

Rebecca Watson

From: official information
Sent: Friday, 17 May 2019 09:46
To: [REDACTED]
Cc: official information; [REDACTED]
Subject: Re: LGOIMA 19101: mayoral billboards

Kia ora,

Further to your information request of 5 May 2019 in respect of Mayoral Billboards, I am now able to provide Hamilton City Council's response.

You requested:

Could I please be provided with copies of the legal advice Hamilton City Council was provided regarding Mayor Andrew King's billboards (the ones wishing people a Merry Xmas, telling people to drive safe, promoting City Safe and the Anzac one) relating to whether they classified as electioneering?

Please provide details of the cost of each legal advice obtained and if not included on the documents requested, the date they were obtained.

How many were placed around the city?

Has the council received any complaints about the latest billboards or any of the previous ones? Please indicate which billboard each complaint relates to and what the complaint was about.

Our response:

Hamilton City Council has determined to withhold the legal advice Hamilton City Council was provided regarding Mayor Andrew King's billboards, as this is legally privileged (Section 7(2)(g) – release would prejudice the maintenance of legal professional privilege.

In response to a previous media request the Council confirmed that the CE obtained external legal advice and provided advice to the Mayor on his previous billboards. The substance of the advice was that the use of the official city crest on his billboards created a risk that the public would perceive them as being endorsed by Hamilton City Council and/or as utilising the Council's resources and branding (i.e. use of the Council's Crest) to promote the profile of the Mayor in an election year.

No invoice has been received for this legal advice as yet.

The Mayor's Office advises there have been 24 billboards placed around the city.

- 6x Christmas message
- 6x Drive Safe message
- 4x Your help may harm message
- 4x Easter/ANZAC message
- 4x SKYCITY message

The CE's office has received the following enquiries:

- Query from Cr Rob Pascoe regarding the Christmas billboards
- Query from Cr Angela O'Leary regarding the Christmas billboards on Massey Bridge and Greenwood Street

The Mayor's Office has received the following enquires:

- Email query from a member of the public about Easter and ANZAC
- Email query from a member of the public about the Your help may harm billboards
- Email query from a member of the public about Christmas and Drive safe billboards

Additionally the Governance Unit received the following enquires:

- Phone query from a member of public about the Christmas and Drive Safe billboards
- Phone query from a member of public about the Help may harm billboards

No further complaints or enquires have been received. The enquiries received related to questions as to whether the billboards were Hamilton City Council billboards and/or endorsed by HCC and/or whether they constituted electioneering by the Mayor.

If you would like context or background related to this LGOIMA response, or an interview with the subject matter expert, please contact the Mayor Office on 07 838 6666.

If you have any concerns with the decision(s) referred to in this response, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Local Government Official Information and Meetings Act 1987.

For your information, the Ombudsman's contact details are:

Email: info@ombudsman.parliament.nz

Post: PO Box 10152, Wellington 6143

Telephone: 0800 802 602

Kind regards,

Amy Viggers

On behalf of the Privacy Officer

DDI: 07 8386727 | Email: amy.viggers@hcc.govt.nz



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

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From: official information

Sent: Monday, 6 May 2019 2:44 PM

To: [REDACTED]

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

Subject: LGOIMA 19101: mayoral billboards

Kia ora,

I write to acknowledge your information request of 5 May 2019 in respect of Mayoral Billboards.

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 or not "as soon as reasonably practicable", no later than 20 working days after the day we received your request. We will respond to you no later than 31 May 2019.

Kind regards,

Amy Viggers

On behalf of the Privacy Officer

DDI: 07 8386727 | Email: amy.viggers@hcc.govt.nz



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

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From: [REDACTED] >

Sent: Sunday, May 5, 2019 12:34 PM

To: [REDACTED]

Subject: mayoral billboards

Hi [REDACTED]

Could you please help me with the following:

Could I please be provided with copies of the legal advice Hamilton City Council was provided regarding Mayor Andrew King's billboards (the ones wishing people a Merry Xmas, telling people to drive safe, promoting City Safe and the Anzac one) relating to whether they classified as electioneering?

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Kind regards

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



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