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**From:** Information Management Team  
**Sent:** Tuesday, 31 August 2021 4:09 PM  
**To:** [REDACTED]  
**Cc:** Bradley Cato; Alice Thurston  
**Subject:** RE: [EXTERNAL]

Tēnā koe [REDACTED]

We refer to your request dated 23 July.

We are providing you with information related to the management of the information request mentioned. We are still working on the remaining part of your request regarding information the council hold about yourself, and will provide this to you as soon as possible. We apologise for the delay in providing this information to you.

All the information related to the request has been stored in a folder on the council's document management system, as per our usual document management processes. The request was compiled by Mary Hewett. The response letter was put together by Kate Ostapowicz and Mary Hewett, reviewed by Kathryn Stannard, and Bradley Cato. As part of the usual LGOIMA process Caryn Ellis and Jarred Griffiths viewed the response before it was sent.

All information regarding the gathering of this information is in the attached PDF. Any discussions that took place are outlined in these emails.

Nāku noa, nā

**Kate Ostapowicz**

Senior Advisor, Official Information

Hutt City Council, 30 Laings Road, Private Bag 31912, Lower Hutt 5040, New Zealand  
C 027 265 5849 W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)

**From:** [Information Management Team](#)  
**To:** 7(2)(a)  
**Subject:** RE: [EXTERNAL] Fw: LGOIMA Request  
**Date:** Friday, 23 July 2021 9:58:00 AM  
**Attachments:** Response letter to official information request.PDF

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Tōnō koe 7(2)(a)

We refer to your information request dated 25 June 2021.

Please find attached your response letter.

Nōku noa, nō

**Kate Ostapowicz** ([she/her](#))  
Senior Advisor, Official Information

Hutt City Council, 30 Laings Road, Private Bag 31912, Lower Hutt 5040, New Zealand  
W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)

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**From:** 7(2)(a)  
**Sent:** 25 June 2021 08:40  
**To:** Simon Edwards <Simon.Edwards@huttcity.govt.nz>; Deborah Hislop <Deborah.Hislop@huttcity.govt.nz>; Brady Dyer <Brady.Dyer@huttcity.govt.nz>  
**Subject:** [EXTERNAL] Fw: LGOIMA Request

I appear to have missed you in my original email. See below.

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**From:** 7(2)(a)  
**Sent:** Friday, June 25, 2021 8:37 AM  
**To:** campbell.barry@huttcity.govt.nz <campbell.barry@huttcity.govt.nz>; tui.lewis@huttcity.govt.nz <tui.lewis@huttcity.govt.nz>; josh.briggs@huttcity.govt.nz <josh.briggs@huttcity.govt.nz>; keribrown@huttcity.govt.nz <keri.brown@huttcity.govt.nz>; brady.dyer@huttcity.govt.nz <brady.dyer@huttcity.govt.nz>; chris.milne@huttcity.govt.nz <chris.milne@huttcity.govt.nz>; andy.mitchell@huttcity.govt.nz <andy.mitchell@huttcity.govt.nz>; shazly.rasheed@huttcity.govt.nz <shazly.rasheed@huttcity.govt.nz>; naomi.shaw@huttcity.govt.nz <naomi.shaw@huttcity.govt.nz>; leigh.sutton@huttcity.govt.nz <leigh.sutton@huttcity.govt.nz>  
**Subject:** LGOIMA Request

I request the following under LGOIMA from each of you.

A) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Max Shierlaw within 1 January 2020 to 25 June 2021.

B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a [REDACTED] [REDACTED] within 1 September 2020 to 25 June 2021.

C) The nature of your relationship with both Max Shierlaw and [REDACTED] [REDACTED]. Including whether or not you have met Max or [REDACTED] at your home address within the past 12 months.

D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,  
7(2)(a)

23 July 2021

7(2)(a)

By email: 7(2)(a)

*Kathryn Stannard*  
Head of Democratic Services  
Ph. 570 6942  
[kathryn.stannard@huttcity.govt.nz](mailto:kathryn.stannard@huttcity.govt.nz)

Dear 7(2)(a)

**Request for Information – Local Government Official Information and Meetings Act 1987**

We refer to your request dated 25 June 2021 regarding conversations with Mr Max Shierlaw and Mr Mark Crowskey by the Mayor and Councillors.

Please find attached a document that outlines this information. We have not included general emails from Mr Shierlaw to the Mayor and Councillors where no conversation has been entered into.

If you have any issues with our response or wish to discuss this decision with us, please feel free to contact me.

Please note that this letter (with your personal details removed) may be published on the Council's website.

Yours sincerely

*K E Stannard*

Kathryn Stannard  
**HEAD OF DEMOCRATIC SERVICES**

**MAYOR CAMPBELL BARRY**

Individual	Conversations	Relationship	Hosted at home
Max Shierlaw	None*	No relationship	No
Mark Crofskey	None	No relationship	No

\*Although we hold no official information on conversations between the Mayor and Max Shierlaw, we can advise:

- Max Shierlaw frequently messaged the Mayor on Facebook up until approximately July 2020. At about this time, the Mayor blocked Mr Shierlaw, and their messaging history is now inaccessible on the platform.
- The Mayor has also encountered Mr Shierlaw at several community events. This included one of his regular community engagement sessions in Maungaraki on 18 September 2020, at a sports match on 18 July 2020, at a Maungaraki Community Association meeting on 14 April 2021 and at a scheduled visit to (b) (7)(a) Mr Shierlaw's place of work) on 28 April 2021.

**DEPUTY MAYOR TUI LEWIS**

Replied directly to (b) (7)(a) on 25 June 2021 – email attached – appendix 1

Individual	Conversations	Relationship	Hosted at home
Max Shierlaw	None	No relationship	No
Mark Crofskey	None	No relationship	No

**CR JOSH BRIGGS**

Individual	Conversations	Relationship	Hosted at home
Max Shierlaw	None	No relationship	No
Mark Crofskey	None	No relationship	No

**CR KERI BROWN**

Individual	Conversations	Relationship	Hosted at home
Max Shierlaw	None	No relationship	No
Mark Crofskey	None	No relationship	No

**CR BRADY DYER**

Replied directly to (b) (7)(a) on 25 June 2021 – copy attached – appendix 2

Individual	Conversations	Relationship	Hosted at home
Max Shierlaw	Facebook printout – attached appendix 2	No relationship	No
Mark Crofskey	None	No relationship	No

**CR SIMON EDWARDS**

Individual	Conversations	Relationship	Hosted at home
Max Shierlaw	Emails attached – appendix 3	No relationship	No
Mark Crofskey	None	No relationship	No

**CR DEBORAH HISLOP**

Individual	Conversations	Relationship	Hosted at home
Max Shierlaw	Emails attached – appendix 4	No relationship	No
Mark Crofskey	None	No relationship	No

**CR CHRIS MILNE**

Replied directly to [REDACTED] on 30 June 2021 – copy attached – appendix 5

Individual	Conversations	Relationship	Hosted at home
Max Shierlaw	None	No relationship	No
Mark Crofskey	None	No relationship	No

**CR ANDY MITCHELL**

Individual	Conversations	Relationship	Hosted at home
Max Shierlaw	Emails attached – appendix 6	No relationship	No
Mark Crofskey	None	No relationship	No

**CR SHAZLY RASHEED**

Individual	Conversations	Relationship	Hosted at home
Max Shierlaw	See below*	Known Max Shierlaw for many years through mutual friends and as an ex Councillor. I do not have a relationship with him	No
Mark Crofskey	None	I met Mark Crofskey at a campaign event of Chris Bishop last year	No
*Txt from Max Shierlaw	Morning of May 2021 (anti-bullying day)	Said CE had a video about anti bullying and it was removed from Council Facebook. I went to Council page and the video I thought he was talking about was still there. I took a screen shot and sent him the image on txt asking, is it this one and it is still there.	
*Phone call from Max Shierlaw	June 2021 (morning at the beginning of the month)	Asked if I knew the 2021/22 charges for sports grounds and what are the existing charges? I said I didn't know and I will send an email to officers and will let him know when I get a response.	

**NAOMI SHAW**

Individual	Conversations	Relationship	Hosted at home
Max Shierlaw	None	No relationship	No
Mark Crofskey	None	No relationship	No

**LEIGH SUTTON**

Individual	Conversations	Relationship	Hosted at home
Max Shierlaw	None	No relationship	No
Mark Crofskey	Emails attached – appendix 7	No relationship	No

**DAVID BASSETT (COUNCILLOR UNTIL 14 JUNE 2021)**

A search of the system shows two email conversations with Max Shierlaw – copies attached – appendix 8.

----- Original message -----

From: Tui Lewis <Tui.Lewis@huttcity.govt.nz>

Date: 25/06/21 14:08 (GMT+12:00)

To: 7(2)(a) Campbell Barry

<Campbell.Barry@huttcity.govt.nz>, Josh Briggs <Josh.Briggs@huttcity.govt.nz>, Keri Brown

<Keri.Brown@huttcity.govt.nz>, Brady Dyer <Brady.Dyer@huttcity.govt.nz>, Chris Milne

<Christopher.Milne@huttcity.govt.nz>, Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>, Shazly Rasheed

<Shazly.Rasheed@huttcity.govt.nz>, Naomi Shaw <Naomi.Shaw@huttcity.govt.nz>, Leigh Sutton

<Leigh.Sutton@huttcity.govt.nz>

Subject: RE: [EXTERNAL] LGOIMA Request

Good afternoon 7(2)(a)

I have had no correspondence with either, haven't met with either and have no relationship to them.

Regards,



**Tui Lewis**

Deputy Mayor

Hutt City Council, New Zealand

T 021 271 6249, W [tui.lewis@huttcity.govt.nz](mailto:tui.lewis@huttcity.govt.nz)



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**Mary Hewett**

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**From:** Brady Dyer  
**Sent:** Tuesday, 6 July 2021 8:37 AM  
**To:** Mary Hewett  
**Subject:** Fwd: [EXTERNAL] LGOIMA Request

Hey Mary,  
I replied direct to **7(2)(a)** (and cc'd in Euan) when the email was sent, see below.

Cheers,  
Brady

Begin forwarded message:

**From:** Brady Dyer <[Brady.Dyer@huttcity.govt.nz](mailto:Brady.Dyer@huttcity.govt.nz)>  
**Subject:** Re: [EXTERNAL] LGOIMA Request  
**Date:** 25 June 2021 at 8:54:44 AM NZST  
**To:** **7(2)(a)**  
**Cc:** Euan Kyle <[Euan.Kyle@huttcity.govt.nz](mailto:Euan.Kyle@huttcity.govt.nz)>

Please see attached.  
Have no relationship either either, haven't spoken to either other than below, and general Facebook public comments. Haven't met either in any location.

Ngā mihi nui,  
Brady

On 25/06/2021, at 8:37 AM, **7(2)(a)** wrote:

I request the following under LGOIMA from each of you.

- A) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Max Shierlaw within 1 January 2020 to 25 June 2021.
- B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Mark Crofskey within 1 September 2020 to 25 June 2021.
- C) The nature of your relationship with both Max Shierlaw and Mark Crofskey. Including whether or not you have met Max or Mark at your home address within the past 12 months.
- D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,  
**7(2)(a)**

8:51 ↗



**Max Shierlaw**

Active now



03 AUG 2020, 15:16

Hey yeah I would be keen on hosting the MTC event 👍 could you get Tracey or whoever to email me the details b@dyer.nz

08 OCT 2020, 22:21

Sorry I didn't come back, was only doing stage photos all night as they had other people just doing all the people photos 👍

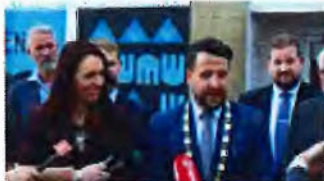


No problem

20 APR, 08:47



**Is your local council telling the truth about its planned rates hike?**



Hutt City Council Mayor Campbell Barry (pictured) is telling local ratepayers that he plans to hike rates by "just" 5.9 percent. But ratepayers who delve into the fine print of the [proposition material](#) have noticed this excludes the effect of a new targeted rate for rubbish and recycling.

Once you manually calculate the impact of that cost, the real rates hike ends up being well over 10 percent.

While the subterfuge at Hutt City Council is particularly



8:51



Max Shierlaw

Active now



Is your local council telling the truth about its planned rates hike?



Hutt City Council Mayor Campbell Barry (pictured) is telling local ratepayers that he plans to hike rates by 'just' 5.9 percent. But ratepayers who delve into the fine print of the [general rates proposal](#) have noticed this excludes the effect of a new targeted rate for rubbish and recycling.

Once you manually calculate the impact of that cost, the real rates hike ends up being well over 10 percent.

**While the subterfuge at Hutt City Council is particularly bad, we're seeing other councils using similar tricks.** Wellington City Council wants to pay for a new sludge plant via a 'Special Purpose Vehicle' - paid for out of a new \$70 to \$100 annual levy that has not been added to the Council's advertised rates hike.

We've been keeping track of every local council's planned rate hikes on our [Rates Dashboard](#). We might now have to add a 'new taxes' column to keep the councils honest.

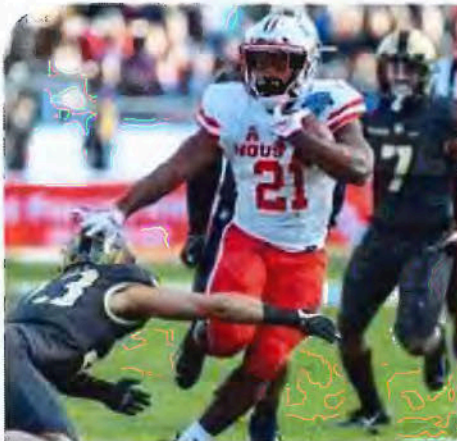


Reply



10 MAY, 21:53

Max forwarded a link



Reports of an Innovative Approach

Simon Edwards  
Wed 5/13/2020 12:40 PM

3



To:

- Max Shierlaw - 7(2)(a)

Hi Max,

I agree with you. I've always felt an amalgamation of the two Hutt councils would be a good thing overall. We're in the same Valley after all, and the resulting authority would not be so big that citizens would feel remote from the Council. There would very likely be significant savings.

Trouble has always been, Upper Hutt doesn't want it.

I think it would be two-faced of Hutt to try and force Upper Hutt to the table, when (judging by past voting) we don't want to amalgamate with Wellington. A Hutt Valley-Wgtn-Porirua Council is too big (I believe).

And so we're at stalemate.

Cheers.

**Simon Edwards**  
City-wide Councillor

Hutt City Council, New Zealand  
T 027 484 8892, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)

**Simon Edwards**  
Councillor

Hutt City Council, . . . New Zealand  
T 027 484 8892, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)

Max Shierlaw 7(2)(a)

Sun 9/27/2020 9:39 AM

- 
- 
- 
- 
- 

To:

- Simon Edwards

Cc:

- Chris Milne

Simon,

Earlier this year the Chief Executive announced to much fanfare that she had achieved \$1.2 million of internal operating savings.

Part of these savings were asking staff to forego a wage increase this year. I commented at the time that this is not a saving as staff were under no obligation to agree. So it has proved to be. I note from the Community Plan meeting papers that a wage increase will apply from 1 January 2021.

Given your Council's propensity at labelling previous councils financially irresponsible, it behoves you to act financially responsible. So given that a significant proportion of the proposed operational savings have not eventuated, that means you must find new savings to ensure your budgeted bottom line is achieved.

Can you please confirm this is on your agenda and that a report will be coming to your next Finance meeting with suggested budget savings.

Regards,

Max

Simon,

I've now had the opportunity to review in detail the supposedly independent report into budget setting. My comments are below.

I noted from the last Council meeting that there is now an opportunity for questions to be asked, despite the Mayor's best effort to railroad endorsement of the report through. I have raised a number of question for both the report author and Council officers. As Chair of Finance could you please submit these for a response.

Thanks & Regards,

Max

*"There is confusion over the purpose of depreciation as many believe that the purpose of depreciation is to provide for the replacement of an asset."*

*"The purpose of depreciation is not to provide for the replacement of the asset(s)"*

*"As a result of revaluing assets depreciation will increase based on an equivalent replacement cost."*

The final statement not correct, and he appears to be contradicting his earlier statements. Revaluation of an asset is based on its depreciated replacement cost, not an equivalent replacement cost. There's a big difference.

*"However, as the purpose of depreciation is to charge the people who are using the asset their share of that asset, if the value has increased, in theory the people using the asset should pay a greater share."*

That's debateable. The Council is a Public Benefit Entity. By definition it doesn't charge people who use their assets, it taxes property. So here's my view: a taxpayer cannot obtain a tax deduction for depreciation on the revalued amount of an asset, so taxpayers should not be charged for depreciation on the revalued amount of an asset.

*"In 2014 the Government introduced the Local Government (Financial Reporting and Prudence) Regulations 2014 (the Regulations) also known as the Prudence regulations...It is considered a useful guide rather than the definitive answer."*

Pleased he's acknowledged that.

*"An alternative to using a cash flow statement in which only cash transactions that occurred in the year are reported, is to use a modified funding impact statement approach to reflect cash transactions and then compare surplus with renewal expenditure."*

We already use a funding Impact Statement, as does every other Council. As I've already advised Council, this has shown at least a \$20m cash operating surplus. **QUESTION: How does the author consider the Funding Impact statement used should be modified and why?**

**FURTHER QUESTION: Why does the Author consider the considerably operating cash flow surpluses, as reported in the Funding Impact Statement, restricts both operating and capital expenditure, without considering the longer-term impacts?**

*"The existing infrastructure strategy states that on average, it allows for \$15m in capital replacements and \$17m to improve and upgrade this infrastructure per annum."* **QUESTION: Where does the Infrastructure strategy say that?**

The attached graph from the Infrastructure strategy does not support that statement.

*"It has been argued that a Council should include gains (or losses) on property revaluations as part of the balanced budget test. As noted above, generally revaluation only occur every three years, and this is non cash associated gain or loss, therefore it would be imprudent to include the value as part of the balanced budget test. Furthermore, if there was a loss, then a local authority would be funding expenditure for which there would be no related expenditure."*

The reason why the gains on asset revaluations should be included as part of the balanced budget test is offset the depreciation charged on what is nothing more than a paper gain on the value of an asset which will probably never be sold. Not to do so would mean the ratepayer would be taxed on many times the cost price of an asset, a huge overtax.

Further, if the balanced budget regulation exclude gains or losses resulting from revaluations of assets, then by extension it must also exclude depreciation resulting from the revaluation. The purpose of this regulation is to strip out non cash revenue and expenditure from the calculation.

**QUESTION FOR OFFICERS: Please breakdown the depreciation into depreciation on cost price and depreciation of revaluation.**

*"Wellington Water has advised us we need to double our investment in our water network to ensure a properly functioning water supply, waste and stormwater system."*

**QUESTION FOR OFFICERS: Our infrastructure Strategy states that \$1.4 billion capital investment is required over the next 30 years and \$2 billion operating expenditure. Where has Wellington Water specifically stated the water infrastructure component needs to double? The attached from WW doesn't support that contention.**

**Simon Edwards**

Councillor

Hutt City Council, , , New Zealand  
T 027 484 8892, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)

**From:** Deborah Hislop <Deborah.Hislop@huttcity.govt.nz>  
**Sent:** 08 April 2021 15:50  
**To:** Max Shierlaw <7(2)(a)>  
**Cc:** Mayor.Councillors <Mayor.Councillors@huttcity.govt.nz>; Jo Miller <Jo.Miller@huttcity.govt.nz>; Helen Oram <Helen.Oram@huttcity.govt.nz>; Parvati Rotherham <Parvati.Rotherham@huttcity.govt.nz>  
**Subject:** RE: Wainuiomata Clean Fill

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Max,

Thank you for your reply with your explanation of how things were done when you were a Councillor and your suggestion/request that I convene a meeting to sort out what you see as an issue.

At this stage I do not see it as an issue and I will not be convening a meeting to make the policy decision you request, however, I am prepared to talk to the officers again in due course and once I have done that I will be back in touch with you.

Regards  
Deborah

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**From:** Max Shierlaw <7(2)(a)>  
**Sent:** 07 April 2021 20:53  
**To:** Deborah Hislop  
**Cc:** Mayor.Councillors; Jo Miller; Helen Oram; Parvati Rotherham  
**Subject:** RE: Wainuiomata Clean Fill

Deborah,

I can't open the links, but it may be of benefit for you and your colleagues to read the full determination of the Acoustics Society. It is attached.

You will note that the T & T employee who accepted ultimate responsibility for the noise testing is a member of the Society. The Determination records that he has been reprimanded and reminded to properly apply the Society's rules of conduct .

You've forwarded me the Council Officers response and unsurprisingly they defend their actions to the hilt.

But my request to you was to make a policy decision to contract out all compliance, monitoring and enforcement functions relating to consents held



by the Hutt City Council. That's a political decision, and not one that can be made by Officers.

The work of Tonkin & Taylor, which Helen Oram had previously told your Committee she was quite happy with, shows that the public can have little confidence in the Hutt City Council acting as regulator to its own consents.

The reporting structures bear all the hallmarks of something being hastily cobbled together. When I was on Council, all City Services staff reported to Bruce Sherlock and all regulatory staff reported to Joycelyn Raffills. There was no cross over of staff whatsoever. Reporting structures and oversight have obviously changed and as a result a clear reporting and accountability separation of infrastructure and regulator staff no longer happens. Reinforces my contention that the public can have little confidence in the Council policing its own consents.

So I again ask that you convene a meeting of your Committee to make a policy decision that compliance, monitoring and enforcement of Hutt City council consents be contracted out to an independent party.

I look forward to hearing from.

Regards,

Max

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

From: Deborah Hislop [mailto:Deborah.Hislop@huttcity.govt.nz]  
Sent: Wednesday, 7 April 2021 8:09 PM  
To: 7(2)(a)  
Cc: Mayor.Councillors; Jo Miller; Helen Oram; Parvati Rotherham  
Subject: Wainuiomata Clean Fill

Hello Max,

Below is a response from Derek Kerite in response to your questions in relation to the Wainuiomata Cleanfill.

"Update to CLG:

Council officers from Environmental Consents, as well as Council officers representing the consent holder, attended the CLG meeting. At that meeting a verbal update was provided to the group around the noise matters. In essence this is, that the consent holder has decided to retain the services of an alternative noise consultant to do all further noise testing and analysis on the cleanfill. Tonkin & Taylor's noise consultants have done the final work they will be doing for the consent holder.

Acoustics Society response:

Council officers have viewed the response to Mr Shierlaw's complaint to the Acoustics Society of New Zealand (ASNZ). The complaint was summarised by ASNZ as:

[cid:image001.png@01D72AF3.3B754680]

Despite the fact that T&T's acoustic engineers are not members of the ASNZ, the society did assess the complaint. About the complaint re: Rule 9, the ASNZ stated:

[cid:image002.png@01D72AF3.A77F8250]

About the complaint re: Rule 6, the ASNZ stated:

[cid:image003.png@01D72AF4.7C395D40]

The ASNZ also responded as to what disciplinary measures it would have taken had the Acoustics Engineer been one of its members, as follows:

[cid:image004.png@01D72AF4.7C395D40]

Reporting Lines:

The reporting lines are not as described by Mr Shierlaw.

Parvati Rotherham, Team Leader Resource Consents reports to Derek Kerite, Head of Department Environmental Consents. For the cleanfill project, instead of Derek reporting directly to Helen Oram, Director Environment & Sustainability, he reports directly to Jo Miller, CEO.

Dave Dews, Solid Waste Manager reports to Helen Oram, Director Environment & Sustainability, and this reporting arrangement stands.

Enforcement:

Enforcement under the Resource Management Act is subject to the degree of the offending, with particular reference to effects on the environment.

Except in very severe cases of offending (and consequent severe effects on the environment), Council's enforcement approach is to allow space for the consent holder to rectify the situation, often through negotiation. The noise readings for this project are complicated and there has been much discussion amongst experts in the field as to how to take the readings and interpret them.

Noise testing:

Noise consultant experts have been engaged in much discussion around the methodology used for noise testing - this is a complex site to interpret noise readings from.

Council can't place reliance on material produced by laypersons, but rather need experts to supply such information."

Regards  
Deborah

**RE: Noise at the Wainuiomata "Cleanfill"**

Deborah Hislop &lt;Deborah.Hislop@huttcity.govt.nz&gt;

Mon 05/04/2021 17:16

To: 7(2)(a)

Cc: Campbell Barry <Campbell.Barry@huttcity.govt.nz>; David Bassett <David.Bassett@huttcity.govt.nz>; Simon Edwards <Simon.Edwards@huttcity.govt.nz>; Keri Brown <Keri.Brown@huttcity.govt.nz>; Brady Dyer <Brady.Dyer@huttcity.govt.nz>; Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>; Shazly Rasheed <Shazly.Rasheed@huttcity.govt.nz>; Leigh Sutton <Leigh.Sutton@huttcity.govt.nz>; Naomi Shaw <Naomi.Shaw@huttcity.govt.nz>; Parvati Rotherham <Parvati.Rotherham@huttcity.govt.nz>; Helen Oram <Helen.Oram@huttcity.govt.nz>; Jo Miller <Jo.Miller@huttcity.govt.nz>

Thank you for your email Max,

I am currently awaiting the return from leave of an officer with whom I need to get some information.

Once I have the relevant information I will be back in touch with you.

Regards  
Deborah

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From: Max Shierlaw 7(2)(a)

Sent: 04 April 2021 17:53

To: Deborah Hislop

Cc: Campbell Barry; David Bassett; Simon Edwards; Keri Brown; Brady Dyer; Andy Mitchell; Shazly Rasheed; Leigh Sutton; Naomi Shaw; Parvati Rotherham; Helen Oram; Jo Miller  
Subject: RE: Noise at the Wainuiomata "Cleanfill"

<https://www.google.co.nz/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKewjnjujRzOHvAhXqxTgGHTCaBvEQFjABegQIBRAD&url=https%3A%2F%2Fwww.mfe.govt.nz%2Fsites%2Fdefault%2Ffiles%2Fmedia%2FRMA%2Fbest-practice-guidelines-cme.pdf&usq=AOvVaw2ol-yd27kPpngJthEloenl>

Deborah,

Further to my earlier email, I have attached relevant extracts from a MFE best practice guideline on compliance, monitoring & enforcement. A link to the full document is also attached as the file size is too large to email.

My earlier email had suggested revoking the Chief Executive's delegation, but as outlined in the MFE document that would not be necessary. The guideline says that:

1. Councils can contract out their compliance, monitoring and enforcement activity either across the board or for specific areas.
2. Elected Members should be approving policy for enforcement, but not making decisions over what is enforced.

Taken together, what needs to happen at the Hutt City Council as a matter of urgency is a policy decision be taken that all compliance, monitoring and enforcement action relating to consents held by the Council be contracted out.

My earlier email outlined the entirely unacceptable actions and performance of the Hutt City Council's regulatory officials in relation to the Wainuiomata Cleanfill.

Please therefore convene an extraordinary meeting of your Committee to approve this policy decision at the earliest opportunity.

Regards,

Max

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

From: Deborah Hislop [mailto:Deborah.Hislop@huttcity.govt.nz]

Sent: Monday, 29 March 2021 5:53 PM

To: Max Shierlaw

Cc: Campbell Barry; David Bassett; Simon Edwards; Keri Brown; Brady Dyer; Andy Mitchell; Shazly Rasheed; Leigh Sutton; Naomi Shaw; Parvati Rotherham; Helen Oram; Jo Miller

Subject: RE: Noise at the Wainuiomata "Cleanfill"

Hello Max,

Thank you for your email. I will provide a substantive reply in due course.

Regards

Deborah

Deborah Hislop

Councillor

Hutt City Council, Lower Hutt, New Zealand

M 027 457 0567

[<http://www.huttcity.govt.nz> <<http://www.huttcity.govt.nz/>>]

[Hutt City Council] <<https://htmlsig.com/t/000001F32TMS>>

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From: Max Shierlaw [mailto:7(2)(a)]

Sent: 27 March 2021 13:15

To: Deborah Hislop

Cc: Campbell Barry; David Bassett; Simon Edwards; Keri Brown; Brady Dyer; Andy Mitchell; Shazly Rasheed; Leigh Sutton; Naomi Shaw; Parvati Rotherham; Helen Oram; Jo Miller

Subject: Noise at the Wainuiomata "Cleanfill"

Good afternoon Deborah,

At the last Infrastructure & Regulatory Committee meeting Helen Oram advised that the regulator of the Cleanfill, Parvati Rotherham, would be sending a memorandum to the Cleanfill Community Liaison Group advising what is

happening with noise testing the operation. This being in response to the previous noise tests which were manipulated to show compliance with consented noise conditions. Helen advised that this memorandum would cover who would undertake the noise tests and what may happen if the testing again found that the Cleanfill's noise was non-compliant.

The Community Liaison Group met last Thursday 25th March and I am advised that no such memorandum was received by its members.

Helen further advised that this was operational issue, but as with any operational issue Elected Members can revoke the delegation.

I suggest to you as Chair of the Regulatory Committee that the time has come for Elected Members to take such action. I say this for the following reasons:

1. Officers have made commitments to Elected Members at Committee meetings and reneged on them.
2. The noise at the Wainuiomata Cleanfill has been the subject of many complaints from affected residents yet no enforcement action has been taken by the Council against the operator.
3. Noise testing has been manipulated as evidenced by the findings of the Council of the Acoustics Society.
4. The Council is both operator and regulator. While this is allowed under the legislation, it is expected there be quite separate reporting lines within the Council of the two functions. In this case there is not. At the last meeting Helen Oram advised that she was the Consent Holder, and Parvati Rotherham is the Regulator. This is unsatisfactory for two reasons, firstly Parvati reports to Helen in her normal job, and secondly the Consent Holder and Regulator should hold the same level of seniority in the Council. Parvati is considerably less senior within the Council structure than Helen.

To be clear I am not suggesting that Elected Members assume the role of Regulator of the Cleanfill, but rather appoint an independent third party to undertake this function.

You should also be aware that some residents have been taking their own noise readings of the Cleanfill's operations. These have shown readings which are consistently above 60dbh. Ask yourself Deborah, would you be content to live beside that level of noise (almost the equivalent of a domestic lawnmower) for ten hours a day, six days a week.

I look forward to hearing from you.

Regards,

Max

**From:** Deborah Hislop <[Deborah.Hislop@huttcity.govt.nz](mailto:Deborah.Hislop@huttcity.govt.nz)>

**Sent:** 08 May 2020 14:09

**To:** Max Shierlaw 7(2)(a) Mayor.Councillors <[Mayor.Councillors@huttcity.govt.nz](mailto:Mayor.Councillors@huttcity.govt.nz)>

**Subject:** RE: Upper Hutt City Council

Hello Max,

Below is an extract from the Stuff article you sent to us which clearly states that the UHCC accessed accumulated funds. Are you now saying that this information was incorrect?

"The lower rates take would be achieved by accessing accumulated funds, reduced debt repayments and reduced spending. Ratepayers would keep \$1.6 million in their pockets under the lower take."

Just wondering?

Deborah

---

**From:** Max Shierlaw 7(2)(a)

**Sent:** 08 May 2020 11:01

**To:** Mayor.Councillors

**Subject:** Upper Hutt City Council

Further to Brady's question to me yesterday about the Upper Hutt City Council, they do not have cash reserves. They have a total debt of \$43m and net debt of \$37m after deducting cash.

See attached which outlines how they reduced their rates increase from 4.68% to 1.5%. Net savings found of \$1.179m and reduction in debt repayments of \$2.68m.

Reduction in debt repayments to reduce the rates increase (which are funded from rates) is not an option that has been presented to the Hutt City Council. Why do you think that is?

I found the Upper Hutt City Council's reporting on rates increases much easier to follow and interpret than I did the HCC's. Yours took a considerable amount of time and going back and forth to previous reports before I fully interpreted what had been proposed. Begs the question do the non-Chartered Accountants on the HCC (all of you)

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

From: Chris Milne <[Christopher.Milne@huttcity.govt.nz](mailto:Christopher.Milne@huttcity.govt.nz)>

Sent: Wednesday, 30 June 2021 9:40 AM

To: (2)(a)

Subject: Re: [EXTERNAL] LGOIMA Request

Hi (2)(a) thank you for your email. I do not hold any council information relating to either of the people you mention.

Best regards

Cr Chris Milne

Councillor for the Western Ward, Hutt City Council Phone 0274 422 708 // 04 586 3890

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From: (2)(a)

Sent: 25 June 2021 08:37

To: Campbell Barry <[Campbell.Barry@huttcity.govt.nz](mailto:Campbell.Barry@huttcity.govt.nz)>; Tui Lewis <[Tui.Lewis@huttcity.govt.nz](mailto:Tui.Lewis@huttcity.govt.nz)>; Josh Briggs

<[Josh.Briggs@huttcity.govt.nz](mailto:Josh.Briggs@huttcity.govt.nz)>; Keri Brown <[Keri.Brown@huttcity.govt.nz](mailto:Keri.Brown@huttcity.govt.nz)>; Brady Dyer

<[Brady.Dyer@huttcity.govt.nz](mailto:Brady.Dyer@huttcity.govt.nz)>; Chris Milne <[Christopher.Milne@huttcity.govt.nz](mailto:Christopher.Milne@huttcity.govt.nz)>; Andy Mitchell

<[Andy.Mitchell@huttcity.govt.nz](mailto:Andy.Mitchell@huttcity.govt.nz)>; Shazly Rasheed <[Shazly.Rasheed@huttcity.govt.nz](mailto:Shazly.Rasheed@huttcity.govt.nz)>; Naomi Shaw

<[Naomi.Shaw@huttcity.govt.nz](mailto:Naomi.Shaw@huttcity.govt.nz)>; Leigh Sutton <[Leigh.Sutton@huttcity.govt.nz](mailto:Leigh.Sutton@huttcity.govt.nz)>

Subject: [EXTERNAL] LGOIMA Request

I request the following under LGOIMA from each of you.

A) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Max Shierlaw within 1 January 2020 to 25 June 2021.

B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Mark Crofskey within 1 September 2020 to 25 June 2021.

C) The nature of your relationship with both Max Shierlaw and Mark Crofskey. Including whether or not you have met Max or Mark at your home address within the past 12 months.

D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,

(2)(a)

**From:** Max Shierlaw 7(2)(a)  
**Date:** 10 May 2020 at 11:52:06 AM NZST  
**To:** Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>, Chris Milne <chris.milne@huttcity.govt.nz>  
**Cc:** Deborah Hislop <Deborah.Hislop@huttcity.govt.nz>, "Mayor.Councillors" <Mayor.Councillors@huttcity.govt.nz>  
**Subject:** RE: Upper Hutt City Council

Andy,

Accumulated funds are an accumulation of prior year surplus. So when the Upper Hutt City Council say they are going to use \$195k of accumulated funds, what they really mean is they are proposing a budget deficit.

But given it's only \$195k, it's not really a big issue. The vast majority of their rates decrease has come from spending reductions and reduced debt repayment.

Again I ask, why hasn't the option of reduced debt repayment been presented as a temporary way of lowering the Hutt City Council's rates increase this year?

Also, I note that one of HCC's savings is a \$1.3m employee cost reduction from not paying a 1.3% salary increase this year. But the report infers this increase has been already agreed to as part of a multi-year Employment Agreement. If that's the case, that saving cannot be taken for granted. It's one thing to go into bargaining and refusing any pay increase. It's quite another to request that a previously agreed pay increase not proceed. Unions are very reluctant to give back entitlements already agreed. You may wish to seek clarification from the CE.

And if that is the case, further savings may be required.

Regards,

Max

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

**From:** Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>  
**Sent:** Sunday, 10 May 2020 9:39 a.m.  
**To:** Chris Milne <chris.milne@huttcity.govt.nz>  
**Cc:** Max Shierlaw 7(2)(a) Deborah Hislop <Deborah.Hislop@huttcity.govt.nz>; Mayor.Councillors <Mayor.Councillors@huttcity.govt.nz>  
**Subject:** Re: Upper Hutt City Council

Clearly neither you or Max have read beyond the headline of the article, Chris, as it never



once mentions reserves. It uses the term “accumulated funds”, lifted from the UHCC report with 100% accuracy by a Stuff reporter (15)

Andy Mitchell  
Eastern Ward Councillor

Hutt City Council, 30 Laings Road, Private Bag 31912<x-apple-data-detectors://4>, Lower Hutt 5040, New Zealand T 021 136 1589<tel:021%20136%201589> W

7(2)(a)



On 9/05/2020, at 10:29 PM, Chris Milne <chris.milne@huttcity.govt.nz> wrote:

Andy, when you have net debt you do not have reserves. Cash sitting around could be applied to debt repayment. It's fully fungible with debt, so the concept of "reserves", as used in the Stuff article, is meaningless. Relying on Stuff as a source of truth will get you into all sorts of bother.

I rather liked Grant Robertson's response when he was asked why the government was not offering to help the print media, including Stuff, with Covid support. He said "we don't fund pre-existing conditions". Stuff is in terminal decline, mostly due to tech disruption but also because its journalistic standards are now so low that I'm not sure you can even call the Dompost a tabloid without slandering real tabloids.

Max's principle point regarding how Upper Hutt has minimised rates increases is correct.

Cheers Chris

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>

Date: 8/05/20 2:45 PM (GMT+12:00)

To: Max Shierlaw 7(2)(a)

Cc: Deborah Hislop <Deborah.Hislop@huttcity.govt.nz>, "Mayor.Councillors"  
<Mayor.Councillors@huttcity.govt.nz>  
Subject: Re: Upper Hutt City Council

Correct. As was the Stuff article...

Andy Mitchell  
Eastern Ward Councillor

Hutt City Council, 30 Laings Road, Private Bag 31912, Lower Hutt 5040, New Zealand T  
021 136 1589<tel:021%20136%201589> W

7(2)(a)



On 8/05/2020, at 2:41 PM, Max Shierlaw 7(2)(a) wrote:

Correct. That could be regarded as drawing on reserves, not cash reserves, but it is a very small proportion of the difference of their rates decrease.

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

From: Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>  
Sent: Friday, 8 May 2020 2:39 p.m.  
To: Max Shierlaw 7(2)(a)  
Cc: Deborah Hislop <Deborah.Hislop@huttcity.govt.nz>; Mayor.Councillors  
<Mayor.Councillors@huttcity.govt.nz>  
Subject: Re: Upper Hutt City Council

The UHCC report you provided states that they are funding \$195k from accumulated funds, which is actually a reduction in the amount of accumulated funds they were planning to spend (they presumably want to keep the rest of their savings for postponed projects):

[cid:F308E9CF-8F25-4FE5-A234-6476BB59B3B5-L0-001]

Andy Mitchell  
Eastern Ward Councillor

Hutt City Council, 30 Laings Road, Private Bag 31912<x-apple-data-detectors://4>, Lower Hutt 5040, New Zealand T 021 136 1589<tel:021%20136%201589> W

7(2)(a)

On 8/05/2020, at 2:14 PM, Max Shierlaw 7(2)(a) wrote:

Stuff = brain dead fake news.

What I have quoted is taken directly from the Upper Hutt City Council's report on their webpage.

I see that stuff have reported the HCC's spin that the rates increase has been halved without bothering to check if that's true. Which it isn't.

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

From: Deborah Hislop <Deborah.Hislop@huttcity.govt.nz>

Sent: Friday, 8 May 2020 2:10 p.m.

To: Max Shierlaw 7(2)(a); Mayor.Councillors

<Mayor.Councillors@huttcity.govt.nz>

Subject: RE: Upper Hutt City Council

Hello Max,

Below is an extract from the Stuff article you sent to us which clearly states that the UHCC accessed accumulated funds. Are you now saying that this information was incorrect?

"The lower rates take would be achieved by accessing accumulated funds, reduced debt repayments and reduced spending. Ratepayers would keep \$1.6 million in their pockets under the lower take."

Just wondering?

Deborah

From: Max Shierlaw 7(2)(a)  
Sent: 08 May 2020 11:01  
To: Mayor.Councillors  
Subject: Upper Hutt City Council

Further to Brady's question to me yesterday about the Upper Hutt City Council, they do not have cash reserves. They have a total debt of \$43m and net debt of \$37m after deducting cash.

See attached which outlines how they reduced their rates increase from 4.68% to 1.5%. Net savings found of \$1.179m and reduction in debt repayments of \$2.68m.

Reduction in debt repayments to reduce the rates increase (which are funded from rates) is not an option that has been presented to the Hutt City Council. Why do you think that is?

I found the Upper Hutt City Council's reporting on rates increases much easier to follow and interpret than I did the HCC's. Yours took a considerable amount of time and going back and forth to previous reports before I fully interpreted what had been proposed. Begs the question do the non-Chartered Accountants on the HCC (all of you) really understand what has been presented. A non-Chartered Accountant would have much more chance of understanding what the Upper Hutt City Council officers have presented than your information.

Regards,

--

Max Shierlaw

7(2)(a)



[cid:image004.jpg@01D62527.FE96B450]

This email is confidential and may contain legally privileged information.

If you are not the intended recipient, you must not disclose or use the information contained in it.

If you have received this email in error, please notify us immediately by return email and delete the document.

**From:** Max Shierlaw-7(2)(a)  
**Date:** 9 February 2020 at 6:36:51 PM NZDT  
**To:** Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>  
**Cc:** Chris Milne <chris.milne@huttcity.govt.nz>, Jenny Livschitz <Jenny.Livschitz@huttcity.govt.nz>, Campbell Barry <Campbell.Barry@huttcity.govt.nz>, Jo Miller <Jo.Miller@huttcity.govt.nz>  
**Subject: Re: Council operating budgets**

A Council press release asserted that there has been an under investment occurring since 2000. That's utter nonsense, and an insult to outstanding former Council Managers such as Ron Muir, whose work on roading was nationally recognised as outstanding. The Hutt City Council's investment in roading over the past 20 years has been exceptional. Strip away the accounting treatment and just look at the pure cash entries and it will become apparent to you.

But worryingly to me is the assertion from the CFO that the Council has suddenly arrived at an \$18m operating deficit. She appears to be using the same false logic as with the roading subsidies. I accept that the 19/20 Council budget was for a \$13m deficit. But the explanation was that most of this deficit was due to CFT grants, which are really capital. The 20/21 budget appears to be based on a starting position of the 19/20 \$13m deficit.

I'm starting to think that the supposed \$18m deficit is a massive con job.

Regards,

Max

---

**From:** Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>  
**Sent:** Sunday, 9 February 2020 6:20 PM  
**To:** Max Shierlaw-7(2)(a)  
**Cc:** Chris Milne <chris.milne@huttcity.govt.nz>; Jenny Livschitz <Jenny.Livschitz@huttcity.govt.nz>; Campbell Barry <Campbell.Barry@huttcity.govt.nz>; Jo Miller <Jo.Miller@huttcity.govt.nz>  
**Subject:** Re: Council operating budgets

In defense of the CFO, Max, she has done nothing more than what I requested of her in a briefing last week.

At that briefing another councillor made comments to the effect that the reporting of past operational deficits obscured underlying operating performance due to the accounting practise of including things such as CFT grants as operating rather than capital expenditure, when the outcome is a capital asset owned by Council. On that basis I asked if we could see those past figures adjusted to see more

clearly the underlying operating performance (the blue line in the graph provided, as opposed to the orange).

I realise this may have been an unorthodox request, and apologise for any insult to the accounting profession. To be clear, no-one is suggesting that NZTA subsidies have been spent improperly, or questioning whether past audited annual reports are accurate.

Regards,

Andy Mitchell  
Eastern Ward Councillor

Hutt City Council, 30 Laings Road, Private Bag 31912<x-apple-data-detectors://4>, Lower Hutt  
5040, New Zealand  
T 021 136 1589<tel:021%20136%201589> W  
[www.huttcity.govt.nz](http://www.huttcity.govt.nz)<<http://www.huttcity.govt.nz>> F  
[www.facebook.com/CrAndyMitchell](https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxM_ctmUUSg-etqzFR9G_34h1OCYnAA-a-GwRyXKOWDp7XnXCA.&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell)<[https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxM\\_ctmUUSg-etqzFR9G\\_34h1OCYnAA-a-GwRyXKOWDp7XnXCA.&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell](https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxM_ctmUUSg-etqzFR9G_34h1OCYnAA-a-GwRyXKOWDp7XnXCA.&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell)>

On 9/02/2020, at 4:30 PM, Max Shierlaw **7(2)(a)** wrote:

They should not have been adjusted in the manner in which the CFO has done.

In accounting terms the grants are included as operational revenue even though they are for capital projects. But an equivalent amount is added back onto the rates funding requirement to ensure these NZTA grants are not being spent on operational expenditure.

On the Balance sheet side, these NZTA grants are deducted from borrowings required for capital roading projects to reflect the subsidy received toward roading capital projects.

The CFO's paper gives the impression that previous Councils' have been improperly spending NZTA capital subsidies on roading operations by claiming they ran a higher than reported operating deficit. This despite the fact that the Annual Reports which reported deficits she claims are under reported were thoroughly audited.

As either a member, Deputy Chair or Chair of the HCC Finance Committee between 2007 - 2016, and as a practicing Chartered Accountant, I take this as a personal and professional insult.

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

From: Andy Mitchell <[Andy.Mitchell@huttcity.govt.nz](mailto:Andy.Mitchell@huttcity.govt.nz)>  
Sent: Sunday, 9 February 2020 4:03 p.m.  
To: Max Shierlaw **7(2)(a)**  
Cc: Chris Milne <[chris.milne@huttcity.govt.nz](mailto:chris.milne@huttcity.govt.nz)>  
Subject: Re: Council operating budgets

Yes, which is what they were intended for and why they have been included in the "non-operating item" adjustment requested by Chris and me. The CFO's memo referred to them as capital contributions, not operating expenses.

The adjustment was requested so we could see a truer reflection of actual operating deficits as opposed to "accounting deficits" (as I think Chris referred to them) caused on paper by things like grants to CFT being accounted as operational rather than capital expenditure, even though they're for new buildings.

Andy Mitchell  
Eastern Ward Councillor

Hutt City Council, 30 Laings Road, Private Bag 31912<x-apple-data-detectors://4>, Lower Hutt  
5040, New Zealand T 021 136 1589<tel:021%20136%201589> W  
[www.huttcity.govt.nz](http://www.huttcity.govt.nz/)<<http://www.huttcity.govt.nz/>> F  
[www.facebook.com/CrAndyMitchell](https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxM_ctmUUSg-etqzFR9G_34h1OCYnAA-a-GwRyXKOWDp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell)<[https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxM\\_ctmUUSg-etqzFR9G\\_34h1OCYnAA-a-GwRyXKOWDp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell](https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxM_ctmUUSg-etqzFR9G_34h1OCYnAA-a-GwRyXKOWDp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell)>

On 9/02/2020, at 3:01 PM, Max Shierlaw **7(2)(a)** wrote:

Roading capital or capital replacement projects.

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

From: Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>  
Sent: Sunday, 9 February 2020 2:43 p.m.  
To: Max Shierlaw **7(2)(a)**  
Cc: Chris Milne <chris.milne@huttcity.govt.nz>  
Subject: Re: Council operating budgets

If "previous Councils have not been using NZTA capital subsidies to fund roading operations", what on earth have they been using them for?

Andy Mitchell  
Eastern Ward Councillor

Hutt City Council, 30 Laings Road, Private Bag 31912<x-apple-data-detectors://4>, Lower Hutt  
5040, New Zealand T 021 136 1589<tel:021%20136%201589> W  
[www.huttcity.govt.nz](http://www.huttcity.govt.nz/)<<http://www.huttcity.govt.nz/>> F  
[www.facebook.com/CrAndyMitchell](https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxM_ctmUUSg-etqzFR9G_34h1OCYnAA-a-GwRyXKOWDp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell)<[https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxM\\_ctmUUSg-etqzFR9G\\_34h1OCYnAA-a-GwRyXKOWDp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell](https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxM_ctmUUSg-etqzFR9G_34h1OCYnAA-a-GwRyXKOWDp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell)>

On 9/02/2020, at 2:14 PM, Chris Milne <chris.milne@huttcity.govt.nz> wrote:

Hi everyone

Just to clear the air, it was me who sent this to Max. In my email to him I asked him for his views on the adjustments being made, which ended up showing repeated deficits over the last few years. There is so little time to work through this information that I require some external assistance and as this information is essentially restating published council accounts I see no problem in asking external parties for advice.

Regards, Chris

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Max Shierlaw **7(2)(a)**  
Date: 9/02/20 1:37 PM (GMT+12:00)  
To: "Mayor.Councillors" <Mayor.Councillors@huttcity.govt.nz>  
Cc: Jo Miller <Jo.Miller@huttcity.govt.nz>, Jenny Livschitz <Jenny.Livschitz@huttcity.govt.nz>  
Subject: Council operating budgets

Good afternoon,

I have been sent the attached memorandum you received from the CFO this morning.

The information assets that the since 2010 the Hutt City Council has been running significant operating deficits since 2010.

A key reason alleged by the CFO is that capital subsidies from the NZTA have been used to funded roading operations. This is simply not true. As evidenced from the attached segment of the 2016 Annual Report, the capital portion of NZTA subsidies is added back onto the rates funding requirement. Similarly it is deducted from the loan funding requirement.

You can be well assured that previous Councils have not been using NZTA capital subsidies to fund roading operations.

The other error in the CFO's memo is that development contributions are capital funding. They are not. The whole purpose of a development contribution is to recognise the increasing demands placed on existing community assets from an increased population. This in turn results in increased operational spending. Development contributions are quite properly treated as revenue.

This is the second occasion in recent months I have had occasion to correct misstatements from the CFO and I'm becoming very concerned.

Regards,

--

Max Shicrlaw

7(2)(a)





7

**From:** (2)(a)  
**Date:** Tuesday, 11 May 2021 at 1:34 PM  
**To:** "mcrofskey@outlook.com" <mcrofskey@outlook.com>  
**Subject:** Fwd: Carport (2)(a)

Sent from my iPad

Begin forwarded message:

**From:** Paul Duffin <Paul.Duffin@huttcity.govt.nz>  
**Date:** 10 May 2021 at 4:21:52 PM NZST  
**To:** (2)(a)  
**Subject:** (2)(a)

Good afternoon.

Recently I received a call from a person on behalf of the owners, this call after I had left a calling card in relation to the recently altered carport at the above address.

Can someone please call me to provide an update in regard to what your intention is to formalize the carport.

Thank you.  
**Paul Duffin**

Senior Monitoring and Enforcement Officer

Hutt City Council, 30 Laings Road, 5040, Lower Hutt 5040, New Zealand

T , M 027 285 7154, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)



sign up to our newsletter

**From:** [REDACTED]  
**Date:** Friday, 7 May 2021 at 3:13 PM  
**To:** "[mcrofskey@outlook.com](mailto:mcrofskey@outlook.com)" <[mcrofskey@outlook.com](mailto:mcrofskey@outlook.com)>  
**Subject:** Pics of carport

The first showing how far back we moved the post the second showing the gap between the boundary and the third from the neighbour side at [REDACTED] showing we have not crossed over nor is the drainage crossing over.

Thanks a ton.

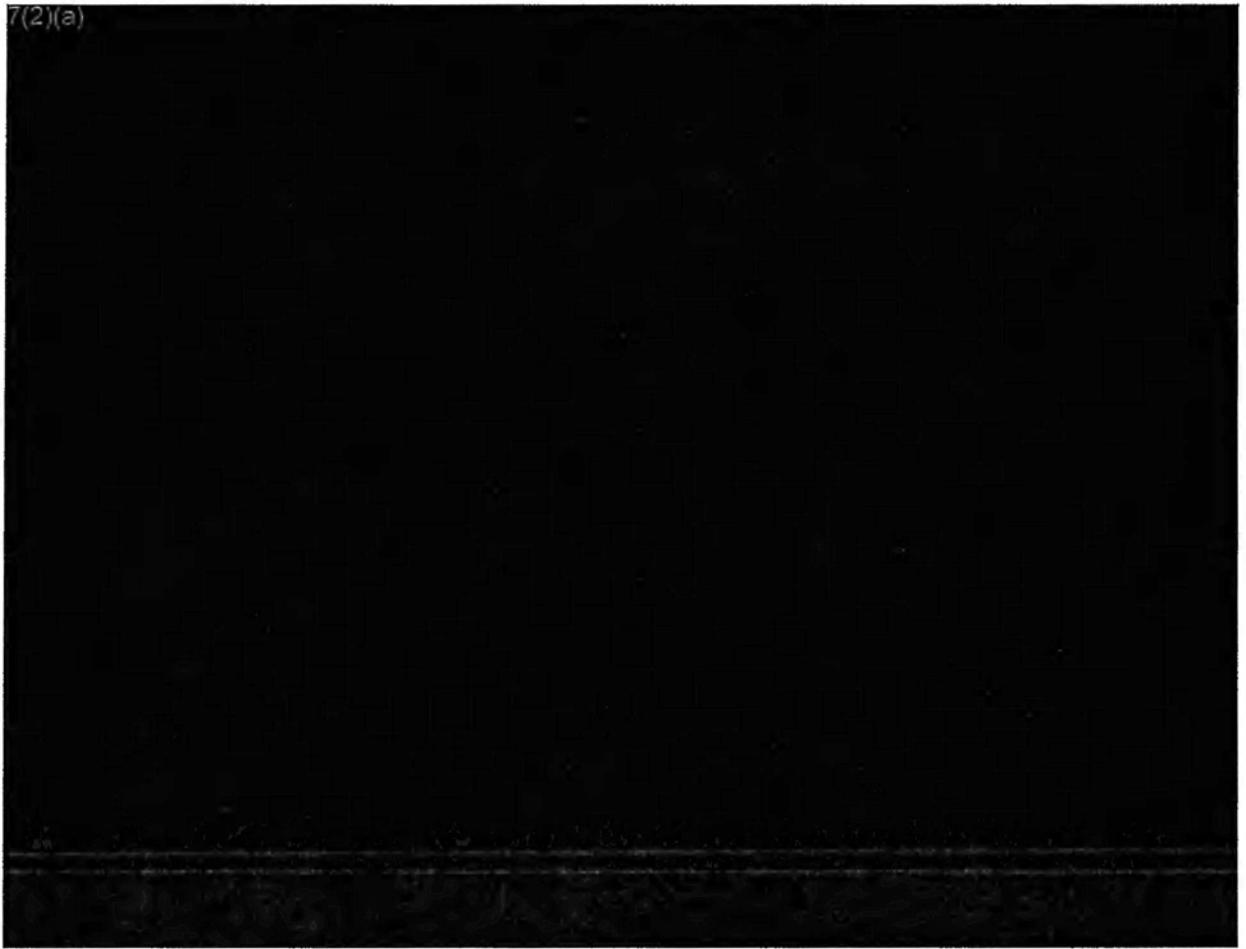
[REDACTED]  
[REDACTED]



7(2)(a)



7(2)(a)



Sent from my iPhone

Hi they moved away from the boundary and the holes were for old dog kennels.

Get [Outlook for iOS](#)

---

**From:** Leigh Sutton <[leigh.sutton@xtra.co.nz](mailto:leigh.sutton@xtra.co.nz)>  
**Sent:** Tuesday, May 11, 2021 2:54:36 PM  
**To:** Mark Crofskey <[mcrofskey@outlook.com](mailto:mcrofskey@outlook.com)>  
**Subject:** FW: Pics of carport - 7(2)(a)

Just got this back from Paul ... do you have a phone contact for them? Or I guess I can call in.

**From:** Paul Duffin [<mailto:Paul.Duffin@huttcity.govt.nz>]  
**Sent:** Tuesday, May 11, 2021 2:51 PM  
**To:** Leigh Sutton  
**Subject:** RE: Pics of carport - 7(2)(a)

Thanks for the photos Leigh. Can you ask them what the hole was used for in photo one as it looks like it was once a post hole. Beside the hole and towards the boundary it looks like there is new concrete- can you ask them about that as well please.

If they have moved from the original position closer to the boundary then they will need at least a resource consent- and maybe a building consent.

**Paul Duffin**

Senior Monitoring and Enforcement Officer

Hutt City Council, 30 Laings Road, 5040, Lower Hutt 5040, New Zealand

T , M 027 285 7154, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)



[sign up to our newsletter](#)

**From:** Leigh Sutton [<mailto:leigh.sutton@xtra.co.nz>]  
**Sent:** Tuesday, 11 May 2021 2:46 PM  
**To:** Paul Duffin  
**Subject:** FW: Pics of carport - 7(2)(a)

No it is shorter.

On 11/05/21, 4:19 PM, "Leigh Sutton" <[leigh.sutton@xtra.co.nz](mailto:leigh.sutton@xtra.co.nz)> wrote:

Hi Mark - Paul Duffin has come back to me asking "is it any longer?"

Sent from my iPhone

--

This email has been checked for viruses by AVG.

<https://www.avg.com>

Hi [redacted]

[redacted]

**From:** Leigh Sutton <[leigh.sutton@xtra.co.nz](mailto:leigh.sutton@xtra.co.nz)>  
**Date:** Monday, 17 May 2021 at 11:03 AM  
**To:** Mark Crofskey <[mcrofskey@outlook.com](mailto:mcrofskey@outlook.com)>  
**Subject:** [redacted] CONTACT DETAILS FOR SITE VISIT

Hi Mark – see message below Council's enforcement officer would like to pay a visit to site – could you please forward me contact details so he can arrange a time?

Thanks  
Leigh

**From:** Paul Duffin [<mailto:Paul.Duffin@huttcity.govt.nz>]  
**Sent:** Monday, May 17, 2021 8:21 AM  
**To:** Leigh Sutton  
**Subject:** RE: Pics of carport - [redacted]

Thanks for that Leigh.

Can I arrange a time to revisit please as my aerial photo shows something different.

Thanks

**Paul Duffin**

Senior Monitoring and Enforcement Officer

Hutt City Council, 30 Laings Road, 5040, Lower Hutt 5040, New Zealand

T , M 027 285 7154, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)



**From:** Leigh Sutton [<mailto:leigh.sutton@xtra.co.nz>]  
**Sent:** Tuesday, 11 May 2021 5:42 PM  
**To:** Paul Duffin  
**Subject:** Re: Pics of carport - [redacted]

-----  
**WARNING!!!**

[Suspected fraudulent email detected]

----- Hi Paul - no it's shorter.

Sent from my iPhone

On 11/05/2021, at 3:50 PM, Paul Duffin <[Paul.Duffin@huttcity.govt.nz](mailto:Paul.Duffin@huttcity.govt.nz)> wrote:

Thanks for that. Is it any longer?

**Paul Duffin**

Senior Monitoring and Enforcement Officer

Hutt City Council, 30 Laings Road, 5040, Lower Hutt 5040, New Zealand

T , M 027 285 7154, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)

<hccsmalllogo\_fc6f6e05-be46-4dd3-bc01-910915b54a7e.jpg>

<12153HaHEmailSignatureFINAL\_03bf4963-e923-4668-bd5b-b794173b5f82.JPG>

**From:** Leigh Sutton [<mailto:leigh.sutton@xtra.co.nz>]

**Sent:** Tuesday, 11 May 2021 2:58 PM

**To:** Paul Duffin

**Subject:** RE: Pics of carport - 7(2)(a)

---

**WARNING!!!**

[Suspected fraudulent email detected]

---

Hi Paul – I'm told they moved away from the boundary and the holes were for old dog kennels.

Regards

Leigh

**From:** Paul Duffin [<mailto:Paul.Duffin@huttcity.govt.nz>]

**Sent:** Tuesday, May 11, 2021 2:51 PM

**To:** Leigh Sutton

**Subject:** RE: Pics of carport - 7(2)(a)

Thanks for the photos Leigh. Can you ask them what the hole was used for in photo one as it looks like it was once a post hole. Beside the hole and towards the boundary it looks like there is new concrete- can you ask them about that as well please.

If they have moved from the original position closer to the boundary then they will need at least a resource consent- and maybe a building consent.

**Paul Duffin**

Senior Monitoring and Enforcement Officer



Hutt City Council, 30 Laings Road, 5040, Lower Hutt 5040, New Zealand

T, M 027 285 7154, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)

<image001.jpg>

<image002.jpg>

**From:** Leigh Sutton [<mailto:leigh.sutton@xtra.co.nz>]

**Sent:** Tuesday, 11 May 2021 2:46 PM

**To:** Paul Duffin

**Subject:** FW: Pics of carport - [REDACTED]

---

**WARNING!!!**

[Suspected fraudulent email detected]

---

**From:** Mark Crofskey [<mailto:mcrofskey@outlook.com>]

**Sent:** Tuesday, May 11, 2021 2:08 PM

**To:** Leigh Sutton

**Subject:** FW: Pics of carport

**From:** [REDACTED]

**Date:** Friday, 7 May 2021 at 3:13 PM

**To:** "[mcrofskey@outlook.com](mailto:mcrofskey@outlook.com)" <[mcrofskey@outlook.com](mailto:mcrofskey@outlook.com)>

**Subject:** Pics of carport

The first showing how far back we moved the post the second showing the gap between the boundary and the third from the neighbour side at [REDACTED] showing we have not crossed over nor is the drainage crossing over.

Thanks a ton.

[REDACTED]

<image003.jpg>

<image004.jpg>

<image005.jpg>

Sent from my iPhone

---

<image006.jpg>

This email has been checked for viruses by AVG antivirus software.  
[www.avg.com](http://www.avg.com)

Mary Hewett

---

**From:** David Bassett <David.Bassett@huttcity.govt.nz>  
**Sent:** Monday, 18 May 2020 8:51 AM  
**To:** Max Shierlaw  
**Subject:** RE: Independent report into budget setting

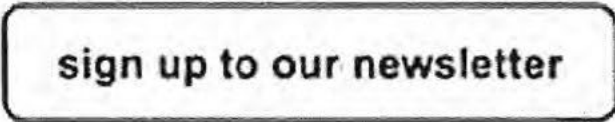
Max

Will do.

Cheers

**David Bassett JP**  
City Councillor

Hutt City Council, , , , New Zealand  
T 021 135 9391, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)



---

**From:** Max Shierlaw [mailto:[7\(2\)\(a\)](mailto:7(2)(a)@huttcity.govt.nz)]  
**Sent:** Monday, 18 May 2020 7:35 AM  
**To:** David Bassett <David.Bassett@huttcity.govt.nz>  
**Subject:** FW: Independent report into budget setting

David,

Would you be able to follow up with Simon please to ensure he submits my questions to officers and author.

I saw that you stood up to the Mayor's attempt to railroad endorsement of the report through Council.

Thanks & Regards,

Max

---

**From:** Max Shierlaw [mailto:[7\(2\)\(a\)](mailto:7(2)(a)@huttcity.govt.nz)]  
**Sent:** Sunday, 17 May 2020 5:53 PM  
**To:** 'Simon Edwards'  
**Subject:** Independent report into budget setting

Simon,

I've now had the opportunity to review in detail the supposedly independent report into budget setting. My comments are below.

I noted from the last Council meeting that there is now an opportunity for questions to be asked, despite the Mayor's best effort to railroad endorsement of the report through. I have raised a number of question for both the report author and Council officers. As Chair of Finance could you please submit these for a response.

Thanks & Regards,

Max

*"There is confusion over the purpose of depreciation as many believe that the purpose of depreciation is to provide for the replacement of an asset."*

*"The purpose of depreciation is not to provide for the replacement of the asset(s)"*

*"As a result of revaluing assets depreciation will increase based on an equivalent replacement cost."*

The final statement not correct, and he appears to be contradicting his earlier statements. Revaluation of an asset is based on its depreciated replacement cost, not an equivalent replacement cost. There's a big difference.

*"However, as the purpose of depreciation is to charge the people who are using the asset their share of that asset, if the value has increased, in theory the people using the asset should pay a greater share."*

That's debateable. The Council is a Public Benefit Entity. By definition it doesn't charge people who use their assets, it taxes property. So here's my view: a taxpayer cannot obtain a tax deduction for depreciation on the revalued amount of an asset, so taxpayers should not be charged for depreciation on the revalued amount of an asset.

*"In 2014 the Government introduced the Local Government (Financial Reporting and Prudence) Regulations 2014 (the Regulations) also known as the Prudence regulations...It is considered a useful guide rather than the definitive answer."*

Pleased he's acknowledged that.

*"An alternative to using a cash flow statement in which only cash transactions that occurred in the year are reported, is to use a modified funding impact statement approach to reflect cash transactions and then compare surplus with renewal expenditure."*

We already use a funding Impact Statement, as does every other Council. As I've already advised Council, this has shown at least a \$20m cash operating surplus. **QUESTION: How does the author consider the Funding Impact statement used should be modified and why?**

**FURTHER QUESTION: Why does the Author consider the considerably operating cash flow surpluses, as reported in the Funding Impact Statement, restricts both operating and capital expenditure, without considering the longer-term impacts?**

*"The existing infrastructure strategy states that on average, it allows for \$15m in capital replacements and \$17m to improve and upgrade this infrastructure per annum."* **QUESTION: Where does the Infrastructure strategy say that?**

The attached graph from the Infrastructure strategy does not support that statement.

*"It has been argued that a Council should include gains (or losses) on property revaluations as part of the balanced budget test. As noted above, generally revaluation only occur every three years, and this is non cash associated gain or loss, therefore it would be imprudent to include the value as part of the balanced budget test. Furthermore, if there was a loss, then a local authority would be funding expenditure for which there would be no related expenditure."*

The reason why the gains on asset revaluations should be included as part of the balanced budget test is offset the depreciation charged on what is nothing more than a paper gain on the value of an asset which will probably never be sold. Not to do so would mean the ratepayer would be taxed on many times the cost price of an asset, a huge overtax.

Further, if the balanced budget regulation exclude gains or losses resulting from revaluations of assets, then by extension it must also exclude depreciation resulting from the revaluation. The purpose of this regulation is to strip out non cash revenue and expenditure from the calculation.

**QUESTION FOR OFFICERS: Please breakdown the depreciation into depreciation on cost price and depreciation of revaluation.**

*"Wellington Water has advised us we need to double our investment in our water network to ensure a properly functioning water supply, waste and stormwater system."*

**QUESTION FOR OFFICERS: Our infrastructure Strategy states that \$1.4 billion capital investment is required over the next 30 years and \$2 billion operating expenditure. Where has Wellington Water specifically stated the water infrastructure component needs to double? The attached from WW doesn't support that contention.**

## Mary Hewett

---

**From:** David Bassett <David.Bassett@huttcity.govt.nz>  
**Sent:** Thursday, 19 March 2020 9:40 AM  
**To:** Max Shierlaw  
**Subject:** RE: 2018-2028 LTP proposed amendment

Thanks Max for your contribution, much appreciated.

Cheers

### David Bassett JP

City Councillor

Hutt City Council, , , New Zealand  
T 021 135 9391, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)



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**From:** Max Shierlaw [mailto:[7\(2\)\(a\)](mailto:7(2)(a)@huttcity.govt.nz)]  
**Sent:** Wednesday, 18 March 2020 11:49 AM  
**To:** Mayor.Councillors <[Mayor.Councillors@huttcity.govt.nz](mailto:Mayor.Councillors@huttcity.govt.nz)>  
**Subject:** 2018-2028 LTP proposed amendment

Good morning,

Please find attached the documents which I will be speaking to under public comment this afternoon.

Essentially, the first two pages prove beyond doubt that the difference between the 2020/21 budget in last year's Annual Plan, and this year's 2020/21 budget are insignificant. As such there is absolutely no need to amend the 2018-2028 LTP this year.

A new 2021-2031 LTP is required to be done next year, and that is the time for the financial strategy to be changed. You will have more definitive numbers for the new capital projects next year so you will be able to make a more accurate forecast of rates increases and debt levels. Do it once and get it right.

Regards,

--  
Max Shierlaw

[7\(2\)\(a\)](mailto:7(2)(a)@huttcity.govt.nz)

7(2)(a)



**From:** [Mary Hewett](#)  
**To:** [Leigh Sutton](#)  
**Subject:** RE: [EXTERNAL] LGOIMA RESPONS  
**Date:** Monday, 26 July 2021 10:42:50 AM

---

That's fine Leigh. When I discussed your response with our OIR Advisor she classified that as "no relationship" which is the wording we have put in the response for everybody.

Regards

Mary

---

**From:** Leigh Sutton  
**Sent:** Monday, 26 July 2021 10:38 AM  
**To:** Mary Hewett  
**Subject:** Re: [EXTERNAL] LGOIMA RESPONS

Hi Mary - it's probably too late now and sorry, but I'm not entirely sure [REDACTED] is not a HCC ratepayer.

Regards

Leigh

Sent from my iPhone

On 20/07/2021, at 10:43 AM, Leigh Sutton <Leigh.Sutton@huttcity.govt.nz> wrote:

Hi Mary - Response to relationship question C:

Max Shierlaw ratepayer/councillor

[REDACTED] non HCC ratepayer

Regards

Leigh

Sent from my iPhone

On 19/07/2021, at 11:51 AM, Mary Hewett <Mary.Hewett@huttcity.govt.nz> wrote:

Hi Leigh. Thanks for the information provided.

Your response didn't cover Question C below. We're required under legislation to provide the information requested if we have it, so we need to ensure that the questions have been fully answered by Councillors so are you able to give me any response for this one please?

Thanks very much.

Mary

---

**From:** Leigh Sutton  
**Sent:** Friday, 16 July 2021 3:32 PM  
**To:** Mary Hewett  
**Subject:** Re: [EXTERNAL] LGOIMA RESPONSE  
Yes it is

Sent from my iPhone

On 16/07/2021, at 3:21 PM, Mary Hewett  
<Mary.Hewett@huttcity.govt.nz> wrote:

Hi Leigh. I just wanted to double check that this email below is from you, as it's come through with the warning below.

Thanks

Mary

---

**From:** Leigh Sutton [mailto:7(2)(a)]  
**Sent:** Wednesday, 14 July 2021 5:49 PM  
**To:** Mary Hewett  
**Subject:** [EXTERNAL] LGOIMA RESPONSE

---

**WARNING!!!**

[Suspected fraudulent email detected]

---

Hi Mary – my response to the 7(2)(a) LGOIMA as follows ....

- I hold no Council records with regard to Max Shierlaw.
- Mark Crofskey referred a council-related issue involving a Stokes Valley couple to me to action as the Northern Ward Councillor – see emails attached.

Regards

Leigh

7(2)(a)

---

**From:** 7(2)(a)  
**Sent:** Friday, June 25, 2021 8:37 AM  
**To:** [campbell.barry@huttcity.govt.nz](mailto:campbell.barry@huttcity.govt.nz)  
<[campbell.barry@huttcity.govt.nz](mailto:campbell.barry@huttcity.govt.nz)>;  
[tui.lewis@huttcity.govt.nz](mailto:tui.lewis@huttcity.govt.nz) <[tui.lewis@huttcity.govt.nz](mailto:tui.lewis@huttcity.govt.nz)>;  
[josh.briggs@huttcity.govt.nz](mailto:josh.briggs@huttcity.govt.nz)  
<[josh.briggs@huttcity.govt.nz](mailto:josh.briggs@huttcity.govt.nz)>;  
[keri.brown@huttcity.govt.nz](mailto:keri.brown@huttcity.govt.nz)  
<[keri.brown@huttcity.govt.nz](mailto:keri.brown@huttcity.govt.nz)>;  
[brady.dyer@huttcity.govt.nz](mailto:brady.dyer@huttcity.govt.nz)  
<[brady.dyer@huttcity.govt.nz](mailto:brady.dyer@huttcity.govt.nz)>;  
[chris.milne@huttcity.govt.nz](mailto:chris.milne@huttcity.govt.nz)  
<[chris.milne@huttcity.govt.nz](mailto:chris.milne@huttcity.govt.nz)>;  
[andy.mitchell@huttcity.govt.nz](mailto:andy.mitchell@huttcity.govt.nz)

Attachments can be viewed in  
the final response that was sent  
- see page 32.



[<andy.mitchell@huttcity.govt.nz>](mailto:andy.mitchell@huttcity.govt.nz);  
[shazly.rasheed@huttcity.govt.nz](mailto:shazly.rasheed@huttcity.govt.nz)  
[<shazly.rasheed@huttcity.govt.nz>](mailto:shazly.rasheed@huttcity.govt.nz);  
[naomi.shaw@huttcity.govt.nz](mailto:naomi.shaw@huttcity.govt.nz)  
[<naomi.shaw@huttcity.govt.nz>](mailto:naomi.shaw@huttcity.govt.nz);  
[leigh.sutton@huttcity.govt.nz](mailto:leigh.sutton@huttcity.govt.nz)  
[<leigh.sutton@huttcity.govt.nz>](mailto:leigh.sutton@huttcity.govt.nz)

**Subject:** LGOIMA Request

I request the following under LGOIMA from each of you.

A) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Max Shierlaw within 1 January 2020 to 25 June 2021.

B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a [REDACTED] within 1 September 2020 to 25 June 2021.

C) The nature of your relationship with both Max Shierlaw and [REDACTED]. Including whether or not you have met Max or [REDACTED] at your home address within the past 12 months.

D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,

**From:** [Deborah Hislop](#)  
**To:** [Mary Hewett](#)  
**Subject:** Fw: [EXTERNAL] Emails to Max Shierlaw  
**Date:** Tuesday, 6 July 2021 3:53:35 PM  
**Attachments:** [Max Shierlaw-DJH emails.pdf](#)

---

Hello Again Mary,

Attached are email exchanges I have had with Max Shierlaw in my role as the Chair of Infrastructure and Regulatory Committee.

Would you please confirm that you have received both of my emails in relation to this matter.

I can confirm that Max has sent many and varied emails to all Councillors and the Mayor but these emails are the only ones that I have replied to.

Kind regards  
Deborah

**Deborah Hislop**

Councillor

Hutt City Council, Lower Hutt, New Zealand  
M 027 457 0567 [www.huttcity.govt.nz](http://www.huttcity.govt.nz)

Hutt City Council



## Kate Ostapowicz

---

**From:** Josh Briggs  
**Sent:** Wednesday, 21 July 2021 9:00 AM  
**To:** Mary Hewett  
**Subject:** Re: LGOIMA Request from 7(2)(a)

Kia ora Mary,

I can confirm that I have had no meetings, phone calls, messages or home visits from Max or [REDACTED] in the period of the information request. I have no personal relationship with either of them.

Ngā mihi,  
Josh

---

**From:** Mary Hewett <[Mary.Hewett@huttcity.govt.nz](mailto:Mary.Hewett@huttcity.govt.nz)>  
**Sent:** 16 July 2021 14:48  
**To:** Josh Briggs <[Josh.Briggs@huttcity.govt.nz](mailto:Josh.Briggs@huttcity.govt.nz)>  
**Subject:** FW: LGOIMA Request from 7(2)(a)

Hi Josh. Can you please provide me with a response to this as soon as you can. We have a deadline we have to meet, and I need to collate all the responses and get them checked and approved and sent out before next Friday.

Thanks very much.

Mary

---

**From:** Mary Hewett  
**Sent:** Wednesday, 14 July 2021 11:24 AM  
**To:** Josh Briggs; Keri Brown; Simon Edwards; Andy Mitchell; Leigh Sutton  
**Subject:** RE: LGOIMA Request from 7(2)(a)

Hi. Just a reminder if you could please provide me with a response for this question, even if just to confirm you have had no conversations and have no relationship with either. Or if you have already replied directly to 7(2)(a) when you received his email, please send me a copy of that response.

Thanks very much.

Mary

---

**From:** Mary Hewett  
**Sent:** Tuesday, 6 July 2021 8:35 AM  
**To:** \_\_Mayor & Councillors  
**Cc:** Mary Hewett  
**Subject:** LGOIMA Request from 7(2)(a)

Kia ora.

Further to the request you received last week from 7(2)(a) could you please do the following:

- Confirm the nature of your relationship with Max Shierlaw and [REDACTED] and whether you have meet either of them in your home in the last 12 months - if you have had no contact with them could you please confirm this to me by email.
- If you have emails, can you please send copies to me.
- Our legal advisors confirm that this is information where you are acting in your official capacity. You don't have to send us your personal conversations.
- With meetings and calls they advise that it depends on what information you have, but there is no requirement for you to create information. So If you have call logs showing a date and time or meeting dates in your calendar etc these will need to be provided. These could be provided in this format below.

Type of Contact	Date	Time	Notes – if any
-----------------	------	------	----------------

- If you cannot remember what was discussed then don't make something up. However if you do remember discussions or have meeting notes then these should be provided. If you do remember general things then

these can be recorded, for example something like “Met on May 15<sup>th</sup> discussed meeting agenda” or “Call on Friday 13<sup>th</sup> at 2:15, discussed meeting agenda”.

Please provide the information by Wednesday 14 July.

Thank you.

Nga mihi

**Mary Hewett**

Elected Member Support Advisor

027 706 7212

---

**From:** 7(2)(a)

**Sent:** 25 June 2021 08:40

**To:** Simon Edwards <[Simon.Edwards@huttcity.govt.nz](mailto:Simon.Edwards@huttcity.govt.nz)>; Deborah Hislop <[Deborah.Hislop@huttcity.govt.nz](mailto:Deborah.Hislop@huttcity.govt.nz)>; Brady Dyer <[Brady.Dyer@huttcity.govt.nz](mailto:Brady.Dyer@huttcity.govt.nz)>

**Subject:** [EXTERNAL] Fw: LGOIMA Request

I appear to have missed you in my original email. See below.

---

**From:** 7(2)(a)

**Sent:** Friday, June 25, 2021 8:37 AM

**To:** [campbell.barry@huttcity.govt.nz](mailto:campbell.barry@huttcity.govt.nz) <[campbell.barry@huttcity.govt.nz](mailto:campbell.barry@huttcity.govt.nz)>; [tui.lewis@huttcity.govt.nz](mailto:tui.lewis@huttcity.govt.nz) <[tui.lewis@huttcity.govt.nz](mailto:tui.lewis@huttcity.govt.nz)>; [josh.briggs@huttcity.govt.nz](mailto:josh.briggs@huttcity.govt.nz) <[josh.briggs@huttcity.govt.nz](mailto:josh.briggs@huttcity.govt.nz)>; [keri.brown@huttcity.govt.nz](mailto:keri.brown@huttcity.govt.nz) <[keri.brown@huttcity.govt.nz](mailto:keri.brown@huttcity.govt.nz)>; [brady.dyer@huttcity.govt.nz](mailto:brady.dyer@huttcity.govt.nz) <[brady.dyer@huttcity.govt.nz](mailto:brady.dyer@huttcity.govt.nz)>; [chris.milne@huttcity.govt.nz](mailto:chris.milne@huttcity.govt.nz) <[chris.milne@huttcity.govt.nz](mailto:chris.milne@huttcity.govt.nz)>; [andy.mitchell@huttcity.govt.nz](mailto:andy.mitchell@huttcity.govt.nz) <[andy.mitchell@huttcity.govt.nz](mailto:andy.mitchell@huttcity.govt.nz)>; [shazly.rasheed@huttcity.govt.nz](mailto:shazly.rasheed@huttcity.govt.nz) <[shazly.rasheed@huttcity.govt.nz](mailto:shazly.rasheed@huttcity.govt.nz)>; [naomi.shaw@huttcity.govt.nz](mailto:naomi.shaw@huttcity.govt.nz) <[naomi.shaw@huttcity.govt.nz](mailto:naomi.shaw@huttcity.govt.nz)>; [leigh.sutton@huttcity.govt.nz](mailto:leigh.sutton@huttcity.govt.nz) <[leigh.sutton@huttcity.govt.nz](mailto:leigh.sutton@huttcity.govt.nz)>

**Subject:** LGOIMA Request

I request the following under LGOIMA from each of you.

A) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Max Shierlaw within 1 January 2020 to 25 June 2021.

B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a [REDACTED] within 1 September 2020 to 25 June 2021.

C) The nature of your relationship with both Max Shierlaw and [REDACTED]. Including whether or not you have met Max or [REDACTED] at your home address within the past 12 months.

D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,

7(2)(a)

## Kate Ostapowicz

---

**From:** Chris Milne  
**Sent:** Tuesday, 20 July 2021 2:32 PM  
**To:** Mary Hewett  
**Subject:** RE: LGOIMA Request

Question C: I have no council relationship with either person.

Best regards

Cr Chris Milne  
Councillor for the Western Ward, Hutt City Council Phone 0274 422 708

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

From: Chris Milne  
Sent: Monday, 19 July 2021 1:11 PM  
To: Mary Hewett  
Subject: FW: [EXTERNAL] LGOIMA Request

Hi Mary, please see below.

Best regards

Cr Chris Milne  
Councillor for the Western Ward, Hutt City Council Phone 0274 422 708

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

From: Chris Milne <[Christopher.Milne@huttcity.govt.nz](mailto:Christopher.Milne@huttcity.govt.nz)>  
Sent: Wednesday, 30 June 2021 9:40 AM  
To: 7(2)(a)  
Subject: Re: [EXTERNAL] LGOIMA Request

Hi 7(2)(a) thank you for your email. I do not hold any council information relating to either of the people you mention.

Best regards

Cr Chris Milne  
Councillor for the Western Ward, Hutt City Council Phone 0274 422 708 // 04 586 3890

---

From: 7(2)(a)  
Sent: 25 June 2021 08:37  
To: Campbell Barry <[Campbell.Barry@huttcity.govt.nz](mailto:Campbell.Barry@huttcity.govt.nz)>; Tui Lewis <[Tui.Lewis@huttcity.govt.nz](mailto:Tui.Lewis@huttcity.govt.nz)>; Josh Briggs <[Josh.Briggs@huttcity.govt.nz](mailto:Josh.Briggs@huttcity.govt.nz)>; Keri Brown <[Keri.Brown@huttcity.govt.nz](mailto:Keri.Brown@huttcity.govt.nz)>; Brady Dyer <[Brady.Dyer@huttcity.govt.nz](mailto:Brady.Dyer@huttcity.govt.nz)>; Chris Milne <[Christopher.Milne@huttcity.govt.nz](mailto:Christopher.Milne@huttcity.govt.nz)>; Andy Mitchell <[Andy.Mitchell@huttcity.govt.nz](mailto:Andy.Mitchell@huttcity.govt.nz)>; Shazly Rasheed <[Shazly.Rasheed@huttcity.govt.nz](mailto:Shazly.Rasheed@huttcity.govt.nz)>; Naomi Shaw <[Naomi.Shaw@huttcity.govt.nz](mailto:Naomi.Shaw@huttcity.govt.nz)>; Leigh Sutton <[Leigh.Sutton@huttcity.govt.nz](mailto:Leigh.Sutton@huttcity.govt.nz)>  
Subject: [EXTERNAL] LGOIMA Request

I request the following under LGOIMA from each of you.

A) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Max Shierlaw within 1 January 2020 to 25 June 2021.

B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a [REDACTED] within 1 September 2020 to 25 June 2021.

C) The nature of your relationship with both Max Shierlaw and [REDACTED]. Including whether or not you have met Max or [REDACTED] at your home address within the past 12 months.

D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,

7(2)(a)

## Kate Ostapowicz

---

**From:** Brady Dyer  
**Sent:** Tuesday, 6 July 2021 8:37 AM  
**To:** Mary Hewett  
**Subject:** Fwd: [EXTERNAL] LGOIMA Request

Hey Mary,  
I replied direct to **7(2)(a)** (and cc'd in Euan) when the email was sent, see below.

Cheers,  
Brady

Begin forwarded message:

**From:** Brady Dyer <[Brady.Dyer@huttcity.govt.nz](mailto:Brady.Dyer@huttcity.govt.nz)>  
**Subject:** Re: [EXTERNAL] LGOIMA Request  
**Date:** 25 June 2021 at 8:54:44 AM NZST  
**To:** **7(2)(a)**  
**Cc:** Euan Kyle <[Euan.Kyle@huttcity.govt.nz](mailto:Euan.Kyle@huttcity.govt.nz)>

Please see attached.

Have no relationship either either, haven't spoken to either other than below, and general Facebook public comments. Haven't met either in any location.

Ngā mihi nui,  
Brady

On 25/06/2021, at 8:37 AM, **7(2)(a)** wrote:

I request the following under LGOIMA from each of you.

A) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Max Shierlaw within 1 January 2020 to 25 June 2021.

B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a **7(2)(a)** within 1 September 2020 to 25 June 2021.

C) The nature of your relationship with both Max Shierlaw and **7(2)(a)**. Including whether or not you have met Max or **7(2)(a)** at your home address within the past 12 months.

D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,  
**7(2)(a)**

8:51



< 2



Max Shierlaw

Active now



03 AUG 2020, 15:16

Hey yeah I would be keen on hosting the MTC event 👍 could you get Tracey or whoever to email me the details

7(2)(a)

08 OCT 2020, 22:21

Sorry I didn't come back, was only doing stage photos all night as they had other people just doing all the people photos 👍



No problem

20 APR, 08:47



Is your local council telling the truth about its planned rates hike?



Hutt City Council Mayor Campbell Barry (pictured) is telling local ratepayers that he plans to hike rates by "just" 5.9 percent. But ratepayers who delve into the fine print of the [council's rates materials](#) have noticed this excludes the effect of a new targeted rate for rubbish and recycling.

Once you manually calculate the impact of that cost, the real rates hike ends up being well over 10 percent.

While the subterfuge at Hutt City Council is particularly bad, we're seeing other councils using similar tricks. Wellington City Council wants to pay for a new sludge plant via a "Special Purpose Vehicle" - paid for out of a new \$70 to \$100 annual levy that has not been added to the Council's advertised rates hike.

We've been keeping track of every local council's planned rate hikes on our [Rates Dashboard](#). We might now have to add a 'new taxes' column to keep the councils honest.



Reply



10 Mins 1:53



Aa





8:51



Max Shierlaw

Active now



Is your local council telling the truth about its planned rates hike?



Hutt City Council Mayor Campbell Barry (pictured) is telling local ratepayers that he plans to hike rates by "just" 5.9 percent. But ratepayers who delve into the fine print of the [consultation material](#) have noticed this excludes the effect of a new targeted rate for rubbish and recycling.

Once you manually calculate the impact of that cost, the real rates hike ends up being well over 10 percent.

While the subterfuge at Hutt City Council is particularly bad, we're seeing other councils using similar tricks. Wellington City Council wants to pay for a new sludge plant via a 'Special Purpose Vehicle' - paid for out of a new \$70 to \$100 annual levy that has not been added to the Council's advertised rates hike.

We've been keeping track of every local council's planned rate hikes on our [Rates Dashboard](#). We might now have to add a 'new taxes' column to keep the councils honest.



Reply



10 MAY, 21:53

Max forwarded a link



Reports of an Innovative Approach to Redundancy Law and Practice at Hutt City Council

Mark Crofskey



11 MAY, 07:36

When are you going to wake up and smell the coffee?



Aa



## Kate Ostapowicz

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**From:** Mary Hewett  
**Sent:** Tuesday, 6 July 2021 8:35 AM  
**To:** \_\_Mayor & Councillors  
**Cc:** Mary Hewett  
**Subject:** LGOIMA Request from 7(2)(a)

Kia ora.

Further to the request you received last week from 7(2)(a) could you please do the following:

- Confirm the nature of your relationship with Max Shierlaw and [REDACTED] and whether you have meet either of them in your home in the last 12 months - if you have had no contact with them could you please confirm this to me by email.
- If you have emails, can you please send copies to me.
- Our legal advisors confirm that this is information where you are acting in your official capacity. You don't have to send us your personal conversations.
- With meetings and calls they advise that it depends on what information you have, but there is no requirement for you to create information. So If you have call logs showing a date and time or meeting dates in your calendar etc these will need to be provided. These could be provided in this format below.

Type of Contact	Date	Time	Notes – if any
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- If you cannot remember what was discussed then don't make something up. However if you do remember discussions or have meeting notes then these should be provided. If you do remember general things then these can be recorded, for example something like "Met on May 15<sup>th</sup> discussed meeting agenda" or "Call on Friday 13<sup>th</sup> at 2:15, discussed meeting agenda".

Please provide the information by Wednesday 14 July.

Thank you.

Nga mihi

### Mary Hewett

Elected Member Support Advisor  
027 706 7212

---

**From:** 7(2)(a)  
**Sent:** 25 June 2021 08:40  
**To:** Simon Edwards <[Simon.Edwards@huttcity.govt.nz](mailto:Simon.Edwards@huttcity.govt.nz)>; Deborah Hislop <[Deborah.Hislop@huttcity.govt.nz](mailto:Deborah.Hislop@huttcity.govt.nz)>; Brady Dyer <[Brady.Dyer@huttcity.govt.nz](mailto:Brady.Dyer@huttcity.govt.nz)>  
**Subject:** [EXTERNAL] Fw: LGOIMA Request

I appear to have missed you in my original email. See below.

---

**From:** 7(2)(a)

**Sent:** Friday, June 25, 2021 8:37 AM

**To:** [campbell.barry@huttcity.govt.nz](mailto:campbell.barry@huttcity.govt.nz) <[campbell.barry@huttcity.govt.nz](mailto:campbell.barry@huttcity.govt.nz)>; [tui.lewis@huttcity.govt.nz](mailto:tui.lewis@huttcity.govt.nz) <[tui.lewis@huttcity.govt.nz](mailto:tui.lewis@huttcity.govt.nz)>; [josh.briggs@huttcity.govt.nz](mailto:josh.briggs@huttcity.govt.nz) <[josh.briggs@huttcity.govt.nz](mailto:josh.briggs@huttcity.govt.nz)>; [keri.brown@huttcity.govt.nz](mailto:keri.brown@huttcity.govt.nz) <[keri.brown@huttcity.govt.nz](mailto:keri.brown@huttcity.govt.nz)>; [brady.dyer@huttcity.govt.nz](mailto:brady.dyer@huttcity.govt.nz) <[brady.dyer@huttcity.govt.nz](mailto:brady.dyer@huttcity.govt.nz)>; [chris.milne@huttcity.govt.nz](mailto:chris.milne@huttcity.govt.nz) <[chris.milne@huttcity.govt.nz](mailto:chris.milne@huttcity.govt.nz)>; [andy.mitchell@huttcity.govt.nz](mailto:andy.mitchell@huttcity.govt.nz) <[andy.mitchell@huttcity.govt.nz](mailto:andy.mitchell@huttcity.govt.nz)>; [shazly.rasheed@huttcity.govt.nz](mailto:shazly.rasheed@huttcity.govt.nz) <[shazly.rasheed@huttcity.govt.nz](mailto:shazly.rasheed@huttcity.govt.nz)>; [naomi.shaw@huttcity.govt.nz](mailto:naomi.shaw@huttcity.govt.nz) <[naomi.shaw@huttcity.govt.nz](mailto:naomi.shaw@huttcity.govt.nz)>; [leigh.sutton@huttcity.govt.nz](mailto:leigh.sutton@huttcity.govt.nz) <[leigh.sutton@huttcity.govt.nz](mailto:leigh.sutton@huttcity.govt.nz)>

**Subject:** LGOIMA Request

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C) The nature of your relationship with both Max Shierlaw and [REDACTED]. Including whether or not you have met Max or [REDACTED] at your home address within the past 12 months.

D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,

7(2)(a)

## Kate Ostapowicz

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**From:** Naomi Shaw  
**Sent:** Tuesday, 6 July 2021 1:47 PM  
**To:** Mary Hewett  
**Subject:** RE: LGOIMA Request from 7(2)(a)

Hi Mary

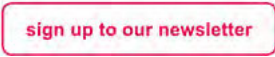
I have had no contact with either men.

Nga Mihi / Kind Regards

### Naomi Shaw MNZM

Councillor  
Hutt City Council - New Zealand

E [naomi.shaw@huttcity.govt.nz](mailto:naomi.shaw@huttcity.govt.nz)  
T 021 537 068 W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)



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**From:** Mary Hewett <Mary.Hewett@huttcity.govt.nz>  
**Sent:** Tuesday, 6 July 2021 8:35 AM  
**To:** \_\_Mayor & Councillors <\_\_Mayor&Councillors@huttcity.govt.nz>  
**Cc:** Mary Hewett <Mary.Hewett@huttcity.govt.nz>  
**Subject:** LGOIMA Request from 7(2)(a)

Kia ora.

Further to the request you received last week from 7(2)(a) could you please do the following:

- Confirm the nature of your relationship with Max Shierlaw and [redacted] and whether you have meet either of them in your home in the last 12 months - if you have had no contact with them could you please confirm this to me by email.
- If you have emails, can you please send copies to me.
- Our legal advisors confirm that this is information where you are acting in your official capacity. You don't have to send us your personal conversations.
- With meetings and calls they advise that it depends on what information you have, but there is no requirement for you to create information. So If you have call logs showing a date and time or meeting dates in your calendar etc these will need to be provided. These could be provided in this format below.

Type of Contact	Date	Time	Notes – if any
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- If you cannot remember what was discussed then don't make something up. However if you do remember discussions or have meeting notes then these should be provided. If you do remember general things then these can be recorded, for example something like "Met on May 15<sup>th</sup> discussed meeting agenda" or "Call on Friday 13<sup>th</sup> at 2:15, discussed meeting agenda".

Please provide the information by Wednesday 14 July.

Thank you.

Nga mihi

**Mary Hewett**

Elected Member Support Advisor  
027 706 7212

---

**From:** 7(2)(a)  
**Sent:** 25 June 2021 08:40  
**To:** Simon Edwards <[Simon.Edwards@huttcity.govt.nz](mailto:Simon.Edwards@huttcity.govt.nz)>; Deborah Hislop <[Deborah.Hislop@huttcity.govt.nz](mailto:Deborah.Hislop@huttcity.govt.nz)>; Brady Dyer <[Brady.Dyer@huttcity.govt.nz](mailto:Brady.Dyer@huttcity.govt.nz)>  
**Subject:** [EXTERNAL] Fw: LGOIMA Request

I appear to have missed you in my original email. See below.

---

**From:** 7(2)(a)  
**Sent:** Friday, June 25, 2021 8:37 AM  
**To:** [campbell.barry@huttcity.govt.nz](mailto:campbell.barry@huttcity.govt.nz) <[campbell.barry@huttcity.govt.nz](mailto:campbell.barry@huttcity.govt.nz)>; [tui.lewis@huttcity.govt.nz](mailto:tui.lewis@huttcity.govt.nz) <[tui.lewis@huttcity.govt.nz](mailto:tui.lewis@huttcity.govt.nz)>; [josh.briggs@huttcity.govt.nz](mailto:josh.briggs@huttcity.govt.nz) <[josh.briggs@huttcity.govt.nz](mailto:josh.briggs@huttcity.govt.nz)>; [keri.brown@huttcity.govt.nz](mailto:keri.brown@huttcity.govt.nz) <[keri.brown@huttcity.govt.nz](mailto:keri.brown@huttcity.govt.nz)>; [brady.dyer@huttcity.govt.nz](mailto:brady.dyer@huttcity.govt.nz) <[brady.dyer@huttcity.govt.nz](mailto:brady.dyer@huttcity.govt.nz)>; [chris.milne@huttcity.govt.nz](mailto:chris.milne@huttcity.govt.nz) <[chris.milne@huttcity.govt.nz](mailto:chris.milne@huttcity.govt.nz)>; [andy.mitchell@huttcity.govt.nz](mailto:andy.mitchell@huttcity.govt.nz) <[andy.mitchell@huttcity.govt.nz](mailto:andy.mitchell@huttcity.govt.nz)>; [shazly.rasheed@huttcity.govt.nz](mailto:shazly.rasheed@huttcity.govt.nz) <[shazly.rasheed@huttcity.govt.nz](mailto:shazly.rasheed@huttcity.govt.nz)>; [naomi.shaw@huttcity.govt.nz](mailto:naomi.shaw@huttcity.govt.nz) <[naomi.shaw@huttcity.govt.nz](mailto:naomi.shaw@huttcity.govt.nz)>; [leigh.sutton@huttcity.govt.nz](mailto:leigh.sutton@huttcity.govt.nz) <[leigh.sutton@huttcity.govt.nz](mailto:leigh.sutton@huttcity.govt.nz)>  
**Subject:** LGOIMA Request

I request the following under LGOIMA from each of you.

A) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Max Shierlaw within 1 January 2020 to 25 June 2021.

B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a [REDACTED] within 1 September 2020 to 25 June 2021.

C) The nature of your relationship with both Max Shierlaw and [REDACTED]. Including whether or not you have met Max or [REDACTED] at your home address within the past 12 months.

D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,  
7(2)(a)



## Kate Ostapowicz

---

**From:** Deborah Hislop  
**Sent:** Tuesday, 6 July 2021 3:52 PM  
**To:** Mary Hewett  
**Subject:** Re: LGOIMA Request from 7(2)(a)

Hi Mary,

I can confirm that I have no relationship with Max Shierlaw or [REDACTED]. I have only seen Max at council meetings and I have never met [REDACTED] at all. I have never had any meetings with either of them at my home or anywhere else i.e. I have had no contact with them in person.

I will forward a copy of an exchange of emails I have had with Max Shierlaw in my capacity as Chair of the Infrastructure and Regulatory Committee under separate cover.

I have had no calls with either Max Shierlaw or [REDACTED]

Kind regards  
Deborah Hislop

**Deborah Hislop**

Councillor

Hutt City Council, Lower Hutt, New Zealand  
M 027 457 0567 [www.huttcity.govt.nz](http://www.huttcity.govt.nz)



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**From:** Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>  
**Sent:** 06 July 2021 09:19  
**To:** Mary Hewett <Mary.Hewett@huttcity.govt.nz>  
**Cc:** \_\_Mayor & Councillors <\_\_Mayor&Councillors@huttcity.govt.nz>  
**Subject:** Re: LGOIMA Request from 7(2)(a)

Kia ora Mary,

Where do we send this information to? To you?

Ngā mihi,

Andy Mitchell  
Eastern Ward Councillor

Hutt City Council, 30 Laings Road, Private Bag 31912<x-apple-data-detectors://4>, Lower Hutt 5040, New Zealand  
T 021 136 1589<tel:021%20136%201589> W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)<<http://www.huttcity.govt.nz>> F  
[www.facebook.com/CrAndyMitchell](https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxMctmUUSg-etqzFR9G34h1OCYnAA-a-GwRyXKOWDp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell)<<https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxMctmUUSg-etqzFR9G34h1OCYnAA-a-GwRyXKOWDp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell>>

On 6/07/2021, at 8:35 AM, Mary Hewett <Mary.Hewett@huttcity.govt.nz> wrote:

Kia ora.

Further to the request you received last week from **7(2)(a)** could you please do the following:

- Confirm the nature of your relationship with Max Shierlaw and **██████████** and whether you have meet either of them in your home in the last 12 months - if you have had no contact with them could you please confirm this to me by email.
- If you have emails, can you please send copies to me.
- Our legal advisors confirm that this is information where you are acting in your official capacity. You don't have to send us your personal conversations.
- With meetings and calls they advise that it depends on what information you have, but there is no requirement for you to create information. So If you have call logs showing a date and time or meeting dates in your calendar etc these will need to be provided. These could be provided in this format below.

Type of Contact  
Date  
Time  
Notes – if any

- If you cannot remember what was discussed then don't make something up. However if you do remember discussions or have meeting notes then these should be provided. If you do remember general things then these can be recorded, for example something like "Met on May 15th discussed meeting agenda" or "Call on Friday 13th at 2:15, discussed meeting agenda".

Please provide the information by Wednesday 14 July.

Thank you.

Nga mihi

Mary Hewett  
Elected Member Support Advisor  
027 706 7212

---

From: **7(2)(a)**  
Sent: 25 June 2021 08:40  
To: Simon Edwards <Simon.Edwards@huttcity.govt.nz>; Deborah Hislop <Deborah.Hislop@huttcity.govt.nz>; Brady Dyer <Brady.Dyer@huttcity.govt.nz>  
Subject: [EXTERNAL] Fw: LGOIMA Request



I appear to have missed you in my original email. See below.

---

From: 7(2)(a)  
Sent: Friday, June 25, 2021 8:37 AM  
To: campbell.barry@huttcity.govt.nz <campbell.barry@huttcity.govt.nz>; tui.lewis@huttcity.govt.nz <tui.lewis@huttcity.govt.nz>; josh.briggs@huttcity.govt.nz <josh.briggs@huttcity.govt.nz>; keri.brown@huttcity.govt.nz <keri.brown@huttcity.govt.nz>; brady.dyer@huttcity.govt.nz <brady.dyer@huttcity.govt.nz>; chris.milne@huttcity.govt.nz <chris.milne@huttcity.govt.nz>; andy.mitchell@huttcity.govt.nz <andy.mitchell@huttcity.govt.nz>; shazly.rasheed@huttcity.govt.nz <shazly.rasheed@huttcity.govt.nz>; naomi.shaw@huttcity.govt.nz <naomi.shaw@huttcity.govt.nz>; leigh.sutton@huttcity.govt.nz <leigh.sutton@huttcity.govt.nz>  
Subject: LGOIMA Request

I request the following under LGOIMA from each of you.

A) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Max Shierlaw within 1 January 2020 to 25 June 2021.

B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a [REDACTED] within 1 September 2020 to 25 June 2021.

C) The nature of your relationship with both Max Shierlaw and [REDACTED]. Including whether or not you have met Max or [REDACTED] at your home address within the past 12 months.

D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,

7(2)(a)

## Kate Ostapowicz

---

**From:** Keri Brown  
**Sent:** Wednesday, 14 July 2021 12:40 PM  
**To:** Mary Hewett; Josh Briggs; Simon Edwards; Andy Mitchell; Leigh Sutton  
**Subject:** RE: LGOIMA Request from 7(2)(a)

I have no emails, no phone calls and especially no home visits from Mr Shierlaw or Mr Crofsky.

Nga mihi,  
Keri

---

**From:** Mary Hewett <Mary.Hewett@huttcity.govt.nz>  
**Sent:** Wednesday, 14 July 2021 11:24 AM  
**To:** Josh Briggs <Josh.Briggs@huttcity.govt.nz>; Keri Brown <Keri.Brown@huttcity.govt.nz>; Simon Edwards <Simon.Edwards@huttcity.govt.nz>; Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>; Leigh Sutton <Leigh.Sutton@huttcity.govt.nz>  
**Subject:** RE: LGOIMA Request from 7(2)(a)

Hi. Just a reminder if you could please provide me with a response for this question, even if just to confirm you have had no conversations and have no relationship with either. Or if you have already replied directly to 7(2)(a) when you received his email, please send me a copy of that response.

Thanks very much.

Mary

---

**From:** Mary Hewett  
**Sent:** Tuesday, 6 July 2021 8:35 AM  
**To:** \_\_Mayor & Councillors  
**Cc:** Mary Hewett  
**Subject:** LGOIMA Request from 7(2)(a)

Kia ora.

Further to the request you received last week from 7(2)(a) could you please do the following:

- Confirm the nature of your relationship with Max Shierlaw and [REDACTED] and whether you have meet either of them in your home in the last 12 months - if you have had no contact with them could you please confirm this to me by email.
- If you have emails, can you please send copies to me.
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Please provide the information by Wednesday 14 July.

Thank you.

Nga mihi

**Mary Hewett**

Elected Member Support Advisor  
027 706 7212

---

**From:** 7(2)(a)  
**Sent:** 25 June 2021 08:40  
**To:** Simon Edwards <[Simon.Edwards@huttcity.govt.nz](mailto:Simon.Edwards@huttcity.govt.nz)>; Deborah Hislop <[Deborah.Hislop@huttcity.govt.nz](mailto:Deborah.Hislop@huttcity.govt.nz)>; Brady Dyer <[Brady.Dyer@huttcity.govt.nz](mailto:Brady.Dyer@huttcity.govt.nz)>  
**Subject:** [EXTERNAL] Fw: LGOIMA Request

I appear to have missed you in my original email. See below.

---

**From:** 7(2)(a)  
**Sent:** Friday, June 25, 2021 8:37 AM  
**To:** [campbell.barry@huttcity.govt.nz](mailto:campbell.barry@huttcity.govt.nz) <[campbell.barry@huttcity.govt.nz](mailto:campbell.barry@huttcity.govt.nz)>; [tui.lewis@huttcity.govt.nz](mailto:tui.lewis@huttcity.govt.nz) <[tui.lewis@huttcity.govt.nz](mailto:tui.lewis@huttcity.govt.nz)>; [josh.briggs@huttcity.govt.nz](mailto:josh.briggs@huttcity.govt.nz) <[josh.briggs@huttcity.govt.nz](mailto:josh.briggs@huttcity.govt.nz)>; [keri.brown@huttcity.govt.nz](mailto:keri.brown@huttcity.govt.nz) <[keri.brown@huttcity.govt.nz](mailto:keri.brown@huttcity.govt.nz)>; [brady.dyer@huttcity.govt.nz](mailto:brady.dyer@huttcity.govt.nz) <[brady.dyer@huttcity.govt.nz](mailto:brady.dyer@huttcity.govt.nz)>; [chris.milne@huttcity.govt.nz](mailto:chris.milne@huttcity.govt.nz) <[chris.milne@huttcity.govt.nz](mailto:chris.milne@huttcity.govt.nz)>; [andy.mitchell@huttcity.govt.nz](mailto:andy.mitchell@huttcity.govt.nz) <[andy.mitchell@huttcity.govt.nz](mailto:andy.mitchell@huttcity.govt.nz)>; [shazly.rasheed@huttcity.govt.nz](mailto:shazly.rasheed@huttcity.govt.nz) <[shazly.rasheed@huttcity.govt.nz](mailto:shazly.rasheed@huttcity.govt.nz)>; [naomi.shaw@huttcity.govt.nz](mailto:naomi.shaw@huttcity.govt.nz) <[naomi.shaw@huttcity.govt.nz](mailto:naomi.shaw@huttcity.govt.nz)>; [leigh.sutton@huttcity.govt.nz](mailto:leigh.sutton@huttcity.govt.nz) <[leigh.sutton@huttcity.govt.nz](mailto:leigh.sutton@huttcity.govt.nz)>  
**Subject:** LGOIMA Request

I request the following under LGOIMA from each of you.

A) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Max Shierlaw within 1 January 2020 to 25 June 2021.

B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a [REDACTED] within 1 September 2020 to 25 June 2021.

C) The nature of your relationship with both Max Shierlaw and [REDACTED] y. Including whether or not you have met Max or [REDACTED] at your home address within the past 12 months.

D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,  
7(2)(a)

## Kate Ostapowicz

---

**From:** Andy Mitchell  
**Sent:** Wednesday, 14 July 2021 7:50 PM  
**To:** Mary Hewett; Josh Briggs; Keri Brown; Simon Edwards; Leigh Sutton  
**Subject:** Re: LGOIMA Request from 7(2)(a)

Kia ora Mary,

Last time we had a LGOIMA request Euan was able to have IT staff extract all relevant emails from our Council email accounts. Is he able to do that again, or can someone from IT please contact me to explain how I can extract them myself?

Other than emails to and from Max Shierlaw on this account, I can confirm that I have had no meetings, phone calls, messages or home visits from him, or any of the listed contacts with a [REDACTED]. I have no personal relationship with either.

Ngā mihi,

**Andy Mitchell**  
Eastern Ward Councillor

Hutt City Council, 30 Laings Road, Private Bag 31912, Lower Hutt 5040, New Zealand  
T 021 136 1589 W [www.huttcity.govt.nz](http://www.huttcity.govt.nz) F [www.facebook.com/CrAndyMitchell](https://www.facebook.com/CrAndyMitchell)

---

**From:** Mary Hewett <[Mary.Hewett@huttcity.govt.nz](mailto:Mary.Hewett@huttcity.govt.nz)>  
**Sent:** 14 July 2021 11:23  
**To:** Josh Briggs <[Josh.Briggs@huttcity.govt.nz](mailto:Josh.Briggs@huttcity.govt.nz)>; Keri Brown <[Keri.Brown@huttcity.govt.nz](mailto:Keri.Brown@huttcity.govt.nz)>; Simon Edwards <[Simon.Edwards@huttcity.govt.nz](mailto:Simon.Edwards@huttcity.govt.nz)>; Andy Mitchell <[Andy.Mitchell@huttcity.govt.nz](mailto:Andy.Mitchell@huttcity.govt.nz)>; Leigh Sutton <[Leigh.Sutton@huttcity.govt.nz](mailto:Leigh.Sutton@huttcity.govt.nz)>  
**Subject:** RE: LGOIMA Request from 7(2)(a)

Hi. Just a reminder if you could please provide me with a response for this question, even if just to confirm you have had no conversations and have no relationship with either. Or if you have already replied directly to 7(2)(a) when you received his email, please send me a copy of that response.  
Thanks very much.  
Mary

---

**From:** Mary Hewett  
**Sent:** Tuesday, 6 July 2021 8:35 AM  
**To:** \_\_Mayor & Councillors  
**Cc:** Mary Hewett  
**Subject:** LGOIMA Request from 7(2)(a)

Kia ora.

Further to the request you received last week from 7(2)(a) could you please do the following:

- Confirm the nature of your relationship with Max Shierlaw and [REDACTED] and whether you have meet either of them in your home in the last 12 months - if you have had no contact with them could you please confirm this to me by email.
- If you have emails, can you please send copies to me.
- Our legal advisors confirm that this is information where you are acting in your official capacity. You don't have to send us your personal conversations.
- With meetings and calls they advise that it depends on what information you have, but there is no requirement for you to create information. So If you have call logs showing a date and time or meeting dates in your calendar etc these will need to be provided. These could be provided in this format below.

Type of Contact	Date	Time	Notes – if any
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- If you cannot remember what was discussed then don't make something up. However if you do remember discussions or have meeting notes then these should be provided. If you do remember general things then these can be recorded, for example something like "Met on May 15<sup>th</sup> discussed meeting agenda" or "Call on Friday 13<sup>th</sup> at 2:15, discussed meeting agenda".

Please provide the information by Wednesday 14 July.

Thank you.

Nga mihi

**Mary Hewett**

Elected Member Support Advisor

027 706 7212

---

**From:** 7(2)(a)

**Sent:** 25 June 2021 08:40

**To:** Simon Edwards <[Simon.Edwards@huttcity.govt.nz](mailto:Simon.Edwards@huttcity.govt.nz)>; Deborah Hislop <[Deborah.Hislop@huttcity.govt.nz](mailto:Deborah.Hislop@huttcity.govt.nz)>; Brady Dyer <[Brady.Dyer@huttcity.govt.nz](mailto:Brady.Dyer@huttcity.govt.nz)>

**Subject:** [EXTERNAL] Fw: LGOIMA Request

I appear to have missed you in my original email. See below.

---

**From:** 7(2)(a)

**Sent:** Friday, June 25, 2021 8:37 AM

**To:** [campbell.barry@huttcity.govt.nz](mailto:campbell.barry@huttcity.govt.nz) <[campbell.barry@huttcity.govt.nz](mailto:campbell.barry@huttcity.govt.nz)>; [tui.lewis@huttcity.govt.nz](mailto:tui.lewis@huttcity.govt.nz) <[tui.lewis@huttcity.govt.nz](mailto:tui.lewis@huttcity.govt.nz)>; [josh.briggs@huttcity.govt.nz](mailto:josh.briggs@huttcity.govt.nz) <[josh.briggs@huttcity.govt.nz](mailto:josh.briggs@huttcity.govt.nz)>; [keri.brown@huttcity.govt.nz](mailto:keri.brown@huttcity.govt.nz) <[keri.brown@huttcity.govt.nz](mailto:keri.brown@huttcity.govt.nz)>; [brady.dyer@huttcity.govt.nz](mailto:brady.dyer@huttcity.govt.nz) <[brady.dyer@huttcity.govt.nz](mailto:brady.dyer@huttcity.govt.nz)>; [chris.milne@huttcity.govt.nz](mailto:chris.milne@huttcity.govt.nz) <[chris.milne@huttcity.govt.nz](mailto:chris.milne@huttcity.govt.nz)>; [andy.mitchell@huttcity.govt.nz](mailto:andy.mitchell@huttcity.govt.nz) <[andy.mitchell@huttcity.govt.nz](mailto:andy.mitchell@huttcity.govt.nz)>; [shazly.rasheed@huttcity.govt.nz](mailto:shazly.rasheed@huttcity.govt.nz) <[shazly.rasheed@huttcity.govt.nz](mailto:shazly.rasheed@huttcity.govt.nz)>; [naomi.shaw@huttcity.govt.nz](mailto:naomi.shaw@huttcity.govt.nz) <[naomi.shaw@huttcity.govt.nz](mailto:naomi.shaw@huttcity.govt.nz)>; [leigh.sutton@huttcity.govt.nz](mailto:leigh.sutton@huttcity.govt.nz) <[leigh.sutton@huttcity.govt.nz](mailto:leigh.sutton@huttcity.govt.nz)>

**Subject:** LGOIMA Request

I request the following under LGOIMA from each of you.

A) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Max Shierlaw within 1 January 2020 to 25 June 2021.

B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a [REDACTED] within 1 September 2020 to 25 June 2021.

C) The nature of your relationship with both Max Shierlaw and [REDACTED] including whether or not you have met Max or [REDACTED] at your home address within the past 12 months.

D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,

7(2)(a)

## Kate Ostapowicz

---

**From:** Shazly Rasheed  
**Sent:** Friday, 16 July 2021 2:10 PM  
**To:** Mary Hewett  
**Subject:** RE: LGOIMA Request from 7(2)(a)

Hi Mary

I have not replied to any of Max's group emails. My understanding of group emails sent to Mayor and Councillors are, Mayor's office responds to it. So I do not recall responding to any group emails from anyone outside of Council.

Regards  
Shazly

**Shazly Rasheed**  
Councillor

Hutt City Council, , , New Zealand  
T 021 266 4822,, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)



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**From:** Mary Hewett <Mary.Hewett@huttcity.govt.nz>  
**Sent:** Friday, 16 July 2021 12:50 PM  
**To:** Shazly Rasheed <Shazly.Rasheed@huttcity.govt.nz>  
**Subject:** RE: LGOIMA Request from 7(2)(a)

Hi Shazly. Just a query regarding your comment in red below about emails from Max Shierlaw. We only need to supply copies if you have replied to any of those group Mayor.Councillors emails. Can you confirm whether or not you have replied to any? If not we will do a search.

Thanks  
Mary

---

**From:** Shazly Rasheed  
**Sent:** Tuesday, 6 July 2021 10:09 AM  
**To:** Mary Hewett  
**Subject:** RE: LGOIMA Request from 7(2)(a)

Hi Mary

Please see response below in red next to questions.

Regards  
Shazly

**Shazly Rasheed**  
Councillor

Hutt City Council, , , New Zealand  
T 021 266 4822,, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)



sign up to our newsletter

**From:** Mary Hewett <[Mary.Hewett@huttcity.govt.nz](mailto:Mary.Hewett@huttcity.govt.nz)>  
**Sent:** Tuesday, 6 July 2021 8:35 AM  
**To:** \_\_Mayor & Councillors < [Mayor&Councillors@huttcity.govt.nz](mailto:Mayor&Councillors@huttcity.govt.nz)>  
**Cc:** Mary Hewett <[Mary.Hewett@huttcity.govt.nz](mailto:Mary.Hewett@huttcity.govt.nz)>  
**Subject:** LGOIMA Request from 7(2)(a)

Kia ora.

Further to the request you received last week from 7(2)(a) could you please do the following:

- Confirm the nature of your relationship with Max Shierlaw and [redacted] and whether you have meet either of them in your home in the last 12 months - if you have had no contact with them could you please confirm this to me by email.

Known Max Shierlaw for many years through mutual friends and as an ex Councillor I do not have a relationship with him. I met [redacted] at a campaign event of Chris Bishop last year. I only know him to say Hello. I do not have contact with either.

- If you have emails, can you please send copies to me.

Max sends a lot of group emails to Councillors and we are all copied in to it. I am hoping you can get that from the server.

Never had an email from [redacted].

- Our legal advisors confirm that this is information where you are acting in your official capacity. You don't have to send us your personal conversations.
- With meetings and calls they advise that it depends on what information you have, but there is no requirement for you to create information. So If you have call logs showing a date and time or meeting dates in your calendar etc these will need to be provided. These could be provided in this format below.

Type of Contact	Date	Time	Notes – if any
Txt from Max Sheirlaw	May 2021 (anti-bullying day)	Morning	Said CE had a video about anti bullying and it was removed from Council Facebook. I went to Council page and the video I thought he was talking about was still there. I took a screen shot and sent him the image on txt asking, is it this one and it is still there.
Phone call from Max Sheirlaw	June 2021 (beginning of	Morning	Asked if I knew the 2021/22 charges for sports grounds and what are the



	June)		existing charges? I said I didn't know and I will send an email to officers and will let him know when I get a response. (I am still waiting for a response from officers)
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- If you cannot remember what was discussed then don't make something up. However if you do remember discussions or have meeting notes then these should be provided. If you do remember general things then these can be recorded, for example something like "Met on May 15<sup>th</sup> discussed meeting agenda" or "Call on Friday 13<sup>th</sup> at 2:15, discussed meeting agenda".

Please provide the information by Wednesday 14 July.

Thank you.

Nga mihi

**Mary Hewett**

Elected Member Support Advisor  
027 706 7212

---

**From:** 7(2)(a)  
**Sent:** 25 June 2021 08:40  
**To:** Simon Edwards <[Simon.Edwards@huttcity.govt.nz](mailto:Simon.Edwards@huttcity.govt.nz)>; Deborah Hislop <[Deborah.Hislop@huttcity.govt.nz](mailto:Deborah.Hislop@huttcity.govt.nz)>; Brady Dyer <[Brady.Dyer@huttcity.govt.nz](mailto:Brady.Dyer@huttcity.govt.nz)>  
**Subject:** [EXTERNAL] Fw: LGOIMA Request

I appear to have missed you in my original email. See below.

---

**From:** 7(2)(a)  
**Sent:** Friday, June 25, 2021 8:37 AM  
**To:** [campbell.barry@huttcity.govt.nz](mailto:campbell.barry@huttcity.govt.nz) <[campbell.barry@huttcity.govt.nz](mailto:campbell.barry@huttcity.govt.nz)>; [tui.lewis@huttcity.govt.nz](mailto:tui.lewis@huttcity.govt.nz) <[tui.lewis@huttcity.govt.nz](mailto:tui.lewis@huttcity.govt.nz)>; [josh.briggs@huttcity.govt.nz](mailto:josh.briggs@huttcity.govt.nz) <[josh.briggs@huttcity.govt.nz](mailto:josh.briggs@huttcity.govt.nz)>; [keri.brown@huttcity.govt.nz](mailto:keri.brown@huttcity.govt.nz) <[keri.brown@huttcity.govt.nz](mailto:keri.brown@huttcity.govt.nz)>; [brady.dyer@huttcity.govt.nz](mailto:brady.dyer@huttcity.govt.nz) <[brady.dyer@huttcity.govt.nz](mailto:brady.dyer@huttcity.govt.nz)>; [chris.milne@huttcity.govt.nz](mailto:chris.milne@huttcity.govt.nz) <[chris.milne@huttcity.govt.nz](mailto:chris.milne@huttcity.govt.nz)>; [andy.mitchell@huttcity.govt.nz](mailto:andy.mitchell@huttcity.govt.nz) <[andy.mitchell@huttcity.govt.nz](mailto:andy.mitchell@huttcity.govt.nz)>; [shazly.rasheed@huttcity.govt.nz](mailto:shazly.rasheed@huttcity.govt.nz) <[shazly.rasheed@huttcity.govt.nz](mailto:shazly.rasheed@huttcity.govt.nz)>; [naomi.shaw@huttcity.govt.nz](mailto:naomi.shaw@huttcity.govt.nz) <[naomi.shaw@huttcity.govt.nz](mailto:naomi.shaw@huttcity.govt.nz)>; [leigh.sutton@huttcity.govt.nz](mailto:leigh.sutton@huttcity.govt.nz) <[leigh.sutton@huttcity.govt.nz](mailto:leigh.sutton@huttcity.govt.nz)>  
**Subject:** LGOIMA Request

I request the following under LGOIMA from each of you.

- A) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Max Shierlaw within 1 January 2020 to 25 June 2021.

B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a [REDACTED] within 1 September 2020 to 25 June 2021.

C) The nature of your relationship with both Max Shierlaw and [REDACTED]. Including whether or not you have met Max or [REDACTED] at your home address within the past 12 months.

D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,

**7(2)(a)**

## Kate Ostapowicz

---

**From:** Simon Edwards  
**Sent:** Wednesday, 21 July 2021 8:09 AM  
**To:** Mary Hewett  
**Subject:** Re: LGOIMA Request from 7(2)(a)

Sorry to hold you up on this Mary.

I've gone looking for that email from Max I was responding to, and I can't find it. At around that time, I had a major meltdown/hack of my Council email that I raised with IT at the time. They were unable to recover any of my earlier emails. Perhaps the email from Max was caught up in that, or I've deleted it because for most of last year I didn't have sufficient email storage allowance to be able to keep all email correspondence.

Cheers,  
Simon

**Simon Edwards**  
Councillor

Hutt City Council, , , New Zealand  
T 027 484 8892, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)

---

**From:** Mary Hewett <Mary.Hewett@huttcity.govt.nz>  
**Sent:** Tuesday, July 20, 2021 8:17 AM  
**To:** Simon Edwards <Simon.Edwards@huttcity.govt.nz>  
**Subject:** FW: LGOIMA Request from 7(2)(a)

Hi Simon. Just a reminder please if you can find that email from Max that you were responding to below? Our response needs to go out this week so I need to get all the information collated.

Thanks  
Mary

---

**From:** Mary Hewett  
**Sent:** Friday, 16 July 2021 8:08 AM  
**To:** Simon Edwards  
**Subject:** RE: LGOIMA Request from 7(2)(a)  
Sorry Simon, I did say it was just emails you've sent to Max, but I also will need the email from him that you were replying to.

Thanks  
Mary

---

**From:** Simon Edwards  
**Sent:** Friday, 16 July 2021 7:52 AM  
**To:** Mary Hewett  
**Subject:** Re: LGOIMA Request from 7(2)(a)

Ok, thanks Mary. The only email I have sent Max in the last two years is below. I have sent no emails to [REDACTED].

Cheers,  
Simon

Simon Edwards  
Wed 5/13/2020 12:40 PM

To: Max Shierlaw 7(2)(a)

Hi Max,

I agree with you. I've always felt an amalgamation of the two Hutt councils would be a good thing overall. We're in the same Valley after all, and the resulting authority would not be so big that citizens would feel remote from the Council. There would very likely be significant savings.

Trouble has always been, Upper Hutt doesn't want it.

I think it would be two-faced of Hutt to try and force Upper Hutt to the table, when (judging by past voting) we don't want to amalgamate with Wellington. A Hutt Valley-Wgtn-Porirua Council is too big (I believe).

And so we're at stalemate.

Cheers.

**Simon Edwards**  
City-wide Councillor

Hutt City Council, New Zealand  
T 027 484 8892, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)

**Simon Edwards**  
Councillor

Hutt City Council, , , New Zealand  
T 027 484 8892, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)

**From:** Mary Hewett <Mary.Hewett@huttcity.govt.nz>

**Sent:** Thursday, July 15, 2021 2:15 PM

**To:** Simon Edwards <Simon.Edwards@huttcity.govt.nz>

**Subject:** RE: LGOIMA Request from 7(2)(a)

Hi Simon.

The only emails we need are if you have Replied to one of those group emails to the Mayor.councillors from Max Shierlaw, or where you have sent an email to him or to [redacted]. The two emails below look like they are sent from Max and not replied to by you?

So if you haven't sent a reply or initiated an email to either Max Shierlaw or [redacted] then you don't need to do any more.

With the move to Office365 the link with the search function that was used in the past is not as reliable so unable to be done from this end, so if you do need to search your emails the best way for you to do this is as follows:

- Click on your Sent items inbox.
- Click on the words "Arrange by" and select "To". This will bring up all emails you have sent in alphabetical order. If you find any you've sent to Max Shierlaw or [redacted] during the period stated then email them to me.

Alternatively you can do the following:

- Go to the search bar at the top and type to:"PutEmail@here"

eg to:"[michael.ackroyd@outlook.co.nz](mailto:michael.ackroyd@outlook.co.nz)"



Please let me know if you have problems.

Thanks.

Regards

**From:** Simon Edwards

**Sent:** Thursday, 15 July 2021 7:01 AM

**To:** Mary Hewett

**Subject:** Re: LGOIMA Request from 7(2)(a)

Hi Mary,

I have had no meetings, phone calls, messages or home visits from Max Shierlaw, or any of the listed contacts with a [REDACTED]. I have no personal relationship with either.  
Ditto Andy's question....can IT extract emails from our accounts? That's the only avenue Max uses to contact me...though he puts messages on my Facebook posts.

I did find these two emails:

Max Shierlaw 7(2)(a) [REDACTED]

Sun 9/27/2020 9:39 AM

To: Simon Edwards

Cc: Chris Milne

Simon,

Earlier this year the Chief Executive announced to much fanfare that she had achieved \$1.2 million of internal operating savings.

Part of these savings were asking staff to forego a wage increase this year. I commented at the time that this is not a saving as staff were under no obligation to agree. So it has proved to be. I note from the Community Plan meeting papers that a wage increase will apply from 1 January 2021.

Given your Council's propensity at labelling previous councils financially irresponsible, it behoves you to act financially responsible. So given that a significant proportion of the proposed operational savings have not eventuated, that means you must find new savings to ensure your budgeted bottom line is achieved.

Can you please confirm this is on your agenda and that a report will be coming to your next Finance meeting with suggested budget savings.

Regards,

Max

Simon,

I've now had the opportunity to review in detail the supposedly independent report into budget setting. My comments are below.

I noted from the last Council meeting that there is now an opportunity for questions to be asked, despite the Mayor's best effort to railroad endorsement of the report through. I have raised a number of question for both the report author and Council officers. As Chair of Finance could you please submit these for a response.

Thanks & Regards,

Max

*"There is confusion over the purpose of depreciation as many believe that the purpose of depreciation is to provide for the replacement of an asset."*

*"The purpose of depreciation is not to provide for the replacement of the asset(s)"*

*"As a result of revaluing assets depreciation will increase based on an equivalent replacement cost."*

The final statement not correct, and he appears to be contradicting his earlier statements. Revaluation of an asset is based on its depreciated replacement cost, not an equivalent replacement cost. There's a big difference.

*"However, as the purpose of depreciation is to charge the people who are using the asset their share of that asset, if the value has increased, in theory the people using the asset should pay a greater share."*

That's debateable. The Council is a Public Benefit Entity. By definition it doesn't charge people who use their assets, it taxes property. So here's my view: a taxpayer cannot obtain a tax deduction for depreciation on the revalued amount of an asset, so taxpayers should not be charged for depreciation on the revalued amount of an asset.

*"In 2014 the Government introduced the Local Government (Financial Reporting and Prudence) Regulations 2014 (the Regulations) also known as the Prudence regulations...It is considered a useful guide rather than the definitive answer."*

Pleased he's acknowledged that.

*“An alternative to using a cash flow statement in which only cash transactions that occurred in the year are reported, is to use a modified funding impact statement approach to reflect cash transactions and then compare surplus with renewal expenditure.”*

We already use a funding Impact Statement, as does every other Council. As I’ve already advised Council, this has shown at least a \$20m cash operating surplus. **QUESTION: How does the author consider the Funding Impact statement used should be modified and why?**

**FURTHER QUESTION: Why does the Author consider the considerably operating cash flow surpluses, as reported in the Funding Impact Statement, restricts both operating and capital expenditure, without considering the longer-term impacts?**

*“The existing infrastructure strategy states that on average, it allows for \$15m in capital replacements and \$17m to improve and upgrade this infrastructure per annum.”* **QUESTION: Where does the Infrastructure strategy say that?**

The attached graph from the Infrastructure strategy does not support that statement.

*“It has been argued that a Council should include gains (or losses) on property revaluations as part of the balanced budget test. As noted above, generally revaluation only occur every three years, and this is non cash associated gain or loss, therefore it would be imprudent to include the value as part of the balanced budget test. Furthermore, if there was a loss, then a local authority would be funding expenditure for which there would be no related expenditure.”*

The reason why the gains on asset revaluations should be included as part of the balanced budget test is offset the depreciation charged on what is nothing more than a paper gain on the value of an asset which will probably never be sold. Not to do so would mean the ratepayer would be taxed on many times the cost price of an asset, a huge overtax.

Further, if the balanced budget regulation exclude gains or losses resulting from revaluations of assets, then by extension it must also exclude depreciation resulting from the revaluation. The purpose of this regulation is to strip out non cash revenue and expenditure from the calculation.

**QUESTION FOR OFFICERS: Please breakdown the depreciation into depreciation on cost price and depreciation of revaluation.**

*“Wellington Water has advised us we need to double our investment in our water network to ensure a properly functioning water supply, waste and stormwater system.”*

**QUESTION FOR OFFICERS: Our infrastructure Strategy states that \$1.4 billion capital investment is required over the next 30 years and \$2 billion operating expenditure. Where has Wellington Water specifically stated the water infrastructure component needs to double? The attached from WW doesn’t support that contention.**

**Simon Edwards**

Councillor

Hutt City Council, , , New Zealand  
T 027 484 8892, W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)

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**From:** Mary Hewett <Mary.Hewett@huttcity.govt.nz>

**Sent:** Wednesday, July 14, 2021 11:23 AM

**To:** Josh Briggs <Josh.Briggs@huttcity.govt.nz>; Keri Brown <Keri.Brown@huttcity.govt.nz>; Simon Edwards <Simon.Edwards@huttcity.govt.nz>; Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>; Leigh Sutton <Leigh.Sutton@huttcity.govt.nz>

**Subject:** RE: LGOIMA Request from 7(2)(a)

Hi. Just a reminder if you could please provide me with a response for this question, even if just to confirm you have had no conversations and have no relationship with either. Or if you have already replied directly to 7(2)(a) when you received his email, please send me a copy of that response.

Thanks very much.

Mary

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**From:** Mary Hewett

**Sent:** Tuesday, 6 July 2021 8:35 AM

**To:** \_\_Mayor & Councillors

**Cc:** Mary Hewett

**Subject:** LGOIMA Request from 7(2)(a)

Kia ora.

Further to the request you received last week from 7(2)(a) could you please do the following:

- Confirm the nature of your relationship with Max Shierlaw and [REDACTED] and whether you have meet either of them in your home in the last 12 months - if you have had no contact with them could you please confirm this to me by email.
- If you have emails, can you please send copies to me.
- Our legal advisors confirm that this is information where you are acting in your official capacity. You don't have to send us your personal conversations.
- With meetings and calls they advise that it depends on what information you have, but there is no requirement for you to create information. So If you have call logs showing a date and time or meeting dates in your calendar etc these will need to be provided. These could be provided in this format below.

Type of Contact	Date	Time	Notes – if any
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- If you cannot remember what was discussed then don't make something up. However if you do remember discussions or have meeting notes then these should be provided. If you do remember general things then these can be recorded, for example something like "Met on May 15<sup>th</sup> discussed meeting agenda" or "Call on Friday 13<sup>th</sup> at 2:15, discussed meeting agenda".

Please provide the information by Wednesday 14 July.

Thank you.

Nga mihi

**Mary Hewett**

Elected Member Support Advisor

027 706 7212

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**From:** 7(2)(a)

**Sent:** 25 June 2021 08:40

**To:** Simon Edwards <Simon.Edwards@huttcity.govt.nz>; Deborah Hislop <Deborah.Hislop@huttcity.govt.nz>; Brady Dyer <Brady.Dyer@huttcity.govt.nz>

**Subject:** [EXTERNAL] Fw: LGOIMA Request

I appear to have missed you in my original email. See below.

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**From:** 7(2)(a)

**Sent:** Friday, June 25, 2021 8:37 AM

**To:** campbell.barry@huttcity.govt.nz <campbell.barry@huttcity.govt.nz>; tui.lewis@huttcity.govt.nz <tui.lewis@huttcity.govt.nz>; josh.briggs@huttcity.govt.nz <josh.briggs@huttcity.govt.nz>; keribrown@huttcity.govt.nz <keri.brown@huttcity.govt.nz>; brady.dyer@huttcity.govt.nz <brady.dyer@huttcity.govt.nz>; chris.milne@huttcity.govt.nz <chris.milne@huttcity.govt.nz>; andy.mitchell@huttcity.govt.nz <andy.mitchell@huttcity.govt.nz>; shazly.rasheed@huttcity.govt.nz <shazly.rasheed@huttcity.govt.nz>; naomi.shaw@huttcity.govt.nz <naomi.shaw@huttcity.govt.nz>; leigh.sutton@huttcity.govt.nz <leigh.sutton@huttcity.govt.nz>

**Subject:** LGOIMA Request

I request the following under LGOIMA from each of you.

A) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Max Shierlaw within 1 January 2020 to 25 June 2021.

B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a [REDACTED] within 1 September 2020 to 25 June 2021.

C) The nature of your relationship with both Max Shierlaw and [REDACTED]. Including whether or not you have met Max or [REDACTED] at your home address within the past 12 months.

D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,

7(2)(a)

## Kate Ostapowicz

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**From:** Deborah Hislop  
**Sent:** Friday, 16 July 2021 5:54 PM  
**To:** Mary Hewett  
**Subject:** Fw: Upper Hutt City Council

Hi Mary

8 May 2020 email as requested.

Cheers  
Deborah

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**From:** Deborah Hislop <[Deborah.Hislop@huttcity.govt.nz](mailto:Deborah.Hislop@huttcity.govt.nz)>  
**Sent:** 08 May 2020 14:09  
**To:** Max Shierlaw **7(2)(a)** Mayor.Councillors <[Mayor.Councillors@huttcity.govt.nz](mailto:Mayor.Councillors@huttcity.govt.nz)>  
**Subject:** RE: Upper Hutt City Council  
Hello Max,

Below is an extract from the Stuff article you sent to us which clearly states that the UHCC accessed accumulated funds. Are you now saying that this information was incorrect?

"**The lower rates take would be achieved by accessing accumulated funds**, reduced debt repayments and reduced spending. Ratepayers would keep \$1.6 million in their pockets under the lower take."

Just wondering?

Deborah

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**From:** Max Shierlaw **7(2)(a)**  
**Sent:** 08 May 2020 11:01  
**To:** Mayor.Councillors  
**Subject:** Upper Hutt City Council

Further to Brady's question to me yesterday about the Upper Hutt City Council, they do not have cash reserves. They have a total debt of \$43m and net debt of \$37m after deducting cash. See attached which outlines how they reduced their rates increase from 4.68% to 1.5%. Net savings found of \$1.179m and reduction in debt repayments of \$2.68m. Reduction in debt repayments to reduce the rates increase (which are funded from rates) is not an option that has been presented to the Hutt City Council. Why do you think that is? I found the Upper Hutt City Council's reporting on rates increases much easier to follow and interpret than I did the HCC's. Yours took a considerable amount of time and going back and forth to previous reports before I fully interpreted what had been proposed. Begs the question do the non-Chartered Accountants on the HCC (all of you) really understand what has been presented. A non-Chartered Accountant would have much more chance of understanding what the Upper Hutt City Council officers have presented than your information.

Regards,

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Max Shierlaw

7(2)(a)  
7(2)(a)



## Kate Ostapowicz

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**From:** Andy Mitchell  
**Sent:** Thursday, 15 July 2021 8:16 PM  
**To:** Mary Hewett  
**Subject:** Fwd: Council operating budgets

Oops, sorry, that first one wasn't the whole conversation...

**From:** Max Shierlaw 7(2)(a)  
**Date:** 9 February 2020 at 6:36:51 PM NZDT  
**To:** Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>  
**Cc:** Chris Milne <chris.milne@huttcity.govt.nz>, Jenny Livschitz <Jenny.Livschitz@huttcity.govt.nz>, Campbell Barry <Campbell.Barry@huttcity.govt.nz>, Jo Miller <Jo.Miller@huttcity.govt.nz>  
**Subject:** Re: Council operating budgets

A Council press release asserted that there has been an under investment occurring since 2000. That's utter nonsense, and an insult to outstanding former Council Managers such as Ron Muir, whose work on roading was nationally recognised as outstanding. The Hutt City Council's investment in roading over the past 20 years has been exceptional. Strip away the accounting treatment and just look at the pure cash entries and it will become apparent to you.

But worryingly to me is the assertion from the CFO that the Council has suddenly arrived at an \$18m operating deficit. She appears to be using the same false logic as with the roading subsidies. I accept that the 19/20 Council budget was for a \$13m deficit. But the explanation was that most of this deficit was due to CFT grants, which are really capital. The 20/21 budget appears to be based on a starting position of the 19/20 \$13m deficit.

I'm starting to think that the supposed \$18m deficit is a massive con job.

Regards,

Max

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**From:** Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>  
**Sent:** Sunday, 9 February 2020 6:20 PM  
**To:** Max Shierlaw 7(2)(a)  
**Cc:** Chris Milne <chris.milne@huttcity.govt.nz>; Jenny Livschitz <Jenny.Livschitz@huttcity.govt.nz>; Campbell Barry <Campbell.Barry@huttcity.govt.nz>; Jo Miller <Jo.Miller@huttcity.govt.nz>  
**Subject:** Re: Council operating budgets  
In defense of the CFO, Max, she has done nothing more than what I requested of her in a briefing last week.

At that briefing another councillor made comments to the effect that the reporting of past operational deficits obscured underlying operating performance due to the accounting practise of including things such as CFT grants as operating rather than capital expenditure, when the outcome is a capital asset owned by Council. On that basis I asked if we could see those past figures adjusted to see more clearly the underlying operating performance (the blue line in the graph provided, as opposed to the

orange).

I realise this may have been an unorthodox request, and apologise for any insult to the accounting profession. To be clear, no-one is suggesting that NZTA subsidies have been spent improperly, or questioning whether past audited annual reports are accurate.

Regards,

Andy Mitchell  
Eastern Ward Councillor

Hutt City Council, 30 Laings Road, Private Bag 31912<x-apple-data-detectors://4>, Lower Hutt 5040, New Zealand  
T 021 136 1589<tel:021%20136%201589> W [www.huttcity.govt.nz](http://www.huttcity.govt.nz)<http://www.huttcity.govt.nz/> F [www.facebook.com/CrAndyMitchell](https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redir.aspx?C=RdehxxM_ctmUUSg-etqzFR9G_34h1OCYnAA-a-GwRyXKOWdp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell)<https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redir.aspx?C=RdehxxM\_ctmUUSg-etqzFR9G\_34h1OCYnAA-a-GwRyXKOWdp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell>

On 9/02/2020, at 4:30 PM, Max Shierlaw **7(2)(a)** wrote:

They should not have been adjusted in the manner in which the CFO has done.

In accounting terms the grants are included as operational revenue even though they are for capital projects. But an equivalent amount is added back onto the rates funding requirement to ensure these NZTA grants are not being spent on operational expenditure.

On the Balance sheet side, these NZTA grants are deducted from borrowings required for capital roading projects to reflect the subsidy received toward roading capital projects.

The CFO's paper gives the impression that previous Councils' have been improperly spending NZTA capital subsidies on roading operations by claiming they ran a higher than reported operating deficit. This despite the fact that the Annual Reports which reported deficits she claims are under reported were thoroughly audited.

As either a member, Deputy Chair or Chair of the HCC Finance Committee between 2007 - 2016, and as a practicing Chartered Accountant, I take this as a personal and professional insult.

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

From: Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>  
Sent: Sunday, 9 February 2020 4:03 p.m.  
To: Max Shierlaw **7(2)(a)**  
Cc: Chris Milne <chris.milne@huttcity.govt.nz>  
Subject: Re: Council operating budgets

Yes, which is what they were intended for and why they have been included in the “non-operating item“ adjustment requested by Chris and me. The CFO’s memo referred to them as capital contributions, not operating expenses.

The adjustment was requested so we could see a truer reflection of actual operating deficits as opposed to “accounting deficits” (as I think Chris referred to them) caused on paper by things like grants to CFT being accounted as operational rather than capital expenditure, even though they’re for new buildings.

Andy Mitchell  
Eastern Ward Councillor

Hutt City Council, 30 Laings Road, Private Bag 31912<x-apple-data-detectors://4>, Lower Hutt 5040, New Zealand T 021 136 1589<tel:021%20136%201589> W

[www.huttcity.govt.nz](http://www.huttcity.govt.nz)<<http://www.huttcity.govt.nz/>> F  
[www.facebook.com/CrAndyMitchell](https://www.facebook.com/CrAndyMitchell)<[https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxM\\_ctmUUSg-etqzFR9G\\_34h1OCYnAA-a-GwRyXKOWDp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell](https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxM_ctmUUSg-etqzFR9G_34h1OCYnAA-a-GwRyXKOWDp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell)>

On 9/02/2020, at 3:01 PM, Max Shierlaw **7(2)(a)** wrote:

Roading capital or capital replacement projects.

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

From: Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>  
Sent: Sunday, 9 February 2020 2:43 p.m.  
To: Max Shierlaw **7(2)(a)**  
Cc: Chris Milne <chris.milne@huttcity.govt.nz>  
Subject: Re: Council operating budgets

If “previous Councils have not been using NZTA capital subsidies to fund roading operations”, what on earth have they been using them for?

Andy Mitchell  
Eastern Ward Councillor

Hutt City Council, 30 Laings Road, Private Bag 31912<x-apple-data-detectors://4>, Lower Hutt 5040, New Zealand T 021 136 1589<tel:021%20136%201589> W  
[www.huttcity.govt.nz](http://www.huttcity.govt.nz)<<http://www.huttcity.govt.nz/>> F  
[www.facebook.com/CrAndyMitchell](https://www.facebook.com/CrAndyMitchell)<[https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxM\\_ctmUUSg-etqzFR9G\\_34h1OCYnAA-a-GwRyXKOWDp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell](https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxM_ctmUUSg-etqzFR9G_34h1OCYnAA-a-GwRyXKOWDp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell)>

On 9/02/2020, at 2:14 PM, Chris Milne <chris.milne@huttcity.govt.nz> wrote:

Hi everyone

Just to clear the air, it was me who sent this to Max. In my email to him I asked him for his views on the adjustments being made, which ended up showing repeated deficits over the last few years. There is so little time to work through this information that I require some external assistance and as this information is essentially restating published council accounts I see no problem in asking external parties for advice.

Regards, Chris

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Max Shierlaw **7(2)(a)**  
Date: 9/02/20 1:37 PM (GMT+12:00)  
To: "Mayor.Councillors" <Mayor.Councillors@huttcity.govt.nz>  
Cc: Jo Miller <Jo.Miller@huttcity.govt.nz>, Jenny Livschitz <Jenny.Livschitz@huttcity.govt.nz>  
Subject: Council operating budgets

Good afternoon,

I have been sent the attached memorandum you received from the CFO this morning.

The information assets that the since 2010 the Hutt City Council has been running significant

operating deficits since 2010.

A key reason alleged by the CFO is that capital subsidies from the NZTA have been used to fund roading operations. This is simply not true. As evidenced from the attached segment of the 2016 Annual Report, the capital portion of NZTA subsidies is added back onto the rates funding requirement. Similarly it is deducted from the loan funding requirement.

You can be well assured that previous Councils have not been using NZTA capital subsidies to fund roading operations.

The other error in the CFO's memo is that development contributions are capital funding. They are not. The whole purpose of a development contribution is to recognise the increasing demands placed on existing community assets from an increased population. This in turn results in increased operational spending. Development contributions are quite properly treated as revenue.

This is the second occasion in recent months I have had occasion to correct misstatements from the CFO and I'm becoming very concerned.

Regards,

--

Max Shierlaw

7(2)(a)



## Kate Ostapowicz

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**From:** Deborah Hislop  
**Sent:** Thursday, 15 July 2021 4:06 PM  
**To:** Mary Hewett  
**Subject:** Fw: Wainuiomata Clean Fill

See below. Sorry, have to rush.

Cheers  
Deborah

---

**From:** Deborah Hislop <Deborah.Hislop@huttcity.govt.nz>  
**Sent:** 08 April 2021 15:50  
**To:** Max Shierlaw 7(2)(a)  
**Cc:** Mayor.Councillors <Mayor.Councillors@huttcity.govt.nz>; Jo Miller <Jo.Miller@huttcity.govt.nz>; Helen Oram <Helen.Oram@huttcity.govt.nz>; Parvati Rotherham <Parvati.Rotherham@huttcity.govt.nz>  
**Subject:** RE: Wainuiomata Clean Fill  
Max,

Thank you for your reply with your explanation of how things were done when you were a Councillor and your suggestion/request that I convene a meeting to sort out what you see as an issue.

At this stage I do not see it as an issue and I will not be convening a meeting to make the policy decision you request, however, I am prepared to talk to the officers again in due course and once I have done that I will be back in touch with you.

Regards  
Deborah

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**From:** Max Shierlaw 7(2)(a)  
**Sent:** 07 April 2021 20:53  
**To:** Deborah Hislop  
**Cc:** Mayor.Councillors; Jo Miller; Helen Oram; Parvati Rotherham  
**Subject:** RE: Wainuiomata Clean Fill

Deborah,

I can't open the links, but it may be of benefit for you and your colleagues to read the full determination of the Acoustics Society. It is attached.

You will note that the T & T employee who accepted ultimate responsibility for the noise testing is a member of the Society. The Determination records that he has been reprimanded and reminded to properly apply the Society's rules of conduct .

You've forwarded me the Council Officers response and unsurprisingly they defend their actions to the hilt.

But my request to you was to make a policy decision to contract out all compliance, monitoring and enforcement functions relating to consents held by the Hutt City Council. That's a political decision, and not one that can

be made by Officers.

The work of Tonkin & Taylor, which Helen Oram had previously told your Committee she was quite happy with, shows that the public can have little confidence in the Hutt City Council acting as regulator to its own consents.

The reporting structures bear all the hallmarks of something being hastily cobbled together. When I was on Council, all City Services staff reported to Bruce Sherlock and all regulatory staff reported to Joycelyn Raffills. There was no cross over of staff whatsoever. Reporting structures and oversight have obviously changed and as a result a clear reporting and accountability separation of infrastructure and regulator staff no longer happens. Reinforces my contention that the public can have little confidence in the Council policing its own consents.

So I again ask that you convene a meeting of your Committee to make a policy decision that compliance, monitoring and enforcement of Hutt City council consents be contracted out to an independent party.

I look forward to hearing from.

Regards,

Max

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

From: Deborah Hislop [<mailto:Deborah.Hislop@huttcity.govt.nz>]

Sent: Wednesday, 7 April 2021 8:09 PM

To: 7(2)(a)

Cc: Mayor.Councillors; Jo Miller; Helen Oram; Parvati Rotherham

Subject: Wainuiomata Clean Fill

Hello Max,

Below is a response from Derek Kerite in response to your questions in relation to the Wainuiomata Cleanfill.

"Update to CLG:

Council officers from Environmental Consents, as well as Council officers representing the consent holder, attended the CLG meeting. At that meeting a verbal update was provided to the group around the noise matters. In essence this is, that the consent holder has decided to retain the services of an alternative noise consultant to do all further noise testing and analysis on the cleanfill. Tonkin & Taylor's noise consultants have done the final work they will be doing for the consent holder.

Acoustics Society response:

Council officers have viewed the response to Mr Shierlaw's complaint to the Acoustics Society of New Zealand (ASNZ). The complaint was summarised by ASNZ as:

[cid:image001.png@01D72AF3.3B754680]

Despite the fact that T&T's acoustic engineers are not members of the ASNZ, the society did assess the complaint. About the complaint re: Rule 9, the ASNZ stated:

[cid:image002.png@01D72AF3.A77F8250]

About the complaint re: Rule 6, the ASNZ stated:

[cid:image003.png@01D72AF4.7C395D40]

The ASNZ also responded as to what disciplinary measures it would have taken had the Acoustics Engineer been one of its members, as follows:

[cid:image004.png@01D72AF4.7C395D40]

Reporting Lines:

The reporting lines are not as described by Mr Shierlaw.

Parvati Rotherham, Team Leader Resource Consents reports to Derek Kerite, Head of Department Environmental Consents. For the cleanfill project, instead of Derek reporting directly to Helen Oram, Director Environment & Sustainability, he reports directly to Jo Miller, CEO.

Dave Dews, Solid Waste Manager reports to Helen Oram, Director Environment & Sustainability, and this reporting arrangement stands.

Enforcement:

Enforcement under the Resource Management Act is subject to the degree of the offending, with particular reference to effects on the environment.

Except in very severe cases of offending (and consequent severe effects on the environment), Council's enforcement approach is to allow space for the consent holder to rectify the situation, often through negotiation. The noise readings for this project are complicated and there has been much discussion amongst experts in the field as to how to take the readings and interpret them.

Noise testing:

Noise consultant experts have been engaged in much discussion around the methodology used for noise testing - this is a complex site to interpret noise readings from.

Council can't place reliance on material produced by laypersons, but rather need experts to supply such information."

Regards  
Deborah



## Kate Ostapowicz

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**From:** Tui Lewis  
**Sent:** Tuesday, 6 July 2021 9:38 AM  
**To:** Mary Hewett  
**Subject:** FW: [EXTERNAL] LGOIMA Request

Found it.

Sent from my Galaxy

----- Original message -----

**From:** Tui Lewis <[Tui.Lewis@huttcity.govt.nz](mailto:Tui.Lewis@huttcity.govt.nz)>

**Date:** 25/06/21 14:08 (GMT+12:00)

**To:** 7(2)(a) Campbell Barry  
<[Campbell.Barry@huttcity.govt.nz](mailto:Campbell.Barry@huttcity.govt.nz)>, Josh Briggs <[Josh.Briggs@huttcity.govt.nz](mailto:Josh.Briggs@huttcity.govt.nz)>, Keri Brown <[Keri.Brown@huttcity.govt.nz](mailto:Keri.Brown@huttcity.govt.nz)>, Brady Dyer <[Brady.Dyer@huttcity.govt.nz](mailto:Brady.Dyer@huttcity.govt.nz)>, Chris Milne <[Christopher.Milne@huttcity.govt.nz](mailto:Christopher.Milne@huttcity.govt.nz)>, Andy Mitchell <[Andy.Mitchell@huttcity.govt.nz](mailto:Andy.Mitchell@huttcity.govt.nz)>, Shazly Rasheed <[Shazly.Rasheed@huttcity.govt.nz](mailto:Shazly.Rasheed@huttcity.govt.nz)>, Naomi Shaw <[Naomi.Shaw@huttcity.govt.nz](mailto:Naomi.Shaw@huttcity.govt.nz)>, Leigh Sutton <[Leigh.Sutton@huttcity.govt.nz](mailto:Leigh.Sutton@huttcity.govt.nz)>

**Subject:** RE: [EXTERNAL] LGOIMA Request

Good afternoon 7(2)(a)

I have had no correspondence with either, haven't met with either and have no relationship to them.

Regards,



**Tui Lewis**  
Deputy Mayor

Hutt City Council, New Zealand  
T 021 271 6249, W [tui.lewis@huttcity.govt.nz](mailto:tui.lewis@huttcity.govt.nz)



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**From:** 7(2)(a)  
**Sent:** Friday, 25 June 2021 8:37 am  
**To:** Campbell Barry <[Campbell.Barry@huttcity.govt.nz](mailto:Campbell.Barry@huttcity.govt.nz)>; Tui Lewis <[Tui.Lewis@huttcity.govt.nz](mailto:Tui.Lewis@huttcity.govt.nz)>; Josh Briggs <[Josh.Briggs@huttcity.govt.nz](mailto:Josh.Briggs@huttcity.govt.nz)>; Keri Brown <[Keri.Brown@huttcity.govt.nz](mailto:Keri.Brown@huttcity.govt.nz)>; Brady Dyer <[Brady.Dyer@huttcity.govt.nz](mailto:Brady.Dyer@huttcity.govt.nz)>; Chris Milne <[Christopher.Milne@huttcity.govt.nz](mailto:Christopher.Milne@huttcity.govt.nz)>; Andy Mitchell <[Andy.Mitchell@huttcity.govt.nz](mailto:Andy.Mitchell@huttcity.govt.nz)>; Shazly Rasheed <[Shazly.Rasheed@huttcity.govt.nz](mailto:Shazly.Rasheed@huttcity.govt.nz)>; Naomi Shaw <[Naomi.Shaw@huttcity.govt.nz](mailto:Naomi.Shaw@huttcity.govt.nz)>; Leigh Sutton <[Leigh.Sutton@huttcity.govt.nz](mailto:Leigh.Sutton@huttcity.govt.nz)>  
**Subject:** [EXTERNAL] LGOIMA Request

I request the following under LGOIMA from each of you.

A) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Max Shierlaw within 1 January 2020 to 25 June 2021.

B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a [REDACTED] within 1 September 2020 to 25 June 2021.

C) The nature of your relationship with both Max Shierlaw and [REDACTED]. Including whether or not you have met Max or [REDACTED] at your home address within the past 12 months.

D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,

**7(2)(a)**

**From:** [Kate Ostapowicz](#)  
**To:** [Mary Hewett](#)  
**Subject:** RE: Max Shierlaw/ [REDACTED] LGOIMA request  
**Date:** Thursday, 22 July 2021 1:18:16 PM

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Hi Mary,

The final step is to send the response to the requester, I can do that from the Information Management inbox as per usual process.

I will upload the response into the TRIM folder, and can also store your emails to and from councillors in that folder too if you send them to me.

Thanks

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**From:** Mary Hewett  
**Sent:** Thursday, 22 July 2021 11:32 AM  
**To:** Kate Ostapowicz  
**Subject:** RE: Max Shierlaw/ [REDACTED] LGOIMA request

Thanks Kate. I will finalise it for Kathryn and change the topic as it's not about the by-election 😊 and yes I will PDF as one doc.

What now? if it goes on the website do you do that?

And what happens to all my emails to and from councillors – does everything need to be saved into TRIM somewhere?

Thanks

Mary

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**From:** Kate Ostapowicz  
**Sent:** Thursday, 22 July 2021 10:45 AM  
**To:** Mary Hewett  
**Subject:** RE: Max Shierlaw/ [REDACTED] LGOIMA request

Hi Mary,

I have attached a draft, assuming you want to send the tables and emails as one PDF. Change this as you wish 😊

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**From:** Mary Hewett  
**Sent:** Thursday, 22 July 2021 10:13 AM  
**To:** Kate Ostapowicz  
**Subject:** RE: Max Shierlaw/ [REDACTED] LGOIMA request

Yes please, could you draft it up and I can finalise it for Kathryn to sign.

Jarred has okayed it now too!

One last (I hope 😊 ) question. I see there's an email from Cr Milne in amongst the conversation between Max and Cr Mitchell. Do I also need to advise Cr Milne about this ?

Thanks  
Mary

---

**From:** Kate Ostapowicz  
**Sent:** Thursday, 22 July 2021 9:37 AM  
**To:** Mary Hewett  
**Subject:** RE: Max Shierlaw/[REDACTED] LGOIMA request

Yes I usually do them, but in the past Kathryn has done them for requests that her team has looked after.

This will probably be one that Kathryn signs off, I am happy to draft it up.

---

**From:** Mary Hewett  
**Sent:** Thursday, 22 July 2021 9:30 AM  
**To:** Kate Ostapowicz  
**Subject:** RE: Max Shierlaw/[REDACTED] LGOIMA request

Ok will do. Thanks.

We would need a covering letter – whatever is the usual process. Do they go out through you? Is there a template ?

Thanks  
Mary

---

**From:** Kate Ostapowicz  
**Sent:** Thursday, 22 July 2021 9:24 AM  
**To:** Mary Hewett  
**Subject:** RE: Max Shierlaw/[REDACTED] LGOIMA request

Thanks Mary, it is usual process to let staff know when they are named in documentation that is being released.

They just need an email as an FYI with a copy of the email that relates to them, I have attached a previous example of one I have done where staff were mentioned in a report that was being released.

Did Kathryn mention doing a letter? Or is she just wanting to send it as it?

Thanks,  
Kate

---

**From:** Mary Hewett  
**Sent:** Thursday, 22 July 2021 9:14 AM  
**To:** Kate Ostapowicz  
**Subject:** RE: Max Shierlaw/[REDACTED] LGOIMA request

Thanks Kate. Kathryn has been through it now and also talked to Caryn.

I'll just make a small change to the format – to make the headings clearer, and put the numbers on the appendices.

Kathryn suggested we should let staff know where there are emails with their names in them. What is the procedure where staff are mentioned in emails. Do we let them know that it's being released? And give them a copy?

Also, Kathryn advised that we should let David Bassett know about the emails we are releasing from him so I will do that.

Lastly, she suggested I run it by Jarred too so will do that now.

Thanks

Mary

---

**From:** Kate Ostapowicz  
**Sent:** Thursday, 22 July 2021 8:35 AM  
**To:** Mary Hewett  
**Subject:** RE: Max Shierlaw/[REDACTED] LGOIMA request

Thanks Mary, this looks good.

---

**From:** Mary Hewett  
**Sent:** Wednesday, 21 July 2021 1:52 PM  
**To:** Kate Ostapowicz  
**Subject:** Max Shierlaw/[REDACTED] LGOIMA request

Hi Kate. here is a copy for you to look through.

I've deleted my email to the Councillors from some of the emails, and also deleted some of their emails to me which have comments that aren't required for the purposes of the response. I haven't yet put on all the appendix numbers but thought I'd better get it to you now to have a proper look through. Kathryn Stannard is also have a check through it.

Thanks

Mary

## Kate Ostapowicz

---

**From:** Bradley Cato  
**Sent:** Monday, 30 August 2021 2:13 PM  
**To:** Kate Ostapowicz  
**Subject:** FW: [EXTERNAL] Fw: LGOIMA Request

---

**From:** Bradley Cato  
**Sent:** Tuesday, 6 July 2021 9:24 AM  
**To:** Mary Hewett  
**Subject:** RE: [EXTERNAL] Fw: LGOIMA Request

I would see what information we hold in our systems. You can try to call or email him if you want, so we can say we have tried but I don't see him responding.

---

**From:** Mary Hewett  
**Sent:** Tuesday, 6 July 2021 8:46 AM  
**To:** Bradley Cato  
**Subject:** RE: [EXTERNAL] Fw: LGOIMA Request

Hi Brad. What do I do about David Bassett – see Dom's comments below.

Thanks  
Mary

---

**From:** Bradley Cato  
**Sent:** Monday, 5 July 2021 3:43 PM  
**To:** Dominic Scott-Jones; Mary Hewett  
**Subject:** RE: [EXTERNAL] Fw: LGOIMA Request

I'd also make clear that this is information where they are acting in their official capacity. They don't have to send us their personal conversations.

---

**From:** Dominic Scott-Jones  
**Sent:** Monday, 5 July 2021 3:41 PM  
**To:** Mary Hewett  
**Cc:** Bradley Cato  
**Subject:** RE: [EXTERNAL] Fw: LGOIMA Request

No worries,

In terms of emails, messages and texts these can all be forwarded on to us. Again no specific format requirements as these haven't been requested by the requester – sometimes if they do say specifics then we need to provide them unless they will cause a lot of work.

With meetings and calls this is difficult to answer because it depends on what information the Councillors have, but there is no requirement for the Councillors to create information.

So if they have call logs showing a date and time or meetings dates in calenders ect these will need to be provided. These could be provided in a similar format to the Example

Type of Contact	Date	Time	Notes – if any
-----------------	------	------	----------------

If they cannot remember what was discussed then they should not make something up. However if they do remember discussions or have meeting notes then these should be provided. In my last workplace one of the team took notes in a notebook and we had to photocopy them and send them through despite the illegible scrawl- Just an example of needing to provide information when it does exist.

If they do remember general things then these can be recorded for example something like “Met on May 15<sup>th</sup> discussed meeting agenda” or “Call on Friday 13<sup>th</sup> at 2:15, discussed meeting agenda”.

Sorry if that isn’t too useful. Again Brad may have some notes from past requests.

Cheers,  
Dom

**From:** Mary Hewett  
**Sent:** Monday, 5 July 2021 3:04 PM  
**To:** Dominic Scott-Jones  
**Cc:** Bradley Cato  
**Subject:** RE: [EXTERNAL] Fw: LGOIMA Request

Ok, thanks Dom.

And my other query about what guidance we give Councillors on how they supply details if it was a phone call or txt, message app etc?

Cheers  
Mary

**From:** Dominic Scott-Jones  
**Sent:** Monday, 5 July 2021 3:01 PM  
**To:** Mary Hewett  
**Cc:** Bradley Cato  
**Subject:** RE: [EXTERNAL] Fw: LGOIMA Request

Hi Mary,

Sorry for not getting back to you this morning.

- Looking at the Ombudsman guidelines there is no requirement around the format of our response. The example provided looks sensible to me. Though may not work if information is actually held by the Councillors. Probably best to see how much information we get back from the Councillors and worry about how to present it then.
- Given we are responding on behalf of the Councillors we should request email confirmation.
- Regarding David Bassett – I know that with former ministers they are no longer subject to the OIA in their own right. But information held by them and passed to the next minister is subject to the OIA. Though I can’t see anything released by the Ombudsman about Council Members I would think this carried over. I’ve CC’d Brad in as he may know something different? I can’t see how, but if we have any of the correspondence between David and Max then this would need to be released.

Thanks,

Dom

---

**From:** Mary Hewett  
**Sent:** Monday, 5 July 2021 2:35 PM  
**To:** Dominic Scott-Jones  
**Subject:** RE: [EXTERNAL] Fw: LGOIMA Request

Hi Dom. Just following up, re whether there is any additional info I should give Councillors on how to complete this.

And can we ask David Bassett these questions now he's no longer a Councillor or is that now a private matter for the person to take up with him directly?

Regarding the format, Campbell's done the following. Looks like a good way to do it?

And lastly, should I get them all to confirm by email if the answer is nil for everything?

Individual	Conversations	Relationship	Hosted at home
Max Shierlaw	None*	No relationship	No
[REDACTED]	None	No relationship	No

\*Although we hold no official information on conversations between the Mayor and Max Shierlaw, we can advise:

Max Shierlaw frequently messaged the Mayor on Facebook up until approximately July 2020. At about this time, the Mayor blocked Mr Shierlaw, and their messaging history is now inaccessible on the platform.

The Mayor has also encountered Mr Shierlaw at several community events. This included one of his regular community engagement sessions in Maungaraki on 18 September 2020, at a sports match on 18 July 2020, at a Maungaraki Community Association meeting on 14 April 2021 and at a scheduled visit to 7(2)(a) (Mr Shierlaw's place of work) on 28 April 2021.

Thanks  
Mary

---

**From:** Dominic Scott-Jones  
**Sent:** Friday, 2 July 2021 12:42 PM  
**To:** Mary Hewett  
**Subject:** Re: [EXTERNAL] Fw: LGOIMA Request

Hi Mary,

I'm meeting with Kate around 2 to discuss some oia stuff so I guess she might raise this there too. I'll get some more details off her and then have a look into this

Cheers,  
Dom

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---



**From:** Mary Hewett <Mary.Hewett@huttcity.govt.nz>  
**Sent:** Friday, July 2, 2021 12:03:59 PM  
**To:** Dominic Scott-Jones <Dominic.Scott-Jones@huttcity.govt.nz>  
**Subject:** FW: [EXTERNAL] Fw: LGOIMA Request

Hi Dominic. Please see below. The Councillors have already received this request directly as you will see from the emails below, but I will send it out to all of them again to co-ordinate the responses.

Just want to check with you first if there is anything else I need to tell them or explain what they need to give us? (like how/what format would they give us details of phone calls or txts?)

Thanks  
Mary

---

**From:** Kathryn Stannard  
**Sent:** Wednesday, 30 June 2021 1:12 PM  
**To:** Mary Hewett  
**Subject:** FW: [EXTERNAL] Fw: LGOIMA Request

We need a chat about this

---

**From:** Kate Ostapowicz  
**Sent:** Tuesday, 29 June 2021 3:04 PM  
**To:** Kathryn Stannard  
**Subject:** FW: [EXTERNAL] Fw: LGOIMA Request

Kia ora Kathryn,

Please see below request for information. I have tried to give Caryn to confirm the approach but it look like she is in a meeting all afternoon.

I'll give you a call to discuss shortly.

Thanks

---

**From:** Kate Ostapowicz  
**Sent:** Tuesday, 29 June 2021 2:15 PM  
**To:** Jo Miller  
**Cc:** Euan Kyle; Caryn Ellis; Roshni Vallabh; Deborah Hislop  
**Subject:** RE: [EXTERNAL] Fw: LGOIMA Request

Kia ora Jo,

Thank you for sending this through. Confirming I will log this and coordinate the responses.

---

**From:** Jo Miller  
**Sent:** Tuesday, 29 June 2021 2:05 PM  
**To:** Kate Ostapowicz  
**Cc:** Euan Kyle; Caryn Ellis; Roshni Vallabh; Deborah Hislop  
**Subject:** Fwd: [EXTERNAL] Fw: LGOIMA Request

Hi Kate

Please can you do whatever is necessary in terms of logging and coordinating information ,accepting that some members may have responded individually . Many thanks JO

Sent from my iPad

Begin forwarded message:

**From:** Deborah Hislop <Deborah.Hislop@huttcity.govt.nz>  
**Date:** 29 June 2021 at 1:19:19 PM NZST  
**To:** "Mayor.Councillors" <Mayor.Councillors@huttcity.govt.nz>  
**Cc:** Jo Miller <Jo.Miller@huttcity.govt.nz>  
**Subject:** Fw: [EXTERNAL] Fw: LGOIMA Request

Hi everyone,

I've spoken to Jo about this request a few minutes ago. This process for 7(2)(a) will be handled by the LGOIMA team at Council on our behalf. They will be in touch with us when they need information from us as individuals. They will also respond to 7(2)(a) to let him know that a process is in place.

Cheers  
Deborah

---

**From:** 7(2)(a)  
**Sent:** 25 June 2021 08:40  
**To:** Simon Edwards <Simon.Edwards@huttcity.govt.nz>; Deborah Hislop <Deborah.Hislop@huttcity.govt.nz>; Brady Dyer <Brady.Dyer@huttcity.govt.nz>  
**Subject:** [EXTERNAL] Fw: LGOIMA Request

I appear to have missed you in my original email. See below.

---

**From:** 7(2)(a)  
**Sent:** Friday, June 25, 2021 8:37 AM  
**To:** campbell.barry@huttcity.govt.nz <campbell.barry@huttcity.govt.nz>; tui.lewis@huttcity.govt.nz <tui.lewis@huttcity.govt.nz>; josh.briggs@huttcity.govt.nz <josh.briggs@huttcity.govt.nz>; keribrown@huttcity.govt.nz <keri.brown@huttcity.govt.nz>; brady.dyer@huttcity.govt.nz <brady.dyer@huttcity.govt.nz>; chris.milne@huttcity.govt.nz <chris.milne@huttcity.govt.nz>; andy.mitchell@huttcity.govt.nz <andy.mitchell@huttcity.govt.nz>; shazly.rasheed@huttcity.govt.nz <shazly.rasheed@huttcity.govt.nz>; naomi.shaw@huttcity.govt.nz <naomi.shaw@huttcity.govt.nz>; leigh.sutton@huttcity.govt.nz <leigh.sutton@huttcity.govt.nz>  
**Subject:** LGOIMA Request

I request the following under LGOIMA from each of you.

A) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Max Shierlaw within 1 January 2020 to 25 June 2021.

B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a [REDACTED] within 1 September 2020 to 25 June 2021.

C) The nature of your relationship with both Max Shierlaw and [REDACTED] including whether or not you have met Max or [REDACTED] at your home address within the past 12 months.

D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,  
7(2)(a)

## Kate Ostapowicz

---

**From:** Bradley Cato  
**Sent:** Monday, 30 August 2021 2:13 PM  
**To:** Kate Ostapowicz  
**Subject:** FW: [EXTERNAL] Fw: LGOIMA Request

---

**From:** Bradley Cato  
**Sent:** Monday, 5 July 2021 3:43 PM  
**To:** Dominic Scott-Jones; Mary Hewett  
**Subject:** RE: [EXTERNAL] Fw: LGOIMA Request

I'd also make clear that this is information where they are acting in their official capacity. They don't have to send us their personal conversations.

---

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**Sent:** Monday, 5 July 2021 3:41 PM  
**To:** Mary Hewett  
**Cc:** Bradley Cato  
**Subject:** RE: [EXTERNAL] Fw: LGOIMA Request

No worries,

In terms of emails, messages and texts these can all be forwarded on to us. Again no specific format requirements as these haven't been requested by the requester – sometimes if they do say specifics then we need to provide them unless they will cause a lot of work.

With meetings and calls this is difficult to answer because it depends on what information the Councillors have, but there is no requirement for the Councillors to create information.

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Cheers,  
Dom

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**Cc:** Bradley Cato  
**Subject:** RE: [EXTERNAL] Fw: LGOIMA Request

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And my other query about what guidance we give Councillors on how they supply details if it was a phone call or txt, message app etc?

Cheers  
Mary

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------------	---------------	--------------	----------------

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Thanks  
Mary

---

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**Subject:** Re: [EXTERNAL] Fw: LGOIMA Request

Hi Mary,

I'm meeting with Kate around 2 to discuss some oia stuff so I guess she might raise this there too. I'll get some more details off her and then have a look into this

Cheers,  
Dom

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---

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Just want to check with you first if there is anything else I need to tell them or explain what they need to give us? (like how/what format would they give us details of phone calls or txts?)

Thanks  
Mary

---

**From:** Kathryn Stannard  
**Sent:** Wednesday, 30 June 2021 1:12 PM  
**To:** Mary Hewett  
**Subject:** FW: [EXTERNAL] Fw: LGOIMA Request

We need a chat about this

---

**From:** Kate Ostapowicz  
**Sent:** Tuesday, 29 June 2021 3:04 PM  
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**Subject:** FW: [EXTERNAL] Fw: LGOIMA Request

Kia ora Kathryn,

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I'll give you a call to discuss shortly.

Thanks

---

**From:** Kate Ostapowicz  
**Sent:** Tuesday, 29 June 2021 2:15 PM  
**To:** Jo Miller  
**Cc:** Euan Kyle; Caryn Ellis; Roshni Vallabh; Deborah Hislop  
**Subject:** RE: [EXTERNAL] Fw: LGOIMA Request

Kia ora Jo,

Thank you for sending this through. Confirming I will log this and coordinate the responses.

---

**From:** Jo Miller  
**Sent:** Tuesday, 29 June 2021 2:05 PM  
**To:** Kate Ostapowicz  
**Cc:** Euan Kyle; Caryn Ellis; Roshni Vallabh; Deborah Hislop  
**Subject:** Fwd: [EXTERNAL] Fw: LGOIMA Request

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**Cc:** Jo Miller <Jo.Miller@huttcity.govt.nz>  
**Subject:** Fw: [EXTERNAL] Fw: LGOIMA Request

Hi everyone,

I've spoken to Jo about this request a few minutes ago. This process for 7(2)(a) will be handled by the LGOIMA team at Council on our behalf. They will be in touch with us when they need information from us as individuals. They will also respond to 7(2)(a) to let him know that a process is in place.

Cheers

Deborah

---

**From:** 7(2)(a)  
**Sent:** 25 June 2021 08:40  
**To:** Simon Edwards <Simon.Edwards@huttcity.govt.nz>; Deborah Hislop <Deborah.Hislop@huttcity.govt.nz>; Brady Dyer <Brady.Dyer@huttcity.govt.nz>  
**Subject:** [EXTERNAL] Fw: LGOIMA Request

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---

**From:** 7(2)(a)  
**Sent:** Friday, June 25, 2021 8:37 AM  
**To:** campbell.barry@huttcity.govt.nz <campbell.barry@huttcity.govt.nz>; tui.lewis@huttcity.govt.nz <tui.lewis@huttcity.govt.nz>; josh.briggs@huttcity.govt.nz <josh.briggs@huttcity.govt.nz>; keri.brown@huttcity.govt.nz <keri.brown@huttcity.govt.nz>; brady.dyer@huttcity.govt.nz <brady.dyer@huttcity.govt.nz>; chris.milne@huttcity.govt.nz <chris.milne@huttcity.govt.nz>; andy.mitchell@huttcity.govt.nz <andy.mitchell@huttcity.govt.nz>; shazly.rasheed@huttcity.govt.nz <shazly.rasheed@huttcity.govt.nz>; naomi.shaw@huttcity.govt.nz <naomi.shaw@huttcity.govt.nz>; leigh.sutton@huttcity.govt.nz <leigh.sutton@huttcity.govt.nz>  
**Subject:** LGOIMA Request

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B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a [REDACTED] within 1 September 2020 to 25 June 2021.

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D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,  
7(2)(a)



## Kate Ostapowicz

---

**From:** Bradley Cato  
**Sent:** Monday, 30 August 2021 2:11 PM  
**To:** Kate Ostapowicz  
**Subject:** FW: LGOIMA Request from 7(2)(a)

There was this chain – not sure if it's within scope.

---

**From:** Mary Hewett  
**Sent:** Thursday, 15 July 2021 12:50 PM  
**To:** Kate Ostapowicz; Bradley Cato  
**Subject:** RE: LGOIMA Request from 7(2)(a)

Thanks both 😊

Kate I'll come down about 1.15. Is that ok?

Mary

---

**From:** Kate Ostapowicz  
**Sent:** Thursday, 15 July 2021 12:41 PM  
**To:** Bradley Cato; Mary Hewett  
**Subject:** RE: LGOIMA Request from 7(2)(a)

Thanks Brad.

Mary – I'm in the hot desking area on level 2. Happy to catch up when you're available.

---

**From:** Bradley Cato  
**Sent:** Thursday, 15 July 2021 12:39 PM  
**To:** Mary Hewett; Kate Ostapowicz  
**Subject:** RE: LGOIMA Request from 7(2)(a)

Hi Mary

I'm happy with the approach of not including general emails from Max that have not been replied to. I think we just say in the response that we have not included these where no conversation has been entered into.

I've just left the building and am about to turn all systems off to read the Board park before a significant Riverlink meeting in Wellington this afternoon from 3-5.

Can you and Kate try to thrash out the process issues? It's not my strong suit and Kate will be more across what we can and can't do and I have more confidence you'll both come up with a better process than I would. I guess it is what it is, in terms of the functionality of the new system so we have to work within what we can and can't do.

If there's anything you think I need to decide then I'm available tomorrow afternoon (the morning is a bit shot) and happy to catch up.

Regards  
Brad

---

**From:** Mary Hewett  
**Sent:** Thursday, 15 July 2021 12:05 PM  
**To:** Kate Ostapowicz; Bradley Cato  
**Subject:** RE: LGOIMA Request from 7(2)(a)

Thanks Kate. This might not be a good look. We've done an upgrade to a flash new system and it's worse than the other one for searching!!

Plus they don't seem to know how to do this – hence Andy's question. If I have to now send them all instructions on how to search themselves, once I get them from IT, we might be in danger of not meeting the deadline.

Also my other question still stands for you Brad – if they haven't responded to any of Max's emails that he has sent to the general mayor.councillor email address do they actually need to do a search at all?

Are you both in the admin building today? maybe we would have a quick chat?

Thanks  
Mary

---

**From:** Kate Ostapowicz  
**Sent:** Thursday, 15 July 2021 11:50 AM  
**To:** Bradley Cato; Mary Hewett  
**Subject:** RE: LGOIMA Request from 7(2)(a)

Hi Mary,

With the switch to 365 there are some limiting factors with the email search, for accuracy I think it's best the councillors search their emails themselves. Going forward this is probably the best process to ensure consistency.

Happy to chat if you have any questions.

---

**From:** Bradley Cato  
**Sent:** Thursday, 15 July 2021 11:46 AM  
**To:** Mary Hewett  
**Cc:** Kate Ostapowicz  
**Subject:** RE: LGOIMA Request from 7(2)(a)

Kate might be better placed to answer. She now has the ability to do that kind of search if we need to.

---

**From:** Mary Hewett  
**Sent:** Thursday, 15 July 2021 11:14 AM  
**To:** Bradley Cato  
**Cc:** Kate Ostapowicz  
**Subject:** RE: LGOIMA Request from 7(2)(a)

Hi Brad. I've had another couple of Councillors now reply to this request. See Andy's comment below (and similar from Simon). Sounds like we used a different process last time eg through Euan, which I wasn't aware of and may have been more efficient!

Do we need to search all the Mayor and Councillors email accounts? Or if they confirm they haven't replied to his general mayor.councillors emails do we still need to search.

If we do have to search all, will we have enough time to do this and compile the response by the 23<sup>rd</sup>?

Thanks

Mary

---

**From:** Andy Mitchell  
**Sent:** Wednesday, 14 July 2021 7:50 PM  
**To:** Mary Hewett; Josh Briggs; Keri Brown; Simon Edwards; Leigh Sutton  
**Subject:** Re: LGOIMA Request from 7(2)(a)

Kia ora Mary,

Last time we had a LGOIMA request Euan was able to have IT staff extract all relevant emails from our Council email accounts. Is he able to do that again, or can someone from IT please contact me to explain how I can extract them myself?

Other than emails to and from Max Shierlaw on this account, I can confirm that I have had no meetings, phone calls, messages or home visits from him, or any of the listed contacts with a [REDACTED]. I have no personal relationship with either.

Ngā mihi,

**Andy Mitchell**  
Eastern Ward Councillor

Hutt City Council, 30 Laings Road, Private Bag 31912, Lower Hutt 5040, New Zealand  
T [021 136 1589](tel:0211361589) W [www.huttcity.govt.nz](http://www.huttcity.govt.nz) F [www.facebook.com/CrAndyMitchell](https://www.facebook.com/CrAndyMitchell)

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**From:** Mary Hewett <Mary.Hewett@huttcity.govt.nz>  
**Sent:** 14 July 2021 11:23  
**To:** Josh Briggs <Josh.Briggs@huttcity.govt.nz>; Keri Brown <Keri.Brown@huttcity.govt.nz>; Simon Edwards <Simon.Edwards@huttcity.govt.nz>; Andy Mitchell <Andy.Mitchell@huttcity.govt.nz>; Leigh Sutton <Leigh.Sutton@huttcity.govt.nz>  
**Subject:** RE: LGOIMA Request from 7(2)(a)

Hi. Just a reminder if you could please provide me with a response for this question, even if just to confirm you have had no conversations and have no relationship with either. Or if you have already replied directly to 7(2)(a) when you received his email, please send me a copy of that response.

Thanks very much.

Mary

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**From:** Mary Hewett  
**Sent:** Tuesday, 6 July 2021 8:35 AM  
**To:** \_\_Mayor & Councillors  
**Cc:** Mary Hewett  
**Subject:** LGOIMA Request from 7(2)(a)

Kia ora.

Further to the request you received last week from 7(2)(a) could you please do the following:

- Confirm the nature of your relationship with Max Shierlaw and [REDACTED] and whether you have meet either of them in your home in the last 12 months - if you have had no contact with them could you please confirm this to me by email.

- If you have emails, can you please send copies to me.
- Our legal advisors confirm that this is information where you are acting in your official capacity. You don't have to send us your personal conversations.
- With meetings and calls they advise that it depends on what information you have, but there is no requirement for you to create information. So If you have call logs showing a date and time or meeting dates in your calendar etc these will need to be provided. These could be provided in this format below.

Type of Contact	Date	Time	Notes – if any
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- If you cannot remember what was discussed then don't make something up. However if you do remember discussions or have meeting notes then these should be provided. If you do remember general things then these can be recorded, for example something like "Met on May 15<sup>th</sup> discussed meeting agenda" or "Call on Friday 13<sup>th</sup> at 2:15, discussed meeting agenda".

Please provide the information by Wednesday 14 July.

Thank you.

Nga mihi

### Mary Hewett

Elected Member Support Advisor  
027 706 7212

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**From:** 7(2)(a)  
**Sent:** 25 June 2021 08:40  
**To:** Simon Edwards <Simon.Edwards@huttcity.govt.nz>; Deborah Hislop <Deborah.Hislop@huttcity.govt.nz>; Brady Dyer <Brady.Dyer@huttcity.govt.nz>  
**Subject:** [EXTERNAL] Fw: LGOIMA Request

I appear to have missed you in my original email. See below.

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**From:** 7(2)(a)  
**Sent:** Friday, June 25, 2021 8:37 AM  
**To:** campbell.barry@huttcity.govt.nz <campbell.barry@huttcity.govt.nz>; tui.lewis@huttcity.govt.nz <tui.lewis@huttcity.govt.nz>; josh.briggs@huttcity.govt.nz <josh.briggs@huttcity.govt.nz>; keribrown@huttcity.govt.nz <keri.brown@huttcity.govt.nz>; brady.dyer@huttcity.govt.nz <brady.dyer@huttcity.govt.nz>; chris.milne@huttcity.govt.nz <chris.milne@huttcity.govt.nz>; andy.mitchell@huttcity.govt.nz <andy.mitchell@huttcity.govt.nz>; shazly.rasheed@huttcity.govt.nz <shazly.rasheed@huttcity.govt.nz>; naomi.shaw@huttcity.govt.nz <naomi.shaw@huttcity.govt.nz>; leigh.sutton@huttcity.govt.nz <leigh.sutton@huttcity.govt.nz>  
**Subject:** LGOIMA Request

I request the following under LGOIMA from each of you.

A) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a Mr Max Shierlaw within 1 January 2020 to 25 June 2021.

B) Any and all conversations including any meetings, emails, phone calls, messages (texts, messaging apps) you have had with a [REDACTED] within 1 September 2020 to 25 June 2021.

C) The nature of your relationship with both Max Shierlaw and [REDACTED] including whether or not you have met Max or [REDACTED] at your home address within the past 12 months.

D) The requests above include former Councillor David Bassett to the date of his resignation.

Thanks,

**7(2)(a)**