



13 July 2020

Official Information Request No. 8140007001
(Please quote this in any correspondence)

Dear [REDACTED]

Local Government Official Information and Meetings Act 1987

Re: One tree hill follow up

Thank you for your follow up request which we received on 21 June 2020 about one tree hill.

For ease of reference. I have included our response under each of your specific questions below:

- 1. I would like an “unrestricted” reply to my questions a) and b) as detailed in the attached response from you, dated 20 May 2020.**

We have previously responded on 20 May 2020 as follows:

a. Since the 19 February 2019 Notice of Withdrawal of the application by TMA for a declaration to the Environment Court, Case number CIV-2018-AKL-000276, in the matter between TMA and Council, what has happened?

On 5 March 2019 the council's Planning Committee considered a confidential agenda item on a Proposed Plan Change to the Auckland Unitary Plan addressing the volcanic viewshafts and height sensitive areas identified in the Auckland Unitary Plan.

b. TMA have indicated that they went into discussions with Council about the matter. Have TMA and Council come to any agreement on the View Shafts and Height Sensitive Areas Overlay? If so, what are the details of the agreement?

An agreement was reached between the Tūpuna Maunga Authority and the council in relation to the declaration proceedings initiated by the Tūpuna Maunga Authority. The information has been withheld under Section 7(2)(c)(i) Local Government Official Information and Meetings Act 1987 (LGOIMA) as withholding is necessary– to protect information which is subject to an obligation of confidence where the making available of information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information continue to be supplied;

Further response

We consider that any further information requested under paragraph (a) must also be withheld under s7(2)(c)(ii) of the Local Government Official Information and Meetings Act 1987 to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment,

where the making available of the information would be likely otherwise to damage the public interest.

We remain of the view that it is necessary to withhold the information requested as (b) under section 7(2)(c)(i) of the Local Government Official Information and Meetings Act 1987, as withholding is necessary to protect information which is subject to an obligation of confidence where the making available of information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information continue to be supplied.

Detailed description of the “Council processes” that were agreed with the Maunga Authority prior to withdrawing the Application for Declarations on 19 February 2019. Please provide an indication of how far the parties have progressed in the process and what is the expected timing for an outcome.

We consider that this information must be withheld for the same reasons as the information identified above, in particular under s7(2)(c)(ii) and section 7(2)(c)(i).

The decision by Auckland Council to release the information contained in this response was made by Phill Reid, Acting General Manager Plans and Places, Plans and Places.

We trust this information satisfies your request. Should you believe that we have not dealt with your request appropriately, you have the right in accordance with section 27(3) of the LGOIMA to make a complaint to the Office of the Ombudsman and seek an investigation.

If you have any further queries please contact me on 09 301 0101, quoting LGOIMA No. 8140007001.

Yours sincerely



Prasta Rai
Privacy & LGOIMA Business Partner
Democracy Services