

Laura Bowman

From: official information
Sent: Wednesday, 25 May 2022 1:46 pm
To: [REDACTED]
Cc: official information
Subject: Final Response - LGOIMA 262339 - [REDACTED] - Request for correspondence received from the city's creative arts community which did not indicate widespread support for TOTI re Founders Theatre
Attachments: LGOIMA 262339 - Combined Emails - Redacted.pdf

Kia Ora,

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

Please see attached the relevant correspondence. Please note that we have withheld some information from this response per [s7 of the Local Government Official Information and Meetings Act 1987](#). We have done so on the basis that it is necessary to withhold this information:

- to protect the privacy of natural persons per s7(2)(a) of LGOIMA
- to protect information which is subject to an obligation of confidence and where the making the information available would be likely to prejudice the supply of similar information in the future and it is in the public interest that such information should continue to be supplied per s7(2)(c)(i) of LGOIMA

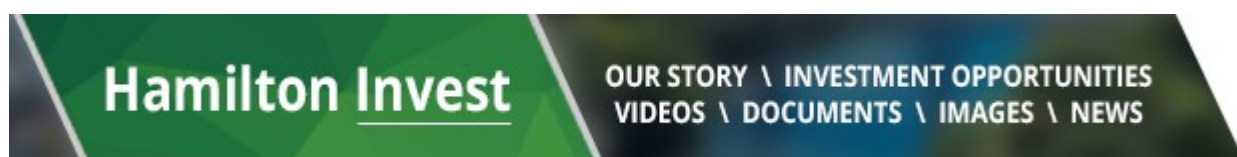
Chief Executive of Momentum, Kelvyn Eglinton, spoke on this issue in Public Forum at the Council meeting on 16 December 2021. See here the [minutes](#), [agenda](#), and [recording](#) of said meeting.

Furthermore there have been numerous occasions where people from the performing arts community – some wishing to remain anonymous – have indicated verbally to the Mayor and staff their preference for Founders to be removed in favour of other alternatives.

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

Kind Regards,

Laura
Official Information Team
Legal Services & Risk | People and Organisational Performance
Email: officialinformation@hcc.govt.nz



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

From: [REDACTED]
Sent: Wednesday, 27 April 2022 6:36:36 pm
To: info@hcc.govt.nz; paula.s@hcc.govt.nz
Subject: Official Information inquiry

In the Waikato Times April 27th " Hamilton mayor Paula Southgate whilst praising TOTI, who I have been working with on Founders, said the trust had failed to show evidence of any funders backing its bid."

Yet council papers at the meeting on 26th had the full report including a qualifying cost from professionals.

"Correspondence received from the city's creative arts community did not indicate widespread support."

Could you please supply this Correspondence as it has appeared in previous media reports.

As I would like to address the full council meeting could I please receive this at your earliest convenience.

[REDACTED]

Tatiana Taunoa

From: [REDACTED]@wrptrust.nz>
Sent: Friday, 18 March 2022 11:12 am
To: Paula Southgate
Cc: [REDACTED]
Subject: Founders Theatre

Dear Paula

The Waikato Regional Property Trust (WRPT) offers its appreciation for Hamilton City Council's partnership to develop the Waikato Regional Theatre.

The WRPT trustees are committed to the theatre project as a transformational attraction for the CBD, the communities of Hamilton and the Waikato, and the performing arts industry across the country.

We are therefore obliged to reluctantly express our concern over Council's decision to provide time, and therefore implied legitimacy, to an attempt to retain the Founders Theatre as a "Town Hall" and performance venue.

Retention of the Founders as any kind of event venue will create a significant challenge to the viability of the business plan for the Waikato Regional Theatre, given the feasibility report is based on the premise of providing for community events, which is part of the requirements stipulated by Hamilton City Council. The Regional Theatre is a central plank within the Central City and River Council strategies.

The feasibility of the new theatre's operations is predicated on its program including community events such as prize-giving's, graduations, and seminars and community performances – the very 'town hall' activities being proposed for Founders. This is not an issue of market competitiveness given the Theatre is not a commercial product and given Council's stipulation to provide Community access at lower than market rates and without operating grants from Council to cover such levels of service.

The Founders refurbishment proposal as a performance or Town Hall venue is a material compromise to Council's significant investment in the new theatre through its cornerstone funding and ongoing maintenance commitment. We reiterate – should Council wish to retain Founders for purposes other than a town hall or event venue then there is no issue from the WRPT perspective. Indeed the original proposal was to be a community office and support hub.

The Waikato Regional Theatre will be a critical element in the city's performance-facility ecosystem, which includes schools' auditoriums, The Meteor, The Academy of Performing Arts, Clarence Street and Riverlea. To effectively add a further event space to the city threatens the viability of the commercial venues amongst these facilities, which collectively already provide more than enough rehearsal spaces for local productions. Part of the WRT proposal is the development of the Performing Arts Strategy, funded by Momentum Waikato, to ensure a collaborative approach to facilities is developed. This was first signalled as a need within Hamilton City Council's Performing Arts Venue strategy when the Founders Theatre was operating at 36% capacity.

In answer to queries re future growth there is adequate capacity in venues across the city, when operating collaboratively as envisaged in the strategy above and given the Regional Theatre has the capacity and technology to rapidly turn over events and event setup.

By directly competing on seating capacity and events, resurrecting the Founders contradicts the very basis on which the Waikato Regional Theatre was devised in partnership by our respective agencies and has since been supported by partners and funders.

We would be pleased to expand on this further to Council and request an opportunity to meet with you at your convenience on this matter.

Tatiana Taunoa

From: [REDACTED]@creativewaikato.co.nz>
Sent: Tuesday, 22 March 2022 1:07 pm
To: Lance Vervoort; Paula Southgate
Cc: [REDACTED]; [REDACTED]; [REDACTED]
Subject: Founders Theatre

Kia ora koutou,

This email is on behalf of Creative Waikato in regards to Founders Theatre and the ongoing discussions around that space.

We are aware of the submissions being made from TOTI with regards to this space and their intentions for it.

With that in mind, we wanted to send this as a statement of our position:

- 1. We are fully supportive of the work and vision of the Waikato Regional Property Trust in regards to the development of the new Waikato Regional Theatre with the support of Momentum Waikato.** Creative Waikato played an important part in the wide community consultation and engagement about this project, and still stand behind all that work in regards to the WRT, including its location, design, and structure as a community-led asset for our city and region.
- 2. We are currently undertaking the development of a Waikato Performing Arts Strategy with community consultation.** This project has been developed at the request of Momentum Waikato with a vision to have greater understanding and future vision for the whole performing arts ecosystem in Hamilton and the Waikato region. This includes the intersection between the various venues, theatres, and performance spaces. It also looks at pathways, development, innovation, and wider community involvement in all of our creative spaces. This strategy is working with a vision for the spaces that are functioning and how they best serve the community.
- 3. If any element of the Founders site is to be maintained, we stand by our submission in the last open community consultation around keeping the newer dressing room wing - to work as a stand alone building to be used by the community for rehearsal space.** And then removing the rest of the building to convert into green space - ideally with an outdoor stage - as was outlined in the HCC proposed concepts for the green space (option 2). This seems a cost-effective solution, and one that would serve our communities of practitioners in a meaningful way as part of the performing arts ecosystem.
It is noted that the community was also 84% in support of an option to convert the site to a multipurpose park. This use of the space would continue to serve the performing arts community that was the original reason for the space, but would also positively contribute to the vision for the development of performing arts in our city in alignment with the work being done by our existing spaces, as well as the new WRT.
- 4. Creative Waikato are passionate advocates for art, culture and creativity in our region, and are, in principle, supporters of new opportunities for creative activity to take place in our city. But this view has to come with a realistic understanding of where the most impact can be made from civic investment in the sector. Therefore, we see that if there was scope for more civic investment in the arts, this could be better served by: supporting current arts infrastructure; enabling more large-scale creative activities to take place in our current spaces; and, creating a long-term arts fund for the community.**

We are very happy to meet with HCC to talk more about this as required.

Ngā mihi nui,

[REDACTED]

Tatiana Taunoa

From: [REDACTED]
Sent: Tuesday, 19 April 2022 8:0
To: Lance Vervoort; Paula Southgate
Subject: RE: Founders Theatre

Hi Lance,

Yes, I would appreciate it if you would circulate my email to the elected members.

I am not sure I emphasised that as there is not detail of the funding, I struggle to see how the community can sustain another space – both in terms of grants for renovation and ongoing running costs. I am sure it is understood that all the current spaces rely heavily on community funding, as will the WRT, and it is a very difficult environment. I think another space with a \$500k annual running budget is a huge ask.

At this stage I am unable to attend the meeting due to work commitments – I think others more qualified can speak though (I am sure [REDACTED] will be there?)

Nga mihi
[REDACTED]

From: Lance Vervoort <Lance.Vervoort@hcc.govt.nz>
Sent: Tuesday, 19 April 2022 4:54 pm
To: [REDACTED]; Paula Southgate <paula.southgate@council.hcc.govt.nz>
Subject: RE: Founders Theatre

Kia ora [REDACTED]

I hope you and the family are well and have had a good Easter.

Thanks for the email and outlining your views on TOTI's proposal and your support for the Waikato Regional Theatre.

If you want I could pass on your email to elected members to help them in their consideration of the Founders Theatre item at the Community Committee meeting. We also have Public Forum at the start of the meeting if you would like to speak to your views on the TOTI proposal and the wider theatre scene.

Let me know if you want to pursue either of these.

All the best
Ngaa mihi
Lance

Lance Vervoort
Tumu Whakarae | Chief Executive

DDI: +64 7 07 838 6492 | Mob: [REDACTED] | Email: lance.vervoort@hcc.govt.nz

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From: [REDACTED]
Sent: Tuesday, 19 April 2022 4:27 pm
To: Lance Vervoort <Lance.Vervoort@hcc.govt.nz>; Paula Southgate <paula.southgate@council.hcc.govt.nz>
Subject: Founders Theatre

Kia ora,

This email is relating to the ongoing discussions around Founders Theatre and the use of the space.

As a theatre user, creator, producer, supporter and audience member, (including as a founding and continuing trustee of the One Victoria Trust, and Bold Theatre Trust) I am extremely supportive of the Waikato Regional Theatre including its location, design, and structure as a community-led asset for our city and region.

I also support the existing theatre spaces including Meteor, Riverlea, Clarence, the Place, and the Academy.

I don't understand TOTI's proposal as it is lacking in any detail, and have not (via BOLD or the Meteor) had any approach from TOTI to discuss or support the proposal.

Further, I don't see why HCC would go against the 84% majority of submitters to the latest feedback (I say latest, as there were previous consultations) who favoured the option to remove the theatre and create a multi-purpose park.

If HCC are looking to make further investments into the Arts in the region, this would be better served by supporting current arts infrastructure including the Meteor, Clarence St Theatre, and WRT and more arts funding for the community to sustain the arts ecosystem.

Nga mihi
[REDACTED]

Tatiana Taunoa

From: [REDACTED]
Sent: Wednesday, 20 A
To: Lance Vervoort
Cc: Paula Southgate; Sean Murray; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]
Subject: [REDACTED] s
Importance: High

Mōrena Lance

Thanks for your reply.

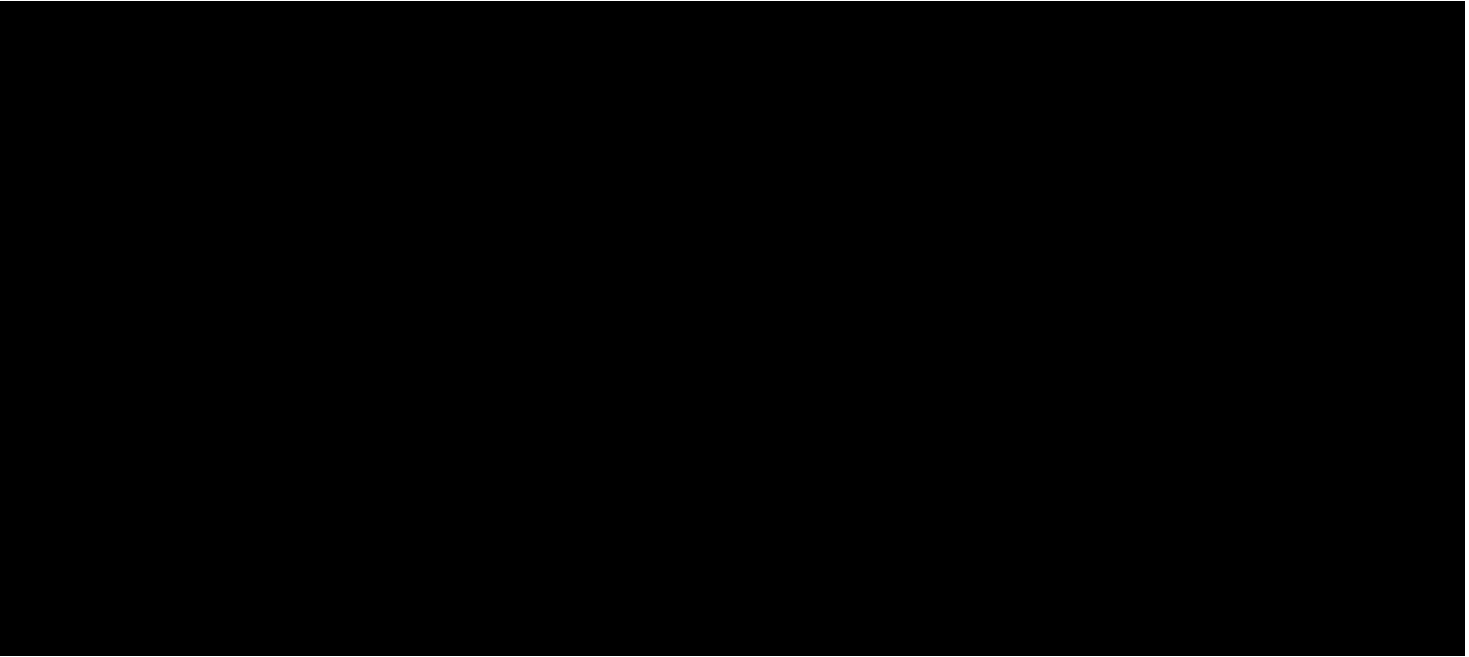
Our position is in support of Creative Waikato's previous submission and [REDACTED] subsequent email on the 22nd March 2022.

We are fully supportive of Momentum Waikato and the extensive community consultation that took place and considered the wide variety of views from many arts organisations and venues took part with the resulting outcome of a new theatre to replace Founders so that it could be returned to a green space.

It would be incredibly disappointing should TOTI's proposal jeopardise the fabulous work that Creative Waikato and Momentum have been doing in the potential enhancement of our theatre's eco system. Nor would it be tenable that new money be allocated to such a project when existing infrastructure sorely requires financial assistance and cannot afford to have current funding streams diluted by another source of need.

Happy to chat if I can be of assistance.

Ngā mihi




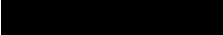
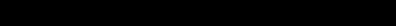


On 19/04/2022, at 4:48 PM, Lance Vervoort <Lance.Vervoort@hcc.govt.nz> wrote:

Kia ora 

Thanks for your email and interest in this matter. Sean Murray who has been managing the Founders Theatre matter for HCC is on annual leave this week, thus my reply.

My understanding is that through the various consultation processes that HCC has run on the future of Founders Theatre that the views of venues and art organisations had been gleaned.

 if that's not the case  then I'm more than happy to call or meet with you to discuss this further this week – let me know what might suit. Also, feel free to speak in the Public Forum session at the Community Committee meeting next week, where you can publicly the position of .

Ngaa mihi
Lance

Lance Vervoort
Tumu Whakarae | Chief Executive

DDI: +64 7 07 838 6492 | Mob:  | Email: lance.vervoort@hcc.govt.nz

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From: [REDACTED]
Sent: Tuesday, 19 April 2016
To: Paula Southgate <paula.southgate@council.hcc.govt.nz>; Lance Vervoort <Lance.Vervoort@hcc.govt.nz>; Sean Murray <Sean.Murray@hcc.govt.nz>
Cc: [REDACTED]; [REDACTED]
Subject: Fwd: TOTI Proposal for Founders
Importance: High

Mōrena Paula, Lance and Sean

I hope you're well.

Has there been any consideration in requesting a submission from the other venues or arts organisations in the City as to their thoughts on this proposal? If there has been such a request I apologise and I must have missed it but would happily be a part of it.

I met with [REDACTED] personally last year and gave no support but just listened to TOTI's plans. I know at times these conversations that [REDACTED] has had have been conveyed as supportive meetings which is not accurate and I'd happily met in person to detail our, and I suspect many other's position.

I trust the details of this email will not be passed on please.

Ngā mihi

[REDACTED]

Sean's report (the agenda item) is unclear on some aspects: Paragraphs 4-5 - TOTI's submission was NOT recognised by council until 24 June 2021 (last year) and then we were given only six months (in a pandemic), then the extension until 31 March this year. We sought the two recent briefing sessions in the hope of more time for councillors....

Paragraph 8 "Management have little confidence in the TOTI proposal"...and seek demolition of the theatre. This is the clear message..

Paragraph 20 - this 'range of conditions' is the 'management viewpoint'. We are surprised at some of these conditions and the reference to city theatres. Is this overkill? and Why? If our plan doesn't work out, then they could revert to demolition.....
Responses? .

Our view is simple. And commonsense. (Refer p 34 for HCC's budget) Why spend a million dollars of public money to demolish a civic building when it can be economically rejuvenated 'for the community by the community'. We had been told that building ownership transfer was not an option

2. Below is the email from Sean Murray after our zoom 'briefing' of councillors on 5 April. This followed our initial zoom briefing of Mayor Paula, Deputy Mayor Geoff Taylor and Community Committee chair Mark Bunting plus CEO & Sean.

Please contact me if you want to discuss anything further.

Regards

[REDACTED]
[REDACTED] (try my hard line first as I'm still having mobile issues)

----- Forwarded message -----

From: **Sean Murray** <Sean.Murray@hcc.govt.nz>

Date: Tue, Apr 5, 2022 at 5:28 PM

Subject: TOTI Proposal for Founders

To: [REDACTED] <[\[REDACTED\]@gmail.com](mailto:[REDACTED]@gmail.com)>

[REDACTED] <[\[REDACTED\]@gmail.com](mailto:[REDACTED]@gmail.com)>

Cc: Paula Southgate <paula.southgate@council.hcc.govt.nz>, Geoff Taylor

<geoff.taylor@council.hcc.govt.nz>, Mark Bunting

<mark.bunting@council.hcc.govt.nz>, Lance Vervoort

<Lance.Vervoort@hcc.govt.nz>

Hello [REDACTED]

Thanks for the presentation today which drew a lot of discussion. We are now going ahead with the formal paper to go to Cr Buntings Community Committee on Tuesday 26 May. My draft deadline for the paper is the end of this week. The paper will be considered in open session and will include your submission and a copy of the PPT slides you presented today. Once this has been cleared for circulation we will forward it to you.

If you wish to make a further presentation to the meeting in the public forum just let our Governance team know.

Essentially I have been asked to present two options.

- a. Decline the TOTI proposal and proceed with the West Town Belt plan for the site.

Or

- b. Enter into a conditional agreement with TOTI to confirm HCC's acceptance of the plan and to establish a gift of the building effective 01 July 2023 to the new Trust **subject to a range of conditions.**

I have yet to flush out the full proviso's of the agreement and correct wording on what those conditions will be but, they will be about satisfaction of a full and final business case including a risk and risk mitigation framework, an independent evaluation the proposed budget within the business case, written confirmation of those organisations who will partner in the plan, written confirmation from each of the funders (contributing the \$10m capital costs needed and operating cash requirements) and confirmation of the new Trusts constitution, appointment process, inaugural trustees credentials etc. This is no different to our process with other Theatre gifting by the city. I expect this would all need to be satisfied by the end of the 2022 calendar year.

It is important to note that Council must have the fullest possible confidence that your proposition will work before making any final commitment and I expect your funders will understand that. You should know that there was some concern, which I shared, over how robust the budget expectations were on all fronts and if option B is approved there will be detailed scrutiny over the numbers and TOTI's ability to deliver. The outcomes you plan to deliver for the betterment of the city are to be applauded however we must do all we can to obviate the risk of failure for all parties concerned.

Let me know if you have any further questions.

Tatiana Taunoa

From: [REDACTED]@creativewaikato.co.nz>
Sent: Thursday, 21 April 2022 12:25 pm
To: Paula Southgate; Geoff Taylor; Mark Bunting; Kesh Naidoo-Rauf; Sarah Thomson; Angela O'Leary; Martin Gallagher; Ryan Hamilton; Rob Pascoe; Maxine van Oosten; Dave Macpherson; Ewan Wilson; Mark Donovan
Cc: Lance Vervoort; [REDACTED]; Sean Murray
Subject: Founders Theatre

Follow Up Flag: Follow up
Flag Status: Flagged

Kia ora koutou,

This email is on behalf of Creative Waikato in regards to Founders Theatre and the ongoing discussions around that space.

We are aware of the submissions being made from TOTI with regards to this space and their intentions for it. We also know there is a council meeting on Tuesday where this is up for discussion.

With that in mind, we wanted to send this as a statement of our position:

1. We are fully supportive of the work and vision of the Waikato Regional Property Trust in regards to the development of the new Waikato Regional Theatre with the support of Momentum Waikato. Creative Waikato played an important part in the wide community consultation and engagement about this project, and still stand behind all that work in regards to the WRT, including its location, design, and structure as a community-led asset for our city and region.

2. We are currently undertaking the development of a Waikato Performing Arts Strategy with community consultation. This project has been developed at the request of Momentum Waikato with a vision to have greater understanding and future vision for the whole performing arts ecosystem in Hamilton and the Waikato region. This includes the intersection between the various venues, theatres, and performance spaces. It also looks at pathways, development, innovation, and wider community involvement in all of our creative spaces. This strategy is working with a vision for the spaces that are currently functioning and how they best serve the community. It is being developed with insight from various members of the performing arts community, technical experts, community groups, and direct input from the other key performance venues: Clarence Street Theatre, The Meteor Theatre and Riverlea Theatre.

3. If any element of the Founders site is to be maintained, we stand by our original submission in the last open community consultation around keeping the newer dressing room wing - to work as a stand alone building to be used by the community for rehearsal space. And then removing the rest of the building to convert into green space - ideally with an outdoor stage - as was outlined in the HCC proposed concepts for the green space (option 2). This seems a cost-effective solution, and one that would serve our communities of practitioners in a meaningful way as part of the performing arts ecosystem.

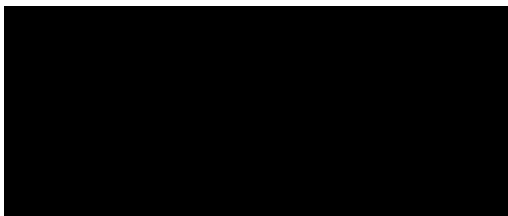
It is noted that the community was also 84% in support of an option to convert the site to a multipurpose park. This use of the space would continue to serve the performing arts community that was the original reason for the space, but would also positively contribute to the vision for the development of performing arts in our city in alignment with the work being done by our existing spaces, as well as the new WRT.

4. Creative Waikato are passionate advocates for art, culture and creativity in our region, and are, in principle, supporters of new opportunities for creative activity to take place in our city. But this view has to come with a realistic understanding of where the most impact can be made from civic investment in the sector, and with a strategic vision for what will best serve the current ecosystem needs. We are regularly engaged with the local active

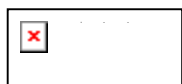
performing arts community and we can see that there is more strategic benefit in enabling those groups to continue to serve their communities. Therefore, we see that if there was scope for more civic investment in the arts, this could be better served by: **supporting current arts infrastructure; enabling more large-scale creative activities to take place in our current spaces; and, creating a long-term arts fund for the community.**

We are very happy to meet with HCC to talk more about this as required.

Ngā mihi nui,



11 Garden Place
Hamilton 3240



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Tatiana Taunoa

From: [REDACTED]@themeteor.co.nz>
Sent: Friday, 22 April 2022 9:31 am
To: Paula Southgate; Lance Vervoort; Sean Murray
Cc: [REDACTED]
Subject: TOTI Founders Theatre Proposal

Kia ora koutou

This email is on behalf of The Meteor Theatre and One Victoria Trust regarding the TOTI proposal for Founders Theatre.

As a community focused arts venue, we echo the position as outlined by Creative Waikato in [REDACTED] communications with Council, expressed most recently in his email of 21 April.

We fully support the work of Momentum, Creative Waikato, and all key stakeholders, as they build the Waikato Regional Theatre. We have had many opportunities to engage with this process and believe the decided location, design and structure will create a strategic and transformative asset for the city and region. We have briefly talked with [REDACTED] about the TOTI proposal, but we support the views of the majority of the creative community to remove the theatre and create a multi-use park.

The initial and ongoing funding needs of the TOTI proposal will severely impact on both current arts infrastructure and the Waikato Regional Theatre, requiring more availability of civic funding to enable the sector to survive and enhance our liveable and vibrant city.

We believe that any such civic investment in the creative sector would be more strategically placed in supporting the existing arts infrastructure, including all community owned theatres, and in more long-term arts funding to enable more activity and capacity in our city's creative community.

Please circulate The Meteor Theatre's support of Momentum's Waikato Regional Theatre project to the elected members as they consider the Founders Theatre proposal ahead of the Community Committee meeting.

ngā mihi

[REDACTED]
The Meteor Theatre
[REDACTED]



KIA TIKA MAI A MURI, KA NUI TE MANA O MUA

IF THE BACK FUNCTIONS WELL, THE FRONT WILL GAIN PRESTIGE

1 VICTORIA STREET, HAMILTON | WWW.THEMETEOR.CO.NZ | 0275294470