

## Laura Bowman

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**From:** official information  
**Sent:** Friday, 19 August 2022 8:29 am  
**To:** 7(2)(a)  
**Cc:** official information  
**Subject:** Final Response - LGOIMA 271191 - 7(2)(a) - Information on Peacocks East West Link Road  
**Attachments:** LGOIMA; Final Response - LGOIMA 271191 - 7(2)(a) - Information on Peacocks East West Link Road.pdf

Kia Ora,

I refer to your **information request attached** (see email attachment), Hamilton City Council is able to provide the following response.

Please see the attached PDF document which provides the Hamilton City Council's final response to your official information request.

To access the documents which are referenced in our final response letter, please see the following link: [LGOIMA 271191 - 7\(2\)\(a\) - Information on Peacocks East West Link Road](#)

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](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Kind Regards,

**Laura** | Official Information Coordinator  
Governance & Assurance Team | People and Organisational Performance  
Email: [officialinformation@hcc.govt.nz](mailto:officialinformation@hcc.govt.nz)



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | [Hamilton City Council](#)

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**From:** official information <[officialinformation@hcc.govt.nz](mailto:officialinformation@hcc.govt.nz)>

**Sent:** Monday, 11 July 2022 5:07 pm

**To:** 7(2)(a)

**Cc:** official information <[officialinformation@hcc.govt.nz](mailto:officialinformation@hcc.govt.nz)>

**Subject:** Response / Clarification Request - LGOIMA 271191 - 7(2)(a)

Kia Ora,

I refer to your **information request attached** (see email attachment), Hamilton City Council is able to provide the following response.

Please find attached Word document letter in which we:

1. Are requesting further clarification from you and,
2. Provide some information in response to your request.

As per our response letter attached, point five refers to a link for further information. This link is here below:

HCC 7(2)(a) LGOIMA

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](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Kind Regards,

Tatiyana  
**Official Information Team**  
Legal Services & Risk | People and Organisational Performance  
Email: [officialinformation@hcc.govt.nz](mailto:officialinformation@hcc.govt.nz)



## Laura Bowman

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**From:** 7(2)(a)  
**Sent:** Sunday, 3 July 2022 1:40 pm  
**To:** official information  
**Subject:** LGOIMA

Re: Peacocke's Development

Please supply all emails, correspondence in connection to the following:-

- Please supply latest geological information re stability, fault lines, liquification, and water tables in the area of Peacocks East West Link Road.
- Have any other routes been considered with the view to potential cost savings other than the current East West Plan.
- Were alternate routes with more stable land and easier topography explored
- Please supply information where a potential conflict of interest could arise, either because of staff or associated contractors land holdings or any other significant interest in the area of the East West Link
- Please supply a copy of the 2007 submission and all correspondence between Murray and Margaret Shaw and H.C.C. staff at this time, regarding the Proposed East West link Road together with information on staff who were involved in the submission
- Please supply all internal correspondence between the CEO and staff regarding the Shaws both at the time in 2007 and subsequently.

Please supply all correspondence and copies of documentation in regards to the Rahui and any evidence the council has on Pa sites in this area.

regards.

7(2)(a)

19 August 2022

7(2)(a)  
[REDACTED]

Dear 7(2)(a)

**Official Information Request for information regarding the Peacocke Development- LGOIMA 271191**

1. I refer to your official request under the Local Government Official Information and Meetings Act (LGOIMA 271191) for information dated 3 July 2022, our letter dated 11 July 2022 and the letter from Tompkins Wake dated 29 July 2022.
2. You have requested:

Re: Peacocke's Development

Please supply all emails, correspondence in connection to the following:

- Please supply latest geological information re stability, fault lines, liquification, and water tables in the area of Peacocke's East West Link Road.
- Have any other routes been considered with the view to potential cost savings other than the current East West Plan.
- Were alternate routes with more stable land and easier topography explored.
- Please supply information where a potential conflict of interest could arise, either because of staff or associated contractors land holdings or any other significant interest in the area of the East West Link.
- Please supply a copy of the 2007 submission and all correspondence between Murray and Margaret Shaw and H.C.C. staff at this time, regarding the Proposed East West link Road together with information on staff who were involved in the submission.
- Please supply all internal correspondence between the CEO and staff regarding the Shaws both at the time in 2007 and subsequently.
- Please supply all correspondence and copies of documentation in regard to the Rahui and any evidence the council has on Pa sites in this area.

### **Information already provided**

3. In our letter of 11 July 2022, we explained that making the information you have requested available is likely to involve substantial collation and/or research. We provided a substantial amount of information that was readily available and in the public domain and invited you to engage with us on a possible clarification of your request. In your email dated 17 July 2022, you confirmed that you wished to proceed with the request as drafted.

### **Substantial collation and/or research**

4. HCC estimates that the scope of your request would require the identification and collation of tens of thousands of documents. By way of example, HCC has identified more than 50,000 items in its document databases that would need to be searched to identify the documents you have requested on just one of the topics. The process of collating the relevant documents that fall within the scope of your request and are disclosable under the LGOIMA would likely take at least several weeks of HCC staff time, if not longer.
5. Under s 17(1)(f) of the Local Government Official Information and Meetings Act 1987 (LGOIMA), HCC may refuse a request on the grounds that the information requested cannot be made available without substantial collation or research. We also consider that other grounds for withholding are likely to apply to some of the information requested and not already provided (including s 7(2)(a) – protecting the privacy of natural persons, s 7(2)(b) – commercial prejudice, s 7(2)(c) – obligations of confidence, s 7(2)(f) – free and frank expression, s 7(2)(g) – legal privilege, and s 7(2)(h) – negotiations).

### **Publicly available information**

6. As stated in our letter to you dated 11 July 2022, some of the information you have requested is readily available and/or in the public domain. Without constituting a decision on your request, HCC is also providing the following documents:
  - a) We enclose copies of Murray and Margaret Shaw's 2007 submissions and the Hearing Report dated July 2009, both of which are publicly available. The names of the officers involved in the submissions are contained in the Hearing Report. Please note the 2007 submission that you requested is regarding the size of Stage 1 of the project and not the proposed East West Link Road so from an initial review, HCC does not expect there to be correspondence between the Shaws and Council regarding the East West Link at this time.
  - b) We also enclose copies of the archaeological report and cultural values assessment prepared for Plan Change 5. These documents contain information about paa sites in the Peacockes area and are also available on the HCC website.

### **Charge for making information available**

7. HCC has considered whether to fix a charge for making the information available to you under s 13 of LGOIMA (see Customer Services fees and charges | Hamilton City Council). However, the work to be done would need to be done by people with expert knowledge whose diversion from core business would have an unreasonable impact on our other options. Your request is therefore refused under s 17(1)(f) as it involves substantial collation and/or research
  
8. We remain happy to meet with you to discuss how your request may be able to be amended and resubmitted in a way that would make it more likely to be granted.

Regards

### **Official Information Team**

Council Building  
Garden Place, Hamilton  
Email [officialinformation@hcc.govt.nz](mailto:officialinformation@hcc.govt.nz)  
Website [www.hamilton.govt.nz](http://www.hamilton.govt.nz)