

Rotorua Lakes Council was asked for the acoustic report prepared by Malcolm Hunt, noise consultant employed by Rotorua Lakes Council.

Our response was:

Thank you for clarifying the scope of your request under section 10 of LGOIMA. Both the collection of the data by Council and its subsequent provision to Mr Malcolm Hunt, Council's acoustic expert, was undertaken pursuant to the instructions of Council's solicitors, Tompkins Wake, in order to assist in Council's investigation under the Resource Management Act 1991 ('RMA'). Your request to obtain a copy of the data is therefore declined pursuant to the following sections of the Local Government Official Information and Meetings Act 1987:

- Section 6(a) – making the data available would be likely to prejudice Council's investigation under the RMA; and
- Section 7(g) – withholding the data is necessary to maintain legal professional privilege.

If you are not satisfied with Council's decision on your request, you have the ability to lodge a complaint with the Office of the Ombudsmen by writing to:

The Office of the Ombudsman

P O Box 10 152

WELLINGTON 6143

Or alternatively by email to complaint@ombudsmen.parliament.nz

Regards

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ROTORUA
LAKES COUNCIL