

From: [Official Information](#)
To: [REDACTED]
Cc: [Official Information](#)
Subject: Final response - LGOIMA 400401 - [REDACTED] - building claims / settlements / legal cost
Date: Tuesday, 11 June 2024 4:19:50 pm
Attachments: [image002.png](#)
[image006.jpg](#)
[image007.jpg](#)
[image008.jpg](#)
[image009.jpg](#)
[image010.png](#)
[image011.png](#)

Kia ora,

We refer to your information request below. Hamilton City Council provides the following response.

Your request:

Good afternoon, Hamilton City Council. Thank you for your response to the below OIA request. We are seeking further information. Please see attached, column C (Highlighted). We look forward to your response.

Number of claims brought against Council in the calendar year, relating to its functions and performance under the Building Act 1991 and/or 2004, associated with Residential building category defect claims for residential buildings under 3 stories and associated building control functions as well as any building defect claims excluding Commercial and Residential alterations and additions and associated building control functions. including granting building consents, carrying out inspections and/or issuing Code Compliance Certificates.

Our response:

There are around 28 possible properties that may land in your follow up question. To see if the properties qualify for your question, it would be a manual process that we estimate to take an hour per property. At this stage our Building team do not have the capacity to check all of the consents, and even if we looked at charging this would interfere with the daily duties of the team. Therefore, we would have to refuse in accordance with s17(f) of LGOIMA – Substantial collusion.

We are also refusing in accordance with S7(c)(ii), (g) and (j) of [LGOIMA](#), damage public interest, Legal privilege, improper gain or improper advantage.

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.

Ngaa mihi

Keeley Faulkner

Official Information Coordinator

Legal services

Governance & Assurance Team | Business Services

Email: officialinformation@hcc.govt.nz



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



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I support flexibility at work. While it suits me to send this email now, I don't expect a response outside of your own working hours.

From: [REDACTED] >
Sent: Monday, May 13, 2024 5:31 PM
To: Official Information <officialinformation@hcc.govt.nz>
Cc: [REDACTED]
Subject: FW: Final response - LGOIMA 386410 - [REDACTED] - building claims / settlements / legal cost

Response Below:



Good afternoon Hamilton City Council


Thank you for your response to the below OIA request.

We are seeking further information. Please see attached, column C (Highlighted).

We look forward to your response.

Kind Regards

	[REDACTED] Partner [REDACTED] [REDACTED] [REDACTED]	Saunders & Co Lawyers [REDACTED] [REDACTED] [REDACTED] [REDACTED]	
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My hours: Mon to Fri 8:30am - 5:00pm		2024 SEASON PARTNER
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From: Official Information <officialinformation@hcc.govt.nz>
Sent: Wednesday, March 27, 2024 1:43 PM
To: [REDACTED] aunders.co.nz; [REDACTED]
Cc: Official Information <officialinformation@hcc.govt.nz>
Subject: Final response - LGOIMA 386410 - [REDACTED] - building claims / settlements / legal cost

Kia ora,

We refer to your information request below. Hamilton City Council provides the following response.

Your request:

*We act for, and the writer is a director of, Building Consent Approvals Limited.
We attach a request for information pursuant to the Local Government Official Information and Meetings Act*

Our response:

Please see the attached spreadsheet for Building Consent Claims as requested. We are unable to provide the 'total legal and expert costs incurred during the calendar year for defending and/or resolving Building Defect Claims' and 'how many building defect claims in the calendar year involved buildings built by Group Housing Companies' as this information is not reportable and/or readily available.

The responses to this LGOIMA have been provided based on our best understanding of previous claims and may be limited due to the availability of records and the storage of historical data, particularly for the earlier years.

In part this request is refused in accordance with S17(f) of LGOIMA – Substantial collation. This information is all we can provide as further information would be a substantial amount of work that would unreasonably impact the daily work of our staff.

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.

Ngaa mihi

Keeley Faulkner

Official Information Coordinator

Governance & Assurance Team | Business Services

Email: officialinformation@hcc.govt.nz



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I support flexibility at work. While it suits me to send this email now, I don't expect a response outside of your own working hours.

From: [REDACTED] [@saunders.co.nz](mailto:[REDACTED]@saunders.co.nz)>

Sent: Thursday, February 29, 2024 12:55 PM

Subject: LGOIMA - Request for Information - Building Consent Claims

Good Afternoon Local Authority,

We act for, and the writer is a director of, Building Consent Approvals Limited.

We attach a request for information pursuant to the Local Government Official Information and Meetings Act

On response, please provide your collated spreadsheet response and any other data, or information returned to the following addresses:



If you require anything further, please advise.

Regards



Partner

Saunders & Co Lawyers



My hours:

Mon to Fri 8:30am - 5:00pm



2024

SEASON PARTNER

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