

From: [Official Information](#)
To: [REDACTED]
Cc: [Official Information](#)
Subject: Final response - LGOIMA 476450 - [REDACTED] - Shaws Bird Park
Date: Friday, 9 May 2025 3:11:01 pm
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)

Kia ora,

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

Your request:

Final outcome on Shaw Park made by HCC.

Our response:

Background:

The Southern Links roading network went through a designation process more than a decade ago to identify a route and secure land as part of future development in the Peacocke area. A section of this designation crossed part of the property owned by Mr and Mrs Shaw at Hall Rd.

The Shaws were consulted as part of full public consultation, and their formal submission in 2014 noted they were not opposed to the route for the road.

It should be noted, at the time of the designation, and when the Shaws were consulted on the road, the public-access 'bird park' did not exist. The Shaws launched the 'bird park' four years after the consultation and at the same time created an online petition, a Facebook page and generated media coverage suggesting Council was 'putting a road through a bird park' and that they had not been consulted.

Council continued to try to negotiate with the Shaws and subsequently acquired the land required for the road through the Public Works Act process.

The Shaws' objection to the taking of the land was heard at a 2021 Environment Court hearing that dismissed in all respects the Shaws' objection.

In 2023 Police and Department of Conservation (DOC) attended at the Shaw property. DOC subsequently advised they went to Shaws Bird Park in connection with concerns for the welfare of the birds and the fact Mr Shaw has not had the relevant Wildlife Act permit to hold the birds. The native birds removed by DOC under the Animal Welfare Act were taken to a specialist facility outside the Waikato region.

Later in 2023, Council offered to make a budget of \$100,000 available to enable the Shaws to plan and implement new access arrangements for visitors and relocate aviaries and other structures. The Shaws declined this offer and subsequently ceased to operate the property as a bird park.

As agreement on compensation for the required land could not be reached, the matter was referred to the independent Land Valuation Tribunal. The Shaw's claim to the Land Valuation

Tribunal for additional compensation was heard at a 2023 Land Valuation Tribunal hearing which confirmed that Council's assessment of compensation was correct.

Current progress on the road.

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The route of the road is shown below. This alignment is unchanged from the designation on which the Shaws were consulted on in 2014, and which they stated they did not oppose. The section of road which passes through the Shaw property connects to the Peacocke East-West Minor Arterial, which has been named Whatukooruru Drive. Whatukooruru Drive links Peacockes Road in the east to the completed SH3 Ohaupo Road Roundabout in the west.

The section from an upgraded Peacockes Road to Hall Road is planned for completion within a few months.

The remaining section of road from Hall Road to the roundabout that affects the Shaw property is under construction with completion due in mid-2026.

The section of road that crosses the western portion of the Shaw Property that includes the ponds was designed to include a bridge that when complete will allow for access beneath the road along the watercourse.

The future use of the property is a matter for the Shaws.

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

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