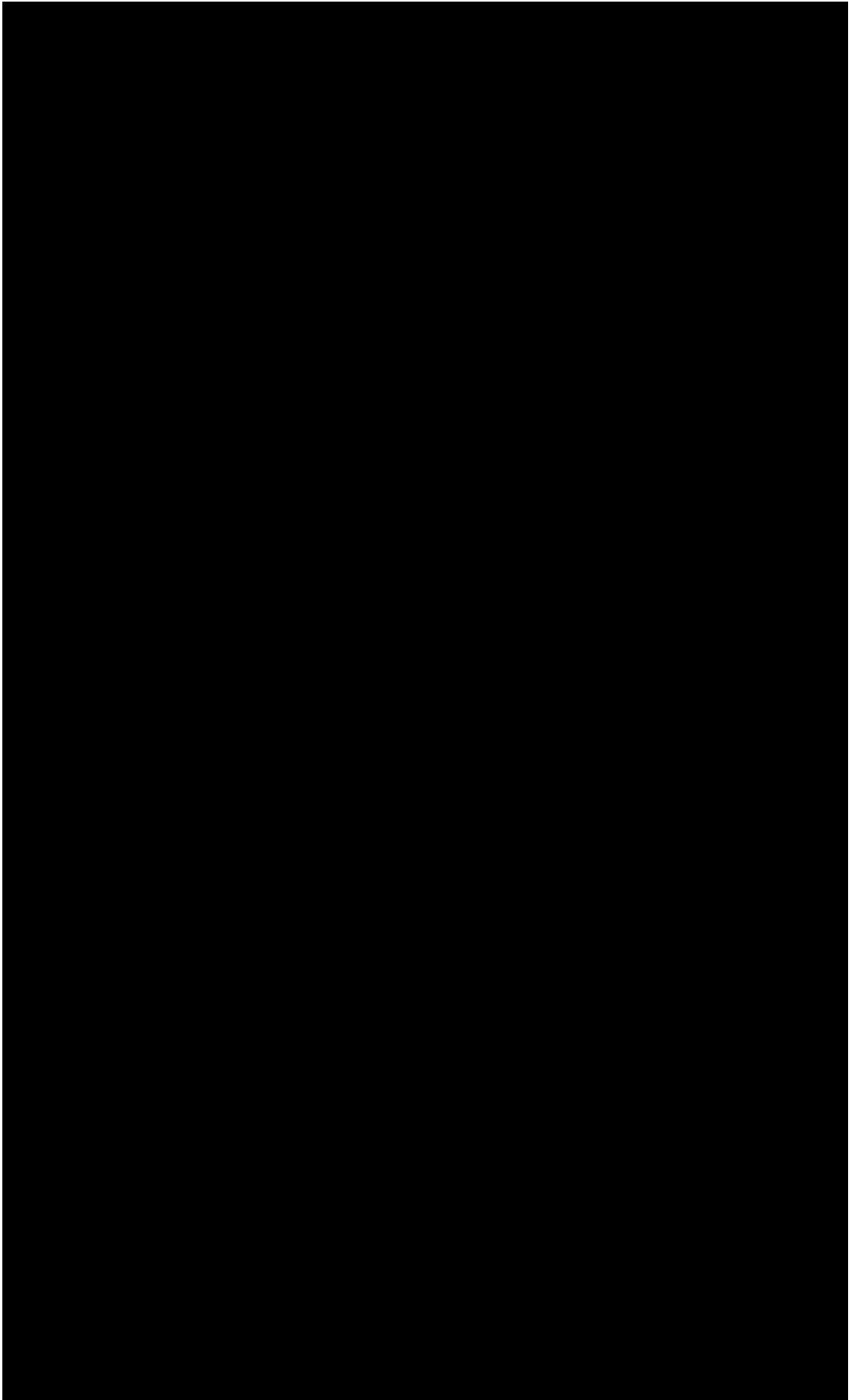
A Private Bag 3010, Hamilton 3240, New Zealand

P [07 838 6699](tel:078386699) M [REDACTED]

E angela.oleary@council.hcc.govt.nz

On 10/07/2021, at 7:12 PM, Dave Macpherson
<Dave.Macpherson@council.hcc.govt.nz> wrote:

Kia ora James



Ngaa Mihi

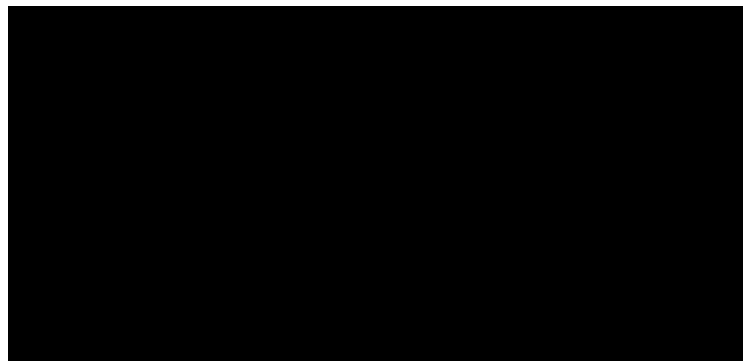
Cr Dave Macpherson

+ 

dave.macpherson@extra.co.nz

On 10/07/2021, at 6:22 PM, James
Clarke <James.Clarke@hcc.govt.nz>
wrote:

Thanks Rob.



Staff communicated shortly before the end of the trial that some changes would be gradually made over the weeks following the trial, with the 17 August Infrastructure Operations committee meeting being the forum at which decisions would be made on next steps.

Mayor Paula - and some other Councillors - felt that six and a half weeks was too long to wait with only fairly limited changes happening in the meantime - and not in keeping with what business owners expected based on previous discussions, which some Councillors attended. Therefore, rather than be

bound by existing meeting schedules, I asked staff what the earliest was that they could come forward with a comprehensive report. They said 17 August. On that basis Mayor Paula called an extraordinary meeting so that Council can consider the issue now based on feedback/evidence so far.

Mayor Paula (and, as far as I'm aware, others who supported an extraordinary meeting) does not go into the meeting with a pre-defined list of what must happen when. And indeed one of the potential outcomes from the meeting could be to stick to something similar to the plan communicated by staff in the first couple of days of July. However, Mayor Paula/others felt that - in light of the feedback they had heard, and cognisant of the fact that waiting until 17 August is in itself a decision - it is right to have a democratic discussion now.

Hope helpful.

James

James Clarke

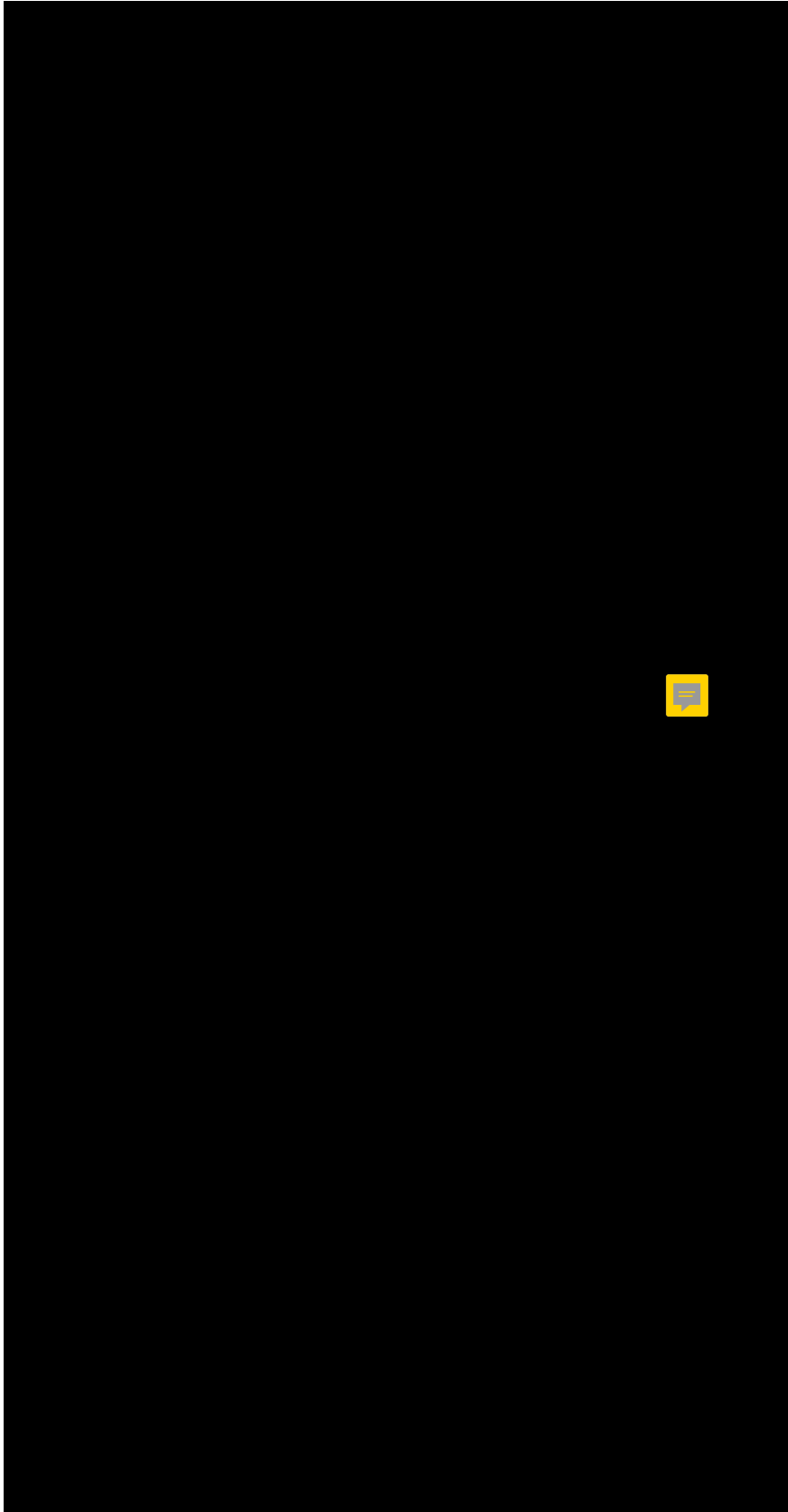
Director of Mayor's Office

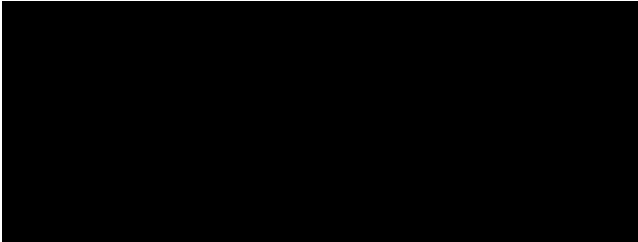
DDI: +64 7 838 6645 | MB: [REDACTED]

[REDACTED] | Email:
james.clarke@hcc.govt.nz

From: Rob Pascoe
<Rob.Pascoe@council.hcc.govt.nz>

Sent: Saturday, July 10, 2021
10:45:42 AM
To: Dave Macpherson
<Dave.Macpherson@council.hcc.govt.nz>; Governance
<HCC.Governance@hcc.govt.nz>
Cc: CouncillorsOnly
<CouncillorsOnly@hcc.govt.nz>
Subject: Re: Innovating Streets
Urgent Meeting





If there is “balanced” feedback and survey data being/been collected there is good reason to defer this urgent meeting until this data is available.

Rob Pascoe East Ward Councillor

Chair of the Finance Committee

Phone: 

From: Dave Macpherson
<Dave.Macpherson@council.hcc.govt.nz>
Sent: Saturday, July 10, 2021
8:45:29 AM
To: Governance
<HCC.Governance@hcc.govt.nz>
Cc: CouncillorsOnly
<CouncillorsOnly@hcc.govt.nz>
Subject: Re: Innovating Streets
Urgent Meeting

I agree with the letter writer. This is not a matter that should cause normal democratic procedures to be suspended.

Cr Dave Macpherson



dave.macpherson@extra.co.nz

On 9/07/2021, at 4:15 PM,
Governance

<HCC.Governance@hcc.govt.nz>

wrote:

Kia ora all,

Please see the
below feedback
received in the
Governance inbox.

Ngaa Mihi,

Melanie Hill

Poutiaki Kawanatanga

Governance & Elected Member Support Coordinator | Governance

DDI: 07 838 6766 | [REDACTED] | Email: Melanie.Hill1@hcc.govt.nz

<image001.gif>

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

<image002.gif>[Like us on Facebook](#) <image003.gif>[Follow us on Twitter](#)

This email and any attachments are strictly confidential and may contain privileged information. If you have received this email in error, please delete the message and notify the sender. You should not read, copy, use, change, alter or disseminate the information contained in this email or its attachments without written authorisation from the originator. The originator of this email and any attachments does not accept any liability whatsoever in connection with this email and any attachments including data corruption, delay, interruption, unauthorised access or unauthorised amendment. Unless otherwise stated, the content of this email, or any attachment, shall not be considered as creating any binding legal obligation. Any views expressed in this message are those of the individual sender and may not necessarily represent those of the Council.

From:

[REDACTED]

Sent:

Frid
ay,
9
July
202
1
3:4
3
pm
a
To:
Go
ver
nan
ce
<[H
CC.
Go
ver
nan
ce
@h
cc.g
ovt.
nz](mailto:Governance@hcc.govt.nz)>
Sub
ject
:
Inn
ova
ting
Str
eet
s
Urg
ent
Me
etin
g

Warning! This message was sent from outside your organization and we are not responsible for its content.

To
wh
om
it
ma
y
con
cer
n.

I
hav
e

bec
om
e
aw
are,
bec
aus
e of
the
wor
k of
peo
ple
on
soci
al
me
dia,
tha
t
the
cou
ncil
is
calli
ng
an
urg
ent
me
etin
g
on
Mo
nda
y
rela
ted
to
the
Wa
rd
Str
eet
Inn
ova
ting
Str
eet
s
Pro
ject
. By
the
ad
mis

sion
n of
the
Cou
ncil
's
ow
n
staf
f,
the
fee
dba
ck
peri
od
for
this
pro
ject
clos
es
less
tha
n
24
hou
rs
bef
ore
this
me
etin
g.
The
staf
f
als
o
stat
e
tha
t "A
co
mpl
ete
su
mm
ary
of
tria
l
fee
dba
ck
and

data is currently not available." Additionally, they point out that "The data collected through traffic surveys is expected to be available from Friday 16 July."

Which is four days

s
aft
er
this
pro
pos
ed
me
etin
g.

On
the
FA
Q
pag
e
rela
ted
to
this
pro
ject
the
cou
ncil
stat
es

*Wh
at
hap
pen
s at
the
end
of
the
tria
ls?*

W
h
i
l
e
w
e
d
o
n
,
t
k
n
o
w
w

h
i
c
h
s
t
r
e
e
t
i
m
p
r
o
v
e
m
e
n
t
s
w
i
l
l
w
o
r
k
b
e
s
t
f
o
r
p
e
o
p
l
e
,
w
e
d
o
n
'
t
i
n
t
e
n
d
f
o

r
e
i
t
h
e
r
s
t
r
e
e
t
t
o
g
o
b
a
c
k
t
o
e
x
a
c
t
l
y
t
h
e
w
a
y
i
t
w
a
s
.
A
f
u
l
l
e
v
a
l
u
a
t
i
o
n
w
i

I
l
b
e
c
o
m
p
l
e
t
e
d
a
t
t
h
e
e
n
d
o
f
t
h
e
t
r
i
a
l
t
o
i
n
f
o
r
m
a
n
y
f
u
t
u
r
e
d
e
c
i
s
i
o
n
s
o
n

p
e
r
m
a
n
e
n
t
c
h
a
n
g
e
s
t
o
b
o
t
h
s
t
r
e
e
t
s
.

Which
run
counter to
two
elements
of
the
urgent
meeting.
The
calling
of
the
meeting,
along
with
h

the
pro
pos
ed
opti
ons
,
sug
ges
t
that
the
cou
ncil
wis
h to
forg
o a
“ful
l
eval
uati
on”
as
well
as
“to
go
bac
k to
exa
ctly
the
way
it
was
”.

It
app
ear
s
that
the
cou
ncil
is
bei
ng
ove
rly
sen
sitiv
e to
clai
ms
it
has
n’t
21

consulted with people, and its response is to ignore its own outlined plans for consultation and fall in line with the requests of a vocal minority of vested interests, while ignoring, side stepping, ng,

and
misl
ead
ing
the
vot
ers
of
this
city
.

This
is
not
the
first
tim
e
that
the
cou
ncil
has
fail
ed
to
exe
rcis
e its
mor
al
and
lega
l
obli
gati
ons
to
con
sult
atio
n, it
is
unli
kely
to
be
the
last
,
but
it
sho
uld
not
be
allo
we
23

d to
hap
pen
at
this
poi
nt
in
tim
e.

The
cou
ncil
sho
uld
acc
ept
that
it
nee
ds
to
foll
ow
the
pro
ces
s it
has
set
out
in
its
ow
n
pro
mot
ion
of
this
proj
ect,
and
can
cel
the
pro
pos
ed
me
etin
g
for
Mo
nda
y.

Ng
ā
mi
hi,
nā



Tatiana Taunoa

From: Dave Macpherson
Sent: Monday, 12 July 2021 11:15 am
To: Paula Southgate
Cc: Geoff Taylor; Angela O'Leary; Councillors; James Clarke; Rob Pascoe; Governance; CouncillorsOnly; Senior Leadership Team
Subject: Re: Innovating Streets Urgent Meeting




dave.macpherson@xtra.co.nz

On 11/07/2021, at 6:37 PM, Paula Southgate <paula.southgate@council.hcc.govt.nz> wrote:



Get [Outlook](#) for iOS

From: Geoff Taylor <geoff.taylor@council.hcc.govt.nz>
Sent: Sunday, July 11, 2021 6:20:30 PM

To: Angela O'Leary <Angela.OLeary@council.hcc.govt.nz>

Cc: Councillors <Councillors@hcc.govt.nz>; James Clarke <James.Clarke@hcc.govt.nz>; Rob Pascoe <Rob.Pascoe@council.hcc.govt.nz>; Governance <HCC.Governance@hcc.govt.nz>; CouncillorsOnly <CouncillorsOnly@hcc.govt.nz>; Senior Leadership Team <MX@hcc.govt.nz>

Subject: Re: Innovating Streets Urgent Meeting



Deputy Mayor

Hamilton City Council

Private Bag 3010

Hamilton 3240

New Zealand

Ph: [07 838 6699](tel:078386699)

Mob: [027 808 5170](tel:0278085170)

Email: geoff.taylor@council.hcc.govt.nz

On 11/07/2021, at 1:01 PM, Angela O'Leary
<Angela.OLeary@council.hcc.govt.nz> wrote:



Chair of Infrastructure Operations

Hamilton City Council

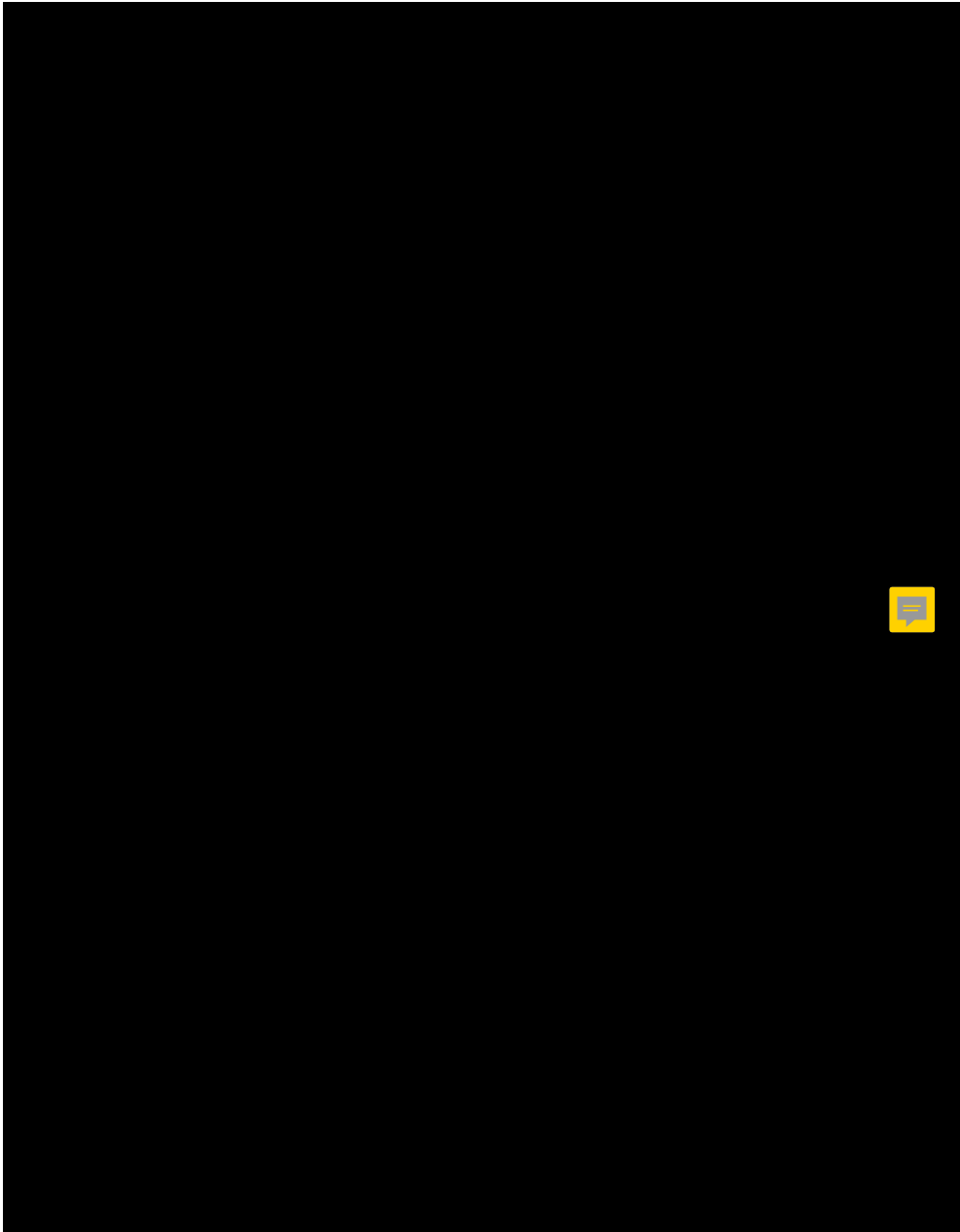
A Private Bag 3010, Hamilton 3240, New Zealand

P [07 838 6699](tel:078386699) **M** [REDACTED]

E angela.oleary@council.hcc.govt.nz

On 10/07/2021, at 7:12 PM, Dave Macpherson
<Dave.Macpherson@council.hcc.govt.nz> wrote:

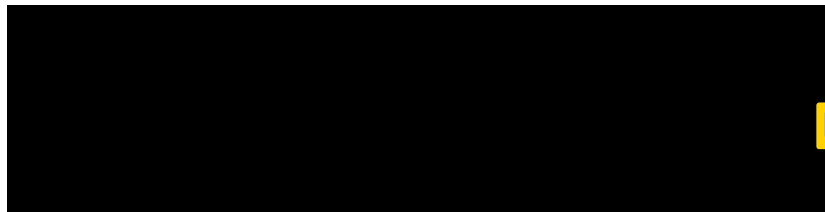
Kia ora James



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

On 10/07/2021, at 6:22 PM, James Clarke
<James.Clarke@hcc.govt.nz> wrote:

Thanks Rob.



Staff communicated shortly before the end of the trial that some changes would be gradually made over the weeks following the trial, with the 17 August Infrastructure Operations committee meeting being the forum at which decisions would be made on next steps.

Mayor Paula - and some other Councillors - felt that six and a half weeks was too long to wait with only fairly limited changes happening in the meantime - and not in keeping with what business owners expected based on previous discussions, which some Councillors attended. Therefore, rather than be bound by existing meeting schedules, I asked staff what the earliest was that they could come forward with a comprehensive report. They said 17 August. On that basis Mayor Paula called an extraordinary meeting so that Council can consider the issue now based on feedback/evidence so far.

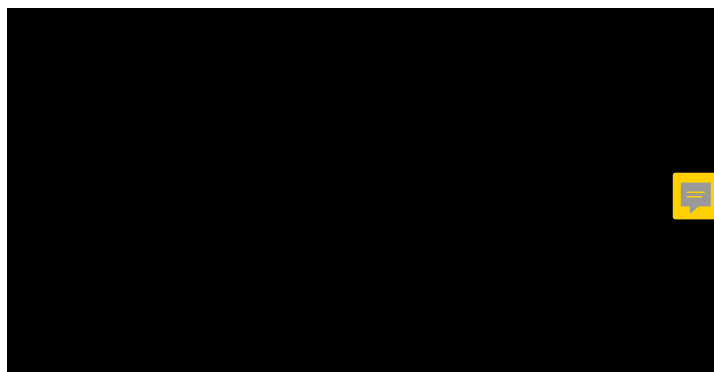
Mayor Paula (and, as far as I'm aware, others who supported an extraordinary meeting) does not go into the meeting with a pre-defined list of what must happen when. And indeed one of the potential outcomes from the meeting could be to stick to something similar to the plan communicated by staff in the first couple of days of July. However, Mayor Paula/others felt that - in light of the feedback they had heard, and cognisant of the fact that waiting until 17 August is in itself a decision - it is right to have a democratic discussion now.

Hope helpful.

James

James Clarke
Director of Mayor's Office
DDI: +64 7 838 6645 | MB: +[REDACTED] | Email:
james.clarke@hcc.govt.nz

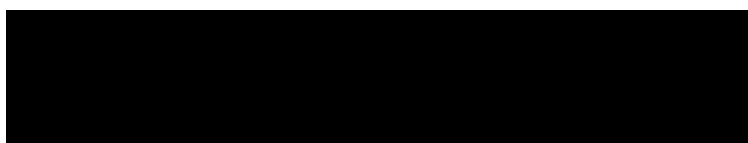
From: Rob Pascoe
<Rob.Pascoe@council.hcc.govt.nz>
Sent: Saturday, July 10, 2021 10:45:42 AM
To: Dave Macpherson
<Dave.Macpherson@council.hcc.govt.nz>;
Governance <HCC.Governance@hcc.govt.nz>
Cc: CouncillorsOnly <CouncillorsOnly@hcc.govt.nz>
Subject: Re: Innovating Streets Urgent Meeting





Rob Pascoe East Ward Councillor
Chair of the Finance Committee
Phone: [REDACTED]

From: Dave Macpherson
<Dave.Macpherson@council.hcc.govt.nz>
Sent: Saturday, July 10, 2021 8:45:29 AM
To: Governance <HCC.Governance@hcc.govt.nz>
Cc: CouncillorsOnly <CouncillorsOnly@hcc.govt.nz>
Subject: Re: Innovating Streets Urgent Meeting



Cr Dave Macpherson
+ [REDACTED]
dave.macpherson@xtra.co.nz

On 9/07/2021, at 4:15 PM, Governance
<HCC.Governance@hcc.govt.nz> wrote:

Kia ora all,

Please see the below feedback
received in the Governance inbox.

Tatiyana Taunoa

From: Richard Briggs
Sent: Monday, 12 July 2021 12:13 pm
To: David Bryant
Subject: FW: Extraordinary Meeting proposed for today

[Redacted]



From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Sent: Monday, 12 July 2021 12:11 pm
To: Richard Briggs <Richard.Briggs@hcc.govt.nz>
Cc: Amy Viggers <Amy.Viggers@hcc.govt.nz>
Subject: Re: Extraordinary Meeting proposed for today

[Redacted]

[Redacted]

Sent from my iPhone

On 12/07/2021, at 12:07 PM, Richard Briggs <Richard.Briggs@hcc.govt.nz> wrote:

[Redacted]

[Redacted]

[Redacted]

Get [Outlook for iOS](#)

From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Sent: Monday, July 12, 2021 11:52:52 AM
To: Richard Briggs <Richard.Briggs@hcc.govt.nz>; Amy Viggers <Amy.Viggers@hcc.govt.nz>
Subject: RE: Extraordinary Meeting proposed for today

Hi Richard,

[Redacted]



[Redacted]

[Redacted]

M

From: Richard Briggs <Richard.Briggs@hcc.govt.nz>
Sent: Monday, 12 July 2021 11:40 am
To: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>; Amy Viggers <Amy.Viggers@hcc.govt.nz>
Subject: Re: Extraordinary Meeting proposed for today

[REDACTED]

[REDACTED]

[REDACTED]

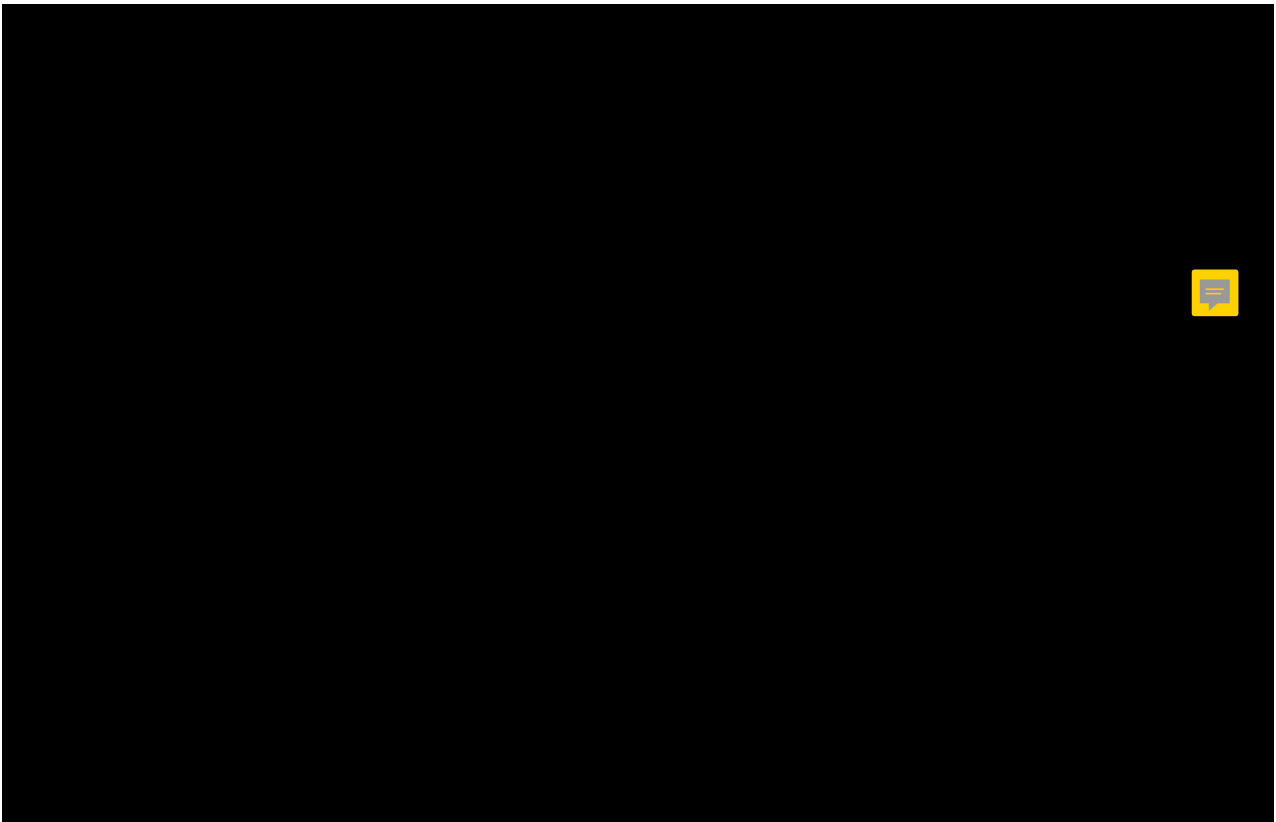
Regards

Richard

Get [Outlook for iOS](#)

From: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Sent: Monday, July 12, 2021 11:36:36 AM
To: Amy Viggers <Amy.Viggers@hcc.govt.nz>; Richard Briggs <Richard.Briggs@hcc.govt.nz>
Subject: RE: Extraordinary Meeting proposed for today

Hi Richard,



From: Amy Viggers <Amy.Viggers@hcc.govt.nz>
Sent: Monday, 12 July 2021 11:15 am
To: Michelle Hawthorne <Michelle.Hawthorne@hcc.govt.nz>
Subject: Fwd: Extraordinary Meeting proposed for today

Begin forwarded message:

From: Richard Briggs <Richard.Briggs@hcc.govt.nz>
Date: 12 July 2021 at 11:13:58 AM NZST
To: Amy Viggers <Amy.Viggers@hcc.govt.nz>
Subject: Fwd: Extraordinary Meeting proposed for today

Get [Outlook for iOS](#)

From: Richard Briggs <Richard.Briggs@hcc.govt.nz>
Sent: Monday, July 12, 2021 11:10:55 AM
To: Dave Macpherson <Dave.Macpherson@council.hcc.govt.nz>
Cc: James Clarke <James.Clarke@hcc.govt.nz>; Angela O'Leary <Angela.OLeary@council.hcc.govt.nz>; CouncillorsOnly <CouncillorsOnly@hcc.govt.nz>
Subject: Re: Extraordinary Meeting proposed for today

Thanks Dave (apologies, I am [REDACTED] assumed others had this covered),

The extraordinary meeting was called by the Mayor. The reasons were notified in the mayors email yesterday. The standings orders is pretty broad. Ultimately the mayor has the authority to request an extraordinary meeting.

The mayor holds the view that their is significant stakeholder disquiet, and that bringing it back in front of council provides the opportunity to consider the current state; waiting in her view is unacceptable.

I have the authority to decline a request however in this case their is a level of noise that is impacting on staff and getting clear support or otherwise for the current direction in a council meeting would address that.

At the meeting however the reasons for the meeting can be challenged.

Cnr Thomson text me a question around the legitimacy of the decision if other than receiving the report was resolved.

Depending on the resolution, other than simply receiving the report, Legal advice suggests that we will need to clearly outline and acknowledge the route of this item through the committee/council structure, and why a change was made.

The quality of a decision can not be offered by myself at this point of time (I have no idea of what decision will be made).

When making a decision, as you will be aware, that information from staff is but one avenue for EMs to receive information.

Ultimately the validity of any decision will depend on the information, it's strength and rationale considered in making that decision.

Please call if you have a question.

Regards

Richard

Get [Outlook for iOS](#)

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

Sent: Monday, July 12, 2021 10:10 AM

To: Richard Briggs

Cc: James Clarke; Angela O'Leary

Subject: Extraordinary Meeting proposed for today

Kia ora Richard - on Saturday, I emailed James in a response to his email justifying the Extraordinary Meeting proposed today.

I asked for a legal opinion on whether such a meeting should be called for the reasons stated. I have not had a response, or an acknowledgement.

Further to my comments on Saturday, a Councillor has suggested to me that Standing Orders, P.13 allows the Mayor to call such a meeting.

However, if you read on in the Stabding Orders, including the next page; there must be reasons why the meeting could not be called with the normal notice; so what I'm saying is that the matters to be raised in the Extraordinary Meeting are ALREADY on the agenda for the next Infrastructure Cttee meeting, so there is no valid reason why there needs to be a meeting without proper notice.

Dave

Dave Macpherson



dave.macpherson@xtra.co.nz

Tatiana Taunoa

From: Richard Briggs
Sent: Monday, 12 July 2021 12:23 pm
To: Dave Macpherson
Cc: James Clarke; Angela O'Leary; CouncillorsOnly; Michelle Hawthorne; David Bryant
Subject: Re: Extraordinary Meeting proposed for today

Thanks Dave,

The 3 working days were met via James email on the Tuesday evening. This was under instructions from the governance team.

The reasons were covered in James emails and the subsequent one from the Mayor.

Regards

Richard

Get [Outlook for iOS](#)

From: Dave Macpherson <Dave.Macpherson@council.hcc.govt.nz>
Sent: Monday, July 12, 2021 11:33 AM
To: Richard Briggs
Cc: James Clarke; Angela O'Leary; CouncillorsOnly
Subject: Re: Extraordinary Meeting proposed for today

Kia ora Richard - thank you for acknowledging my email; it's great when that happens.


You have only sent through one page of the Standing Orders. Read onto the next, where it's clear that reasons for diverting from normal process have to be given, and think about the fact that we had already agreed on a process and timing of a formal discussion of this matter - if there was no need for the requirement to provide reasons for diverting from normal process, then there wouldn't be such a rule in Standing Orders.

In addition, there have not been 3 clear day's notice of the meeting provided to EMs - the Governance Manager has frequently provided advice to us that 'clear working days' is the correct interpretation of that part of Standing Orders.

I also contend that staff already have delegated authority to manage the trial aftermath until the next Infrastructure Cttee meeting; the fact that they feel confused/uncertain/worried about how to exercise that (and that NZTA's trial process is clearly a dog's breakfast) is not a good reason to rush into a different HCC process, when a number of EMs, and many in the community were not prepared for it.

Dave

Cr Dave Macpherson


dave.macpherson@xtra.co.nz

On 12/07/2021, at 11:10 AM, Richard Briggs <Richard.Briggs@hcc.govt.nz> wrote:

Thanks Dave (apologies, I am  and assumed others had this covered),

The extraordinary meeting was called by the Mayor. The reasons were notified in the mayors email yesterday. The standings orders is pretty broad. Ultimately the mayor has the authority to request an extraordinary meeting.

The mayor holds the view that their is significant stakeholder disquiet, and that bringing it back in front of council provides the opportunity to consider the current state; waiting in her view is unacceptable.

I have the authority to decline a request however in this case their is a level of noise that is impacting on staff and getting clear support or otherwise for the current direction in a council meeting would address that.

At the meeting however the reasons for the meeting can be challenged.

Cnr Thomson text me a question around the legitimacy of the decision if other than receiving the report was resolved.

Depending on the resolution, other than simply receiving the report, Legal advice suggests that we will need to clearly outline and acknowledge the route of this item through the committee/council structure, and why a change was made.

The quality of a decision can not be offered by myself at this point of time (I have no idea of what decision will be made).

When making a decision, as you will be aware, that information from staff is but one avenue for EMs to receive information.

Ultimately the validity of any decision will depend on the information, it's strength and rationale considered in making that decision.

Please call if you have a question.

Regards

Richard

Get [Outlook for iOS](#)

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

Sent: Monday, July 12, 2021 10:10 AM

To: Richard Briggs

Cc: James Clarke; Angela O'Leary

Subject: Extraordinary Meeting proposed for today

Kia ora Richard - on Saturday, I emailed James in a response to his email justifying the Extraordinary Meeting proposed today.

I asked for a legal opinion on whether such a meeting should be called for the reasons stated. I have not had a response, or an acknowledgement.

Further to my comments on Saturday, a Councillor has suggested to me that Standing Orders, P.13 allows the Mayor to call such a meeting.

However, if you read on in the Stabding Orders, including the next page; there must be reasons why the meeting could not be called with the normal notice; so what I'm saying is that the matters to be raised in the Extraordinary Meeting are ALREADY on the agenda for the next Infrastructure Cttee meeting, so there is no valid reason why there needs to be a meeting without proper notice.

Dave

Dave Macpherson

+ 

dave.macpherson@xtra.co.nz