

From: [REDACTED]
To: [Dominic Wilson](#); [Challen Wilson](#)
Subject: Ōtāhuhu Judicial decision
Date: Friday, 7 June 2024 9:22:12 am
Attachments: [image001.png](#)
[image002.png](#)

Kia ora Dom, Challen,

As a heads up in today's senior media hui Jo Davidson brought up the court case around Ōtāhuhu and the judicial decision. I haven't heard too much internally apart from an article Challen shared earlier this week.

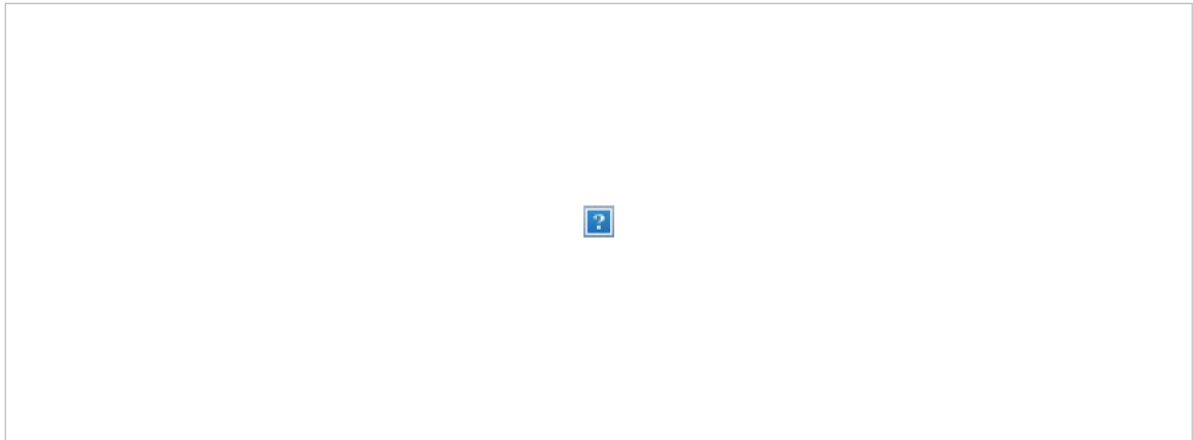
Jo said they have a duty to respond to any queries but at the point they get queries her team will liaise with us regarding statement purely because of the councils' involvement.

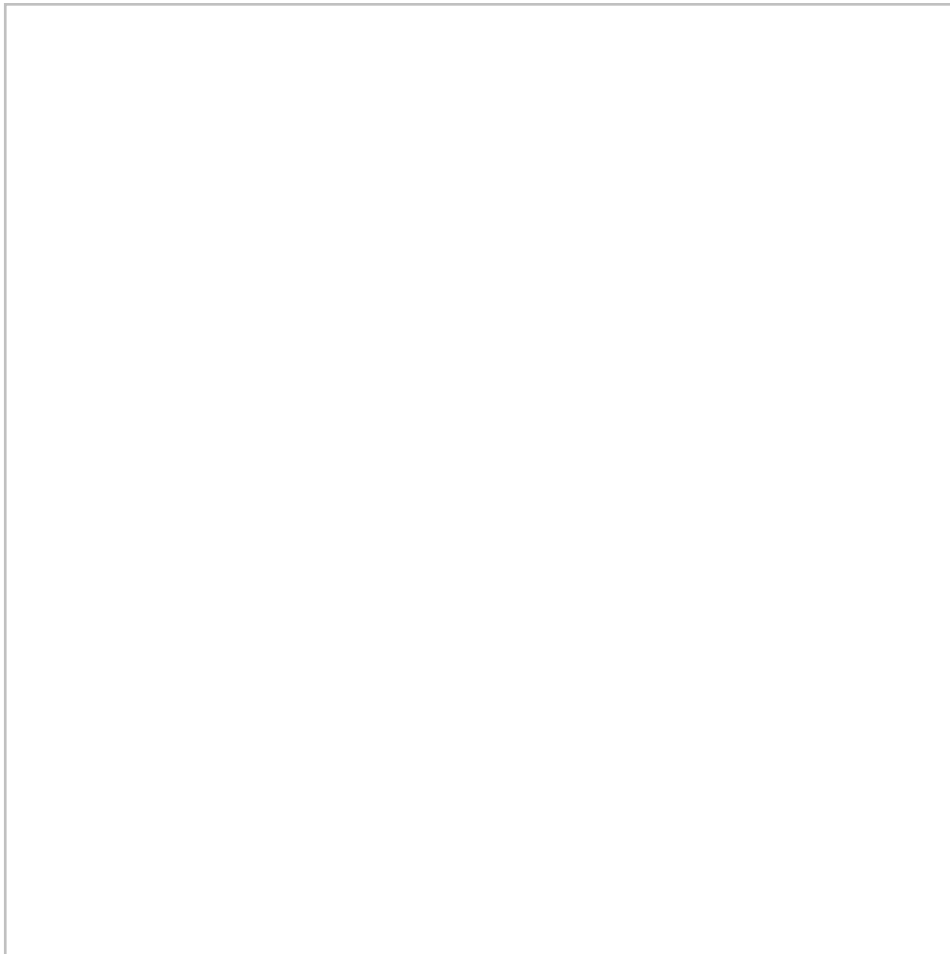
Let me know if I should know anything further. We haven't received any queries in the inbox.

Thanks.



[REDACTED]
[REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)
www.maunga.nz, www.aucklandcouncil.govt.nz





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From: [Challen Wilson](#)
To: [REDACTED]; [Dominic Wilson](#)
Subject: RE: Otāhuhu Judicial decision
Date: Friday, 7 June 2024 10:02:33 am
Attachments: [image001.png](#)
[image002.png](#)

Thanks for the heads up [REDACTED] – can you please direct all queries to myself and Dominic.

Ngā mihi

Challen

From: [REDACTED]@aucklandcouncil.govt.nz>

Sent: Friday, June 7, 2024 9:22 AM

To: Dominic Wilson [REDACTED]@aucklandcouncil.govt.nz>; Challen Wilson

[REDACTED]@aucklandcouncil.govt.nz>

Subject: Otāhuhu Judicial decision

Kia ora Dom, Challen,

As a heads up in today's senior media hui Jo Davidson brought up the court case around Ōtāhuhu and the judicial decision. I haven't heard too much internally apart from an article

Challen shared earlier this week.

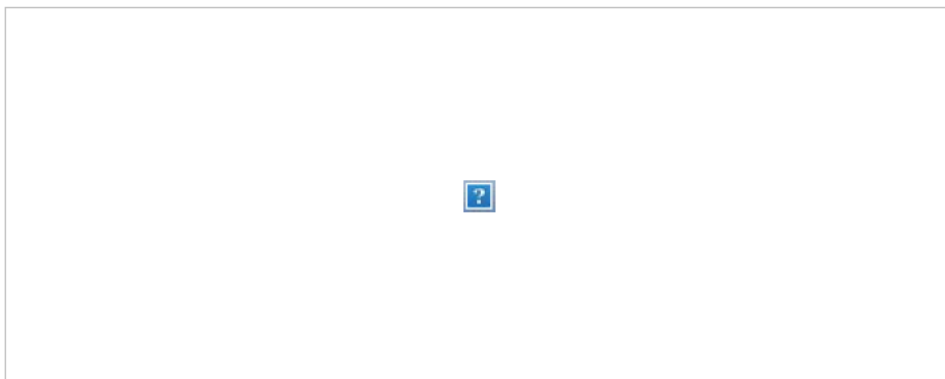
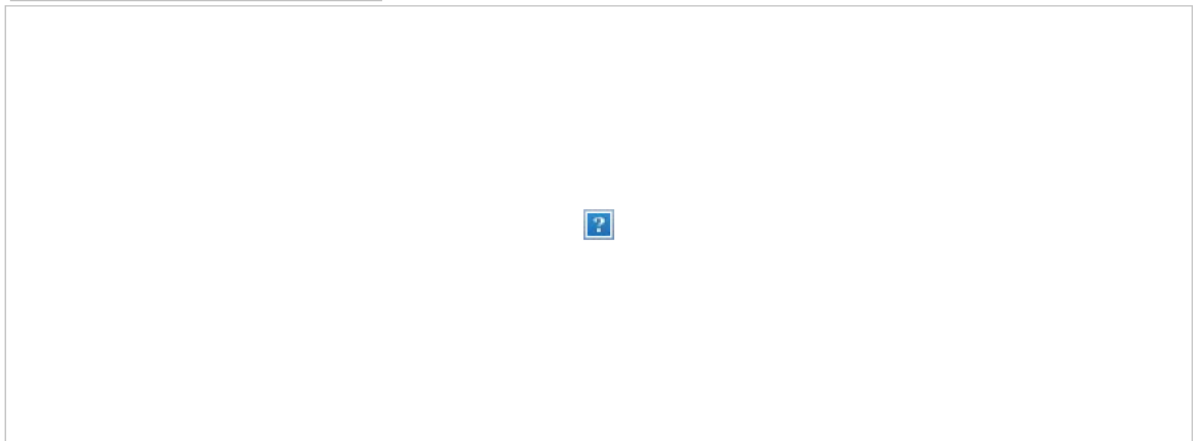
Jo said they have a duty to respond to any queries but at the point they get queries her team will liaise with us regarding statement purely because of the councils' involvement.

Let me know if I should know anything further. We haven't received any queries in the inbox.

Thanks.



[REDACTED]
[REDACTED]@aucklandcouncil.govt.nz
www.maunga.nz, www.aucklandcouncil.govt.nz



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From: [Challen Wilson](#)
To: [Dominic Wilson](#); [REDACTED]
Subject: FW: Google Alert - tūpuna maunga authority
Date: Friday, 7 June 2024 11:56:00 am

Kia ora kōrua

More media (for hui media register) and Dom, do we know if the Chair wants to put out any communications? I'd suspect as not, but just in case, should ask, so I can get ready to do a release if needed.


Ngā mihi

Challen

From: Challen Wilson [REDACTED]
Sent: Thursday, June 6, 2024 9:11 PM
To: Challen Wilson <[REDACTED]@aucklandcouncil.govt.nz>
Subject: Fwd: Google Alert - tūpuna maunga authority

----- Forwarded message -----

From: **Google Alerts** <[REDACTED]>
Date: Thu, 6 Jun 2024, 10:00 am
Subject: Google Alert - tūpuna maunga authority
To: [REDACTED] >



tūpuna maunga authority

Daily update · 5 June 2024

NEWS

[High Court Quashes Resource Consent To Fell Hundreds Of Exotic Trees On Ōtāhuhu Mt Richmond](#)

Scoop

This judicial decision follows the Court of Appeal unanimously finding Tūpuna Maunga Authority had breached the law by failing to consult over its ...

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From: [Taryn Crewe](#)
To: [Nicholas Turoa](#); [Dominic Wilson](#)
Subject: Court decision received last week
Date: Monday, 10 June 2024 7:43:16 am
Attachments: [image001.png](#)

Kia ora

Please can you send me details of the court decision last week, some social media has started to be generated and I want to ensure Claudia and ELT are aware of decision, noting that TMA have the decision making rights here.

Also, any news on if they will appeal?

Ngā mihi

Taryn Crewe (she/her)

General Manager - Parks & Community Facilities

Customer & Community Services Directorate
Te Kaunihera o Tāmaki Makaurau | Auckland Council

[Redacted]

[Redacted]

[@aucklandcouncil.govt.nz](#)

W: www.aucklandcouncil.govt.nz

Personal Assistant:

[Redacted]

[Redacted]

[@aucklandcouncil.govt.nz](#)

[Redacted]



Making flexibility work - if you receive an email from me outside of 'normal' business hours, I am sending it at a time that suits me - I'm not expecting you to read or reply until a time that suits you.

From: [Taryn Crewe](#)
To: [Dominic Wilson](#)
Subject: RE: Court decision received last week
Date: Tuesday, 11 June 2024 1:00:12 pm
Attachments: [image001.png](#)

Okay, thank you!

Ngā mihi

Taryn Crewe (she/her)

General Manager - Parks & Community Facilities

Customer & Community Services Directorate
Te Kaunihera o Tāmaki Makaurau | Auckland Council

[Redacted]

E: [Redacted]@aucklandcouncil.govt.nz

W: www.aucklandcouncil.govt.nz

Personal Assistant:

[Redacted]@aucklandcouncil.govt.nz

[Redacted]



Making flexibility work - if you receive an email from me outside of 'normal' business hours, I am sending it at a time that suits me - I'm not expecting you to read or reply until a time that suits you.

From: Dominic Wilson [Redacted]@aucklandcouncil.govt.nz>

Sent: Monday, June 10, 2024 7:01 PM

To: Taryn Crewe [Redacted]@aucklandcouncil.govt.nz>

Subject: Re: Court decision received last week

Yes, they are fully in loop. We are having a discussion about who pays the costs.

Dominic

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From: Taryn Crewe <[Redacted]@aucklandcouncil.govt.nz>

Sent: Monday, June 10, 2024 5:45:43 PM

To: Dominic Wilson <[Redacted]@aucklandcouncil.govt.nz>

Subject: RE: Court decision received last week

Thanks Dom, are our Council legal team also aware of this?

Ngā mihi

Taryn Crewe (she/her)

General Manager - Parks & Community Facilities

Customer & Community Services Directorate
Te Kaunihera o Tāmaki Makaurau | Auckland Council

[Redacted]

E: [Redacted]@aucklandcouncil.govt.nz

W: www.aucklandcouncil.govt.nz

Personal Assistant:

[Redacted]@aucklandcouncil.govt.nz

[Redacted]



Making flexibility work - if you receive an email from me outside of 'normal' business hours, I am sending it at a time that suits me - I'm not expecting you to read or reply until a time that suits you.

From: Dominic Wilson <[REDACTED]@aucklandcouncil.govt.nz>
Sent: Monday, June 10, 2024 9:28 AM
To: Taryn Crewe <[REDACTED]@aucklandcouncil.govt.nz>; Nicholas Turoa <[REDACTED]@aucklandcouncil.govt.nz>
Subject: RE: Court decision received last week

Kia ora Taryn

Copy of (1) decision and (2) appeal application to Supreme Court attached.

Dominic

From: Taryn Crewe <[REDACTED]@aucklandcouncil.govt.nz>
Sent: Monday, June 10, 2024 7:43 AM
To: Nicholas Turoa <[REDACTED]@aucklandcouncil.govt.nz>; Dominic Wilson <[REDACTED]@aucklandcouncil.govt.nz>
Subject: Court decision received last week

Kia ora

Please can you send me details of the court decision last week, some social media has started to be generated and I want to ensure Claudia and ELT are aware of decision, noting that TMA have the decision making rights here.

Also, any news on if they will appeal?

Ngā mihi

Taryn Crewe (she/her)

General Manager - Parks & Community Facilities

Customer & Community Services Directorate
Te Kaunihera o Tāmaki Makaurau | Auckland Council

[REDACTED]

E: [REDACTED]@aucklandcouncil.govt.nz

W: www.aucklandcouncil.govt.nz

Personal Assistant:

[REDACTED] [REDACTED]@aucklandcouncil.govt.nz

[REDACTED]



Making flexibility work - if you receive an email from me outside of 'normal' business hours, I am sending it at a time that suits me - I'm not expecting you to read or reply until a time that suits you.

From: [Councillor Ken Turner](#)
To: [Dominic Wilson](#)
Cc: [Paul Majurey](#); [Toni Van Tonder \(Devonport - Takapuna Local Board\)](#)
Subject: Tree felling Court Decision
Date: Friday, 21 June 2024 8:17:04 am

Dear Dominic

I am somewhat surprised that as a member I have heard nothing from the Authority updating me on the recent decision by the Courts around that lady's Appeal regarding the authority's tree felling consent being withdrawn.

All I know is what I have seen in the media, including social media comments.

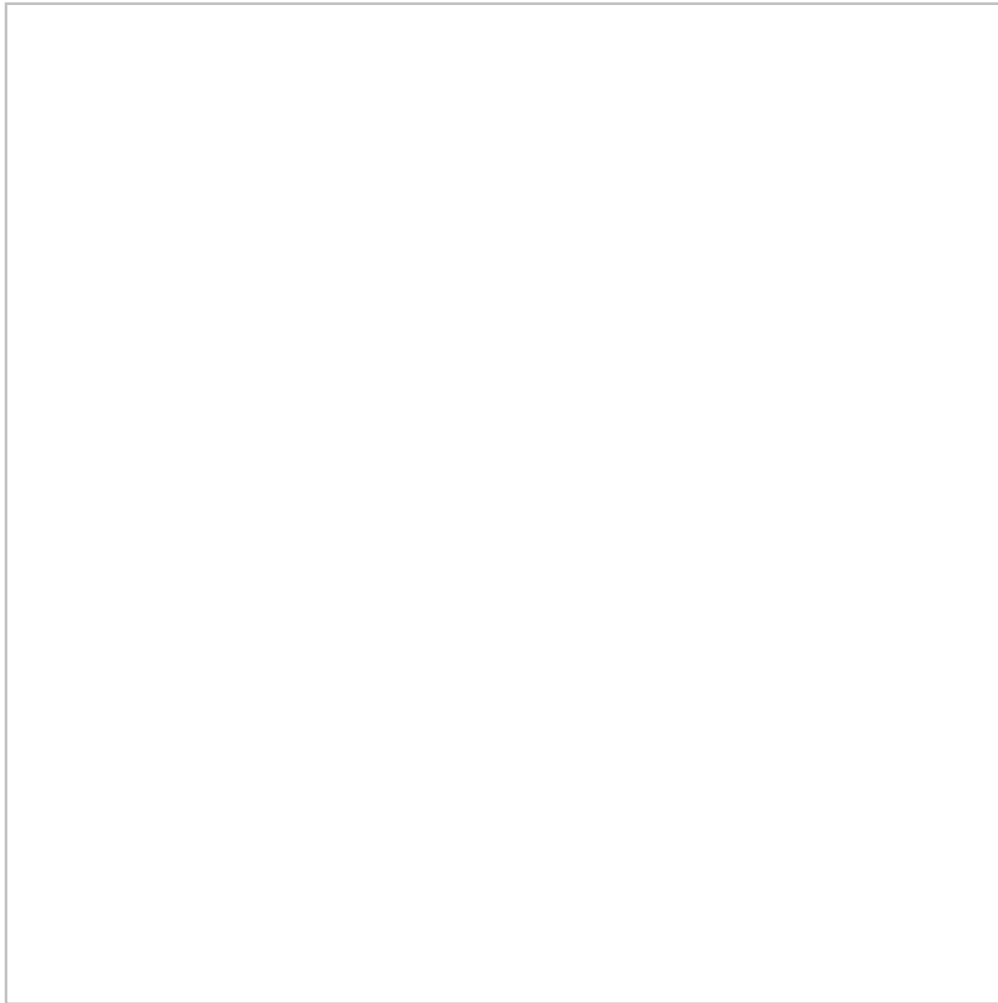
I have been approached specifically on the subject a couple of times as well.

Please brief me on;

- The cost?
- The Decisions affect our tree management plans?
- And thus, where too from here?

Regards

Ken



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From: [Dominic Wilson](#)
To: [Councillor Ken Turner](#)
Cc: [Paul Majurey](#); [Toni Van Tonder \(Devonport - Takapuna Local Board\)](#)
Subject: Re: Tree felling Court Decision
Date: Friday, 21 June 2024 1:21:15 pm

Kia ora Ken

Thanks for your note, we are awaiting a summary note from our legal team and will send out a note to members as soon as we can.

Nga mihi
Dominic Wilson

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From: Councillor Ken Turner [REDACTED]@aucklandcouncil.govt.nz>
Sent: Friday, June 21, 2024 8:17:01 AM
To: Dominic Wilson [REDACTED]@aucklandcouncil.govt.nz>
Cc: Paul Majurey [REDACTED]; Toni Van Tonder (Devonport - Takapuna Local Board) [REDACTED]@aucklandcouncil.govt.nz>
Subject: Tree felling Court Decision

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From: [Toni Van Tonder \(Devonport - Takapuna Local Board\)](#)
To: [Dominic Wilson](#)
Subject: RE: Tree felling Court Decision
Date: Monday, 24 June 2024 1:31:00 pm
Attachments: [image001.jpg](#)
[image002.png](#)

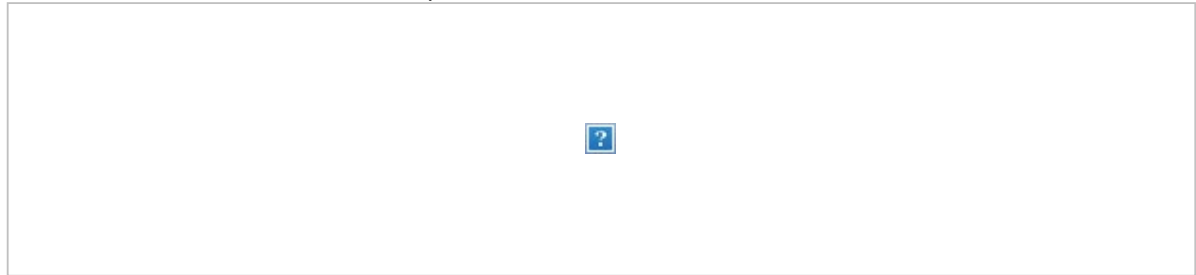
Thank you.

Nāku, nā | Yours faithfully

Toni

Toni van Tonder | Chairperson
Devonport-Takapuna Local Board
Deputy Chair | Tūpuna Maunga Authority

██████████
Auckland Council, The Strand, Takapuna 0620



Visit our website: aucklandcouncil.govt.nz

From: Dominic Wilson ██████████@aucklandcouncil.govt.nz>
Sent: Monday, June 24, 2024 1:30 PM
To: Toni Van Tonder (Devonport - Takapuna Local Board) ██████████@aucklandcouncil.govt.nz>;
Councillor Ken Turner ██████████@aucklandcouncil.govt.nz>
Cc: Paul Majurey ██████████
Subject: RE: Tree felling Court Decision

Kia ora Toni

We are awaiting a second draft note from the legal team. I expect to get a memo out today.

Noho ora mai

Dominic



Dominic Wilson
Te Tauihu Waka Tairanga Whenua /
Co-governance manager
██████████@aucklandcouncil.govt.nz
www.maunga.nz

From: Toni Van Tonder (Devonport - Takapuna Local Board) ██████████@aucklandcouncil.govt.nz>
Sent: Monday, June 24, 2024 1:28 PM
To: Dominic Wilson ██████████@aucklandcouncil.govt.nz>; Councillor Ken Turner
██████████@aucklandcouncil.govt.nz>
Cc: Paul Majurey ██████████
Subject: RE: Tree felling Court Decision

Kia ora Dominic,

Following from Ken's email and our phone convo last Tuesday, can you please confirm when members will receive that memo?

The judgement was delivered May 31st. It has been nearly a month since and members are fielding public queries with no information.

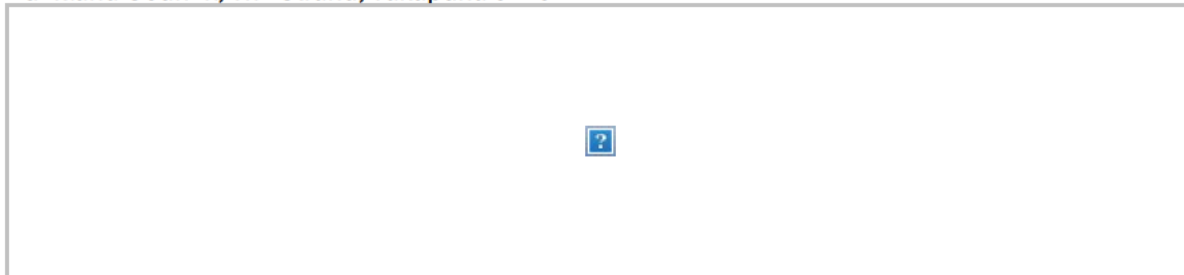
Many thanks.

Nāku, nā | Yours faithfully

Toni

Toni van Tonder | Chairperson
Devonport-Takapuna Local Board
Deputy Chair | Tūpuna Maunga Authority

██████████
Auckland Council, The Strand, Takapuna 0620



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From: Dominic Wilson ██████████ [@aucklandcouncil.govt.nz](mailto:██████████@aucklandcouncil.govt.nz)>

Sent: Friday, June 21, 2024 1:21 PM

To: Councillor Ken Turner ██████████ [@aucklandcouncil.govt.nz](mailto:██████████@aucklandcouncil.govt.nz)>

Cc: Paul Majurey ██████████; Toni Van Tonder (Devonport - Takapuna Local Board) ██████████ [@aucklandcouncil.govt.nz](mailto:██████████@aucklandcouncil.govt.nz)>

Subject: Re: Tree felling Court Decision

Kia ora Ken

Thanks for your note, we are awaiting a summary note from our legal team and will send out a note to members as soon as we can.

Nga mihi

Dominic Wilson

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From: Councillor Ken Turner ██████████ [@aucklandcouncil.govt.nz](mailto:██████████@aucklandcouncil.govt.nz)>

Sent: Friday, June 21, 2024 8:17:01 AM

To: Dominic Wilson ██████████ [@aucklandcouncil.govt.nz](mailto:██████████@aucklandcouncil.govt.nz)>

Cc: Paul Majurey ██████████; Toni Van Tonder (Devonport - Takapuna Local Board) ██████████ [@aucklandcouncil.govt.nz](mailto:██████████@aucklandcouncil.govt.nz)>

Subject: Tree felling Court Decision

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From: [Dominic Wilson](#)
To: [Paul Majurey](#); [Toni Van Tonder \(Devonport – Takapuna Local Board\)](#); [REDACTED]; [Nerissa Henry \(Maungakiekie-Tamaki Local Board\)](#); [Tania Tarawa](#); [Councillor Christine Fletcher](#); [REDACTED]; [Tauanu"u Bakulich \(Mangere-Otahuhu Local Board\)](#); [Ngarimu Blair \(External\)](#); [Councillor Ken Turner](#); [Councillor Kerrin Leoni](#); [Karen Wilson](#)
Cc: [David Bhana](#); [Challen Wilson](#)
Subject: Ōtāhuhu judicial review proceedings update
Date: Monday, 24 June 2024 5:03:00 pm
Attachments: [REDACTED]
[Waru v Tūpuna Maunga O Tamaki Makaurau Authority\(65189098.1\).pdf](#)

Tēnā koutou

Confidential and Subject to Legal Privilege

I attach a note from our legal team on the recent decision in *Waru v Tūpuna Maunga Authority* (copy of decision also attached).

Noho ora mai

Dominic

Dominic Wilson

Acting Kaiwhakahaere Te Waka Tai Ranga Whenua

[REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)

From: [Nerissa Henry \(Maungakiekie-Tamaki Local Board\)](#)
To: [Councillor Christine Fletcher](#); [Toni Van Tonder \(Devonport - Takapuna Local Board\)](#); [Dominic Wilson](#); [Paul Majurey](#); [Clay Hawke](#); [Tania Tarawa](#); [REDACTED]; [Tauanu'u Bakulich \(Mangere-Otahuhu Local Board\)](#); [Councillor Ken Turner](#); [Councillor Kerrin Leoni](#); [Karen Wilson](#); [Ngarimu Blair \(External\)](#)
Cc: [David Bhana](#); [Challen Wilson](#); [Max Hardy](#); [Phil Wilson](#); [Jazz Singh](#)
Subject: RE: Ōtāhuhu judicial review proceedings update
Date: Tuesday, 25 June 2024 3:02:53 pm
Attachments: [image001.jpg](#)

Kia Ora Tatou,

Firstly, I just want to express my disappointment along with my colleagues that we were not across this before any decisions to proceed with anything were discussed. It is also disappointing as one of the local elected members that borders the Otahuhu area in question that I only found out because Shirley contacted me and then seeing the NZHerald article.

I tautoko the questions being asked above and will wait the answers regarding:

1. Who made this decision and why wasn't it decided by TMA members
2. Who will be paying for this
3. Why were we not informed as soon as any part if this happened
4. With Shirley constantly contacting me, how should I respond, or can I direct her to a particular person?

Nerissa

From: Councillor Christine Fletcher [REDACTED]@aucklandcouncil.govt.nz>
Sent: Tuesday, June 25, 2024 9:49 AM
To: Toni Van Tonder (Devonport - Takapuna Local Board)
[REDACTED]@aucklandcouncil.govt.nz>; Dominic Wilson
[REDACTED]@aucklandcouncil.govt.nz>; Paul Majurey [REDACTED];
Clay Hawke [REDACTED]>; Nerissa Henry (Maungakiekie-Tamaki Local Board)
[REDACTED]@aucklandcouncil.govt.nz>; Tania Tarawa [REDACTED];
[REDACTED]; Tauanu'u Bakulich (Mangere-Otahuhu Local Board)
[REDACTED]@aucklandcouncil.govt.nz>; Councillor Ken Turner
[REDACTED]@aucklandcouncil.govt.nz>; Councillor Kerrin Leoni
[REDACTED]@aucklandcouncil.govt.nz>; Karen Wilson [REDACTED]; Ngarimu
Blair (External) [REDACTED]
Cc: David Bhana [REDACTED]@aucklandcouncil.govt.nz>; Challen Wilson
[REDACTED]@aucklandcouncil.govt.nz>; Max Hardy [REDACTED]@aucklandcouncil.govt.nz>;
Phil Wilson [REDACTED]@aucklandcouncil.govt.nz>; Jazz Singh
[REDACTED]@aucklandcouncil.govt.nz>
Subject: Re: Ōtāhuhu judicial review proceedings update

Who is paying for this?

Christine Fletcher

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From: Ngarimu Blair [REDACTED] >
Sent: Tuesday, June 25, 2024 8:56:34 AM
To: Toni Van Tonder (Devonport - Takapuna Local Board)
[REDACTED]@aucklandcouncil.govt.nz>; Dominic Wilson
[REDACTED]@aucklandcouncil.govt.nz>; Paul Majurey [REDACTED];

Clay Hawke [REDACTED]; Nerissa Henry (Maungakiekie-Tamaki Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Tania Tarawa [REDACTED]; Councillor Christine Fletcher [REDACTED]@aucklandcouncil.govt.nz>; [REDACTED] [REDACTED]; Tauanu'u Bakulich (Mangere-Otahuhu Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Councillor Ken Turner [REDACTED]@aucklandcouncil.govt.nz>; Councillor Kerrin Leoni [REDACTED]@aucklandcouncil.govt.nz>; Karen Wilson [REDACTED] >
Cc: David Bhana <[REDACTED]@aucklandcouncil.govt.nz>; Challen Wilson [REDACTED]@aucklandcouncil.govt.nz>

Subject: Re: Ōtāhuhu judicial review proceedings update

We didn't agree with the wasteful Owairaka legal challenge. Otahuhu is outside our rohe so we won't proffer a view except to say it feels much the same, the TMA assuming it is all powerful with even greater mana than the true tangata whenua of each maunga.

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From: Toni Van Tonder (Devonport - Takapuna Local Board)

[REDACTED]@aucklandcouncil.govt.nz>

Sent: Tuesday, June 25, 2024 8:48:21 AM

To: Dominic Wilson [REDACTED]@aucklandcouncil.govt.nz>; Paul Majurey

[REDACTED]; Clay Hawke [REDACTED]; Nerissa Henry (Maungakiekie-Tamaki Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Tania Tarawa [REDACTED] >; Councillor Christine Fletcher [REDACTED]@aucklandcouncil.govt.nz>; [REDACTED]

[REDACTED] >; Tauanu'u Bakulich (Mangere-Otahuhu Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Ngarimu Blair [REDACTED] >;

Councillor Ken Turner [REDACTED]@aucklandcouncil.govt.nz>; Councillor Kerrin Leoni [REDACTED]@aucklandcouncil.govt.nz>; Karen Wilson [REDACTED] >

Cc: David Bhana [REDACTED]@aucklandcouncil.govt.nz>; Challen Wilson [REDACTED]@aucklandcouncil.govt.nz>

Subject: RE: Ōtāhuhu judicial review proceedings update

Kia ora Dominic,

Thank you for this memo.

It concerns me that the TMA filed an application for leave directly to the Supreme Court on 7 June and then to the Court of Appeal on the 21 June. Who has made that decision? Should that not be a decision of the Authority? This has all happened prior to members being informed of these proceedings and I think this reflects poorly on our governance processes.

Our next hui is at the end of July. It would be good to call a Teams meeting of members to discuss this case and its implications; and canvas members views as to whether they have an appetite to progress an appeal, when Auckland Council does not.

Nāku, nā | Yours faithfully

Toni

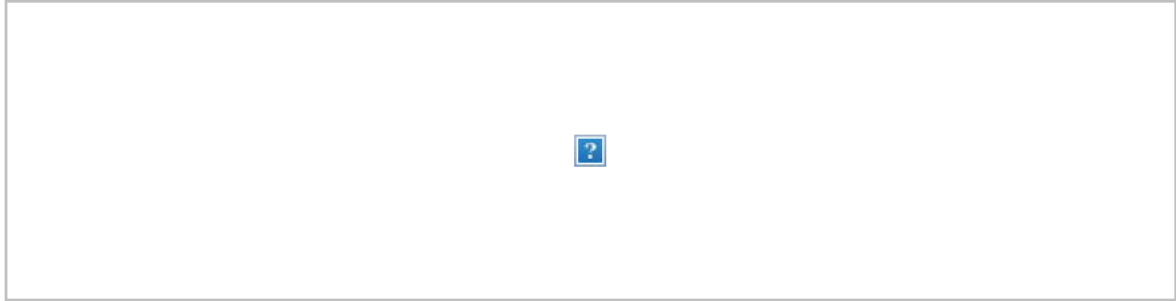
Toni van Tonder | Chairperson

Devonport-Takapuna Local Board

Deputy Chair | Tūpuna Maunga Authority

[REDACTED]

Auckland Council, The Strand, Takapuna 0620



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From: Dominic Wilson [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>

Sent: Monday, June 24, 2024 5:03 PM

To: Paul Majurey [REDACTED] >; Toni Van Tonder (Devonport - Takapuna Local Board) [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>; [REDACTED]; Nerissa Henry (Maungakiekie-Tamaki Local Board) [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>; Tania Tarawa [REDACTED]; Councillor Christine Fletcher [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>; [REDACTED]; Tauanu'u Bakulich (Mangere-Otahuhu Local Board) [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>; Ngarimu Blair (External) [REDACTED]; Councillor Ken Turner [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>; Councillor Kerrin Leoni [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>; Karen Wilson [REDACTED]

Cc: David Bhana [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>; Challen Wilson [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>

Subject: Ōtāhuhu judicial review proceedings update

Tēnā koutou

Confidential and Subject to Legal Privilege

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Authority (copy of decision also attached).

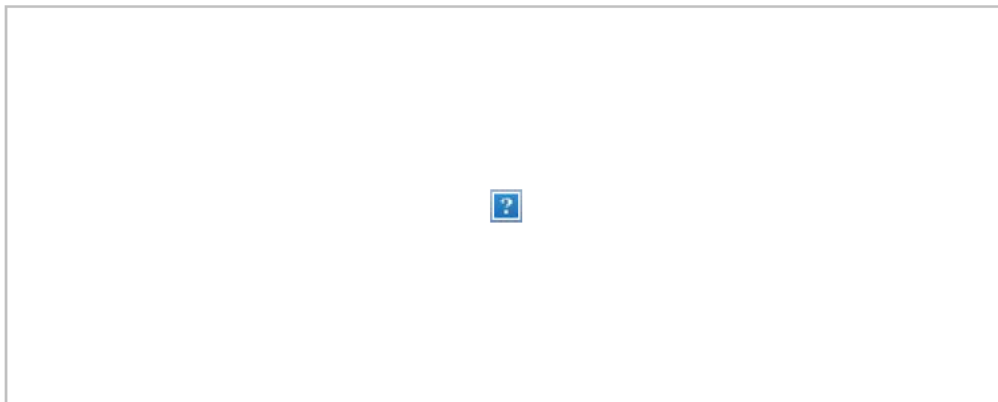
Noho ora mai

Dominic

Dominic Wilson

Acting Kaiwhakahaere Te Waka Tai Ranga Whenua

[REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)



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To: [Dominic Wilson](#); [Paul Majurey](#); [Toni Van Tonder \(Devonport - Takapuna Local Board\)](#); [REDACTED]; [Nerissa Henry \(Maungakiekie-Tamaki Local Board\)](#); [Tania Tarawa](#); [Councillor Christine Fletcher](#); [REDACTED]; [Ngarimu Blair \(External\)](#); [Councillor Ken Turner](#); [Councillor Kerrin Leoni](#); [Karen Wilson](#)
Cc: [David Bhana](#); [Challen Wilson](#)
Subject: RE: Ōtāhuhu judicial review proceedings update
Date: Tuesday, 25 June 2024 2:27:51 pm

Kia ora Dominic

Thank you for the documents and information.

It was embarrassing to learn about these proceedings via media and wondered if I had missed any previous memo's?

I am interested to know if the Authority Members would normally be given the courtesy when any court action is taking place. I note that an appeal has been lodged, who determines and approves this?

The Maunga is only a footpath outside of my Ward and feel completely inadequate to answer any queries given the lack of communication. Happy to receive any rational or insight but a meeting of sorts as suggested by others would be helpful.

Nga mihi nui

Tauanu'u Nick Bakulich

Mangere-Otahuhu Local Board

[REDACTED]

Email: [REDACTED]@aucklandcouncil.govt.nz

Visit our website: www.aucklandcouncil.govt.nz

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Noho ora mai

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Acting Kaiwhakahaere Te Waka Tai Ranga Whenua

[REDACTED]@aucklandcouncil.govt.nz

[REDACTED]



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Cc: [David Bhana](#); [Challen Wilson](#)
Bcc: [Phil Wilson](#)
Subject: RE: Otāhuhu judicial review proceedings update
Date: Wednesday, 26 June 2024 2:06:00 pm
Attachments: [image002.png](#)
[image003.jpg](#)

Tēnā koutou

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Dominic Wilson

**Te Tauihu Waka Tairanga Whenua /
Co-governance manager**

[REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)
www.maunga.nz

From: Toni Van Tonder (Devonport - Takapuna Local Board) [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>

Sent: Tuesday, June 25, 2024 8:48 AM

To: [Dominic Wilson](mailto:Dominic.Wilson@aucklandcouncil.govt.nz) [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>; [Paul Majurey](mailto:Paul.Majurey@aucklandcouncil.govt.nz) [REDACTED]; [REDACTED]; [Nerissa Henry \(Maungakiekie-Tamaki Local Board\)](mailto:Nerissa.Henry@aucklandcouncil.govt.nz) [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>; [Tania Tarawa](mailto:Tania.Tarawa@aucklandcouncil.govt.nz) [REDACTED]; [Councillor Christine Fletcher](mailto:Christine.Fletcher@aucklandcouncil.govt.nz) [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>; [REDACTED]; [Tauanu'u Bakulich \(Mangere-Otahuhu Local Board\)](mailto:Tauanu'u.Bakulich@aucklandcouncil.govt.nz) [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>; [Ngarimu Blair \(External\)](mailto:Ngarimu.Blair@aucklandcouncil.govt.nz) [REDACTED]; [Councillor Ken Turner](mailto:Ken.Turner@aucklandcouncil.govt.nz) [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>; [Councillor Kerrin Leoni](mailto:Kerrin.Leoni@aucklandcouncil.govt.nz) [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>; [Karen Wilson](mailto:Karen.Wilson@aucklandcouncil.govt.nz) [REDACTED]

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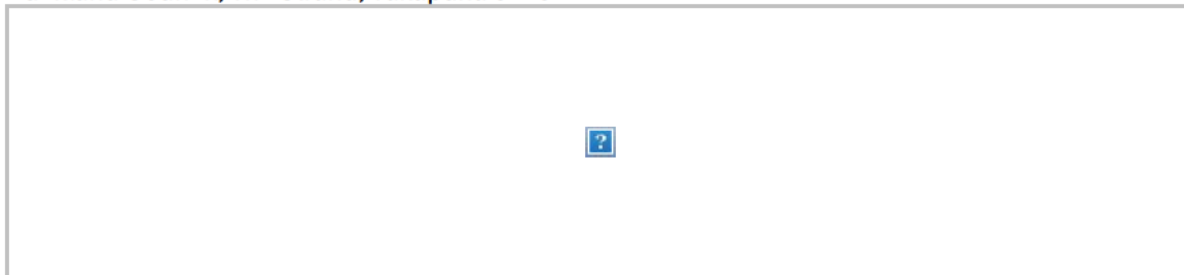
Toni

Toni van Tonder | Chairperson

Devonport-Takapuna Local Board

Deputy Chair | Tūpuna Maunga Authority

Auckland Council, The Strand, Takapuna 0620



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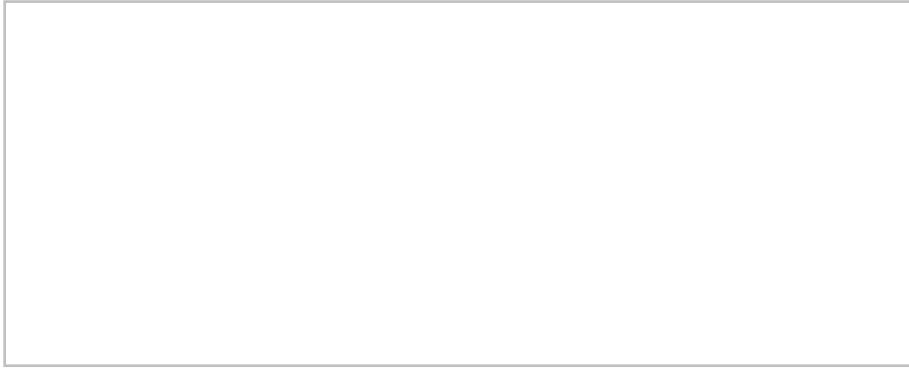
Noho ora mai

Dominic

Dominic Wilson

Acting Kaiwhakahaere Te Waka Tai Ranga Whenua

[redacted] [@aucklandcouncil.govt.nz](mailto:[redacted]@aucklandcouncil.govt.nz)



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Cc: [David Bhana](#); [Challen Wilson](#)
Subject: RE: Ōtāhuhu judicial review proceedings update
Date: Wednesday, 26 June 2024 2:43:14 pm
Attachments: [~WRD0408.jpg](#)
[image001.png](#)
[image002.jpg](#)

Kia ora Dominic,

Thanks for the email and note the contents specifically the need as we move forward for an earlier briefing. I agree there needs to be due cognisance of the resourcing constraints currently being experienced by the TMA and other parts of Council. Please ensure we are kept updated on this matter.

Ngaa mihi

Karen

From: Dominic Wilson [REDACTED]@aucklandcouncil.govt.nz>
Sent: Wednesday, June 26, 2024 2:06 PM
To: Toni Van Tonder (Devonport - Takapuna Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Paul Majurey [REDACTED]; [REDACTED]; Nerissa Henry (Maungakiekie-Tamaki Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Tania Tarawa [REDACTED]; Councillor Christine Fletcher [REDACTED]@aucklandcouncil.govt.nz>; [REDACTED]; Tauanu'u Bakulich (Mangere-Otahuhu Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Ngarimu Blair (External) [REDACTED]; Councillor Ken Turner [REDACTED]@aucklandcouncil.govt.nz>; Councillor Kerrin Leoni [REDACTED]@aucklandcouncil.govt.nz>; Karen Wilson [REDACTED]
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Dominic Wilson



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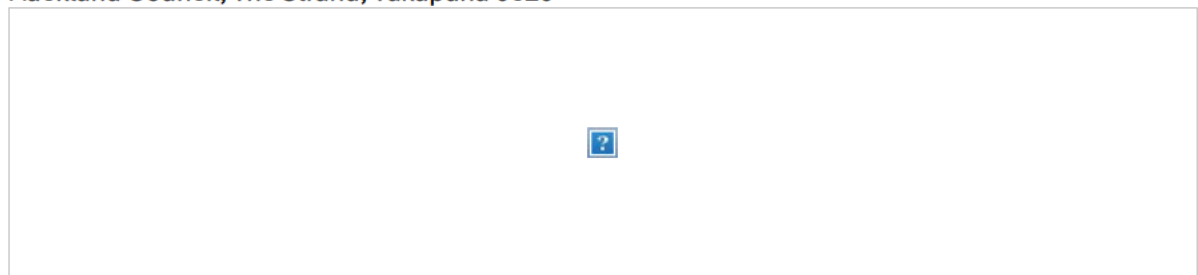
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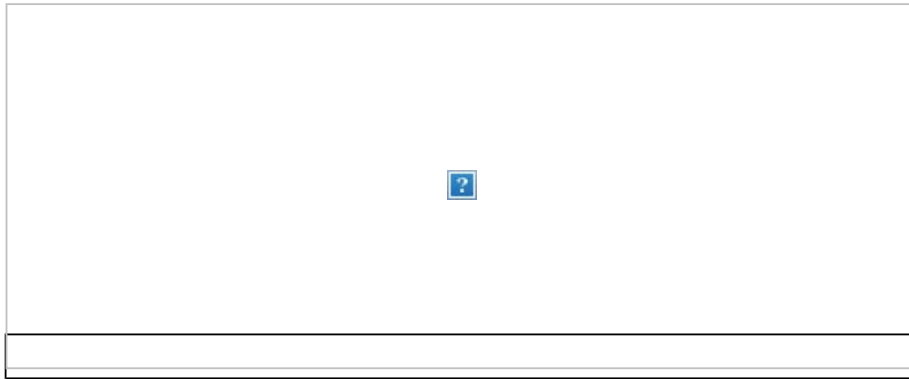
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Subject: RE: Ōtāhuhu judicial review proceedings update
Date: Wednesday, 26 June 2024 5:27:21 pm
Attachments: [image001.png](#)
[image002.jpg](#)

Tena Koutou members and Tupuna Maunga Authority staff. Tena koe, Chair Paul,
My starting point in commenting on this matter is to say that it's been my privilege (and responsibility) to ensure the Council organisation backs the mandate, decision-making and objectives of the Authority on essentially all occasions where it has been challenged. That will continue – noting however that on this occasion, I am quite concerned that multiple Authority members have raised concerns directly with me related to the Otahuhu proceedings.

These concerns seem to fall into three areas:

- 1/ Members were not briefed on appeal matters
- 2/ Some members at least feel the decision to take legal action should have come to the Authority rather than be made by officers, and
- 3/ That the costs of action may fall to Auckland Council by virtue of our obligation to support costs for the authority (either directly because of the specific arrangement regarding legal costs or because Council has a statutory obligation to meet normal operational funding)
- 4/ Council itself hasn't been consulted before decisions were taken to appeal (or seek leave to appeal directly to the Supreme Court.

Its not for me to comment on the merits or otherwise of the litigation. Yes, it is true that a decision was made separately that Council itself would not continue in this process and would abide by earlier Court decisions. I respect however that the Authority needs to make its own decisions and undoubtedly does have legitimate grounds to appeal. It also has broader matters to consider including defending the underlying purpose of the authority, its plans and even the integrity of post settlement arrangements. Now however, we are in a situation of legal costs potentially being substantial, and there being no formal Authority resolution to rely on. I appreciate it can be argued to be an operational matter and for staff to decide to continue legal action or not under delegation. But staff ordinarily have the ability to kick decisions back up to the governance layer where it is contentious or where there is a clear will that this happen from at least some Authority Members. It is my view that for this not to happen is actually an unfair and unsafe position to leave Dominic and the team in.

My request therefore is that the matter be resolved at an Authority hui before further public funds are expended and I have asked Dominic, ultimately as a Council officer, to ensure that happens.

I apologise for any intrusion into the Authority's space and to the Chair in particular, but my desire is to see this sorted amicably and I have a clear responsibility for prudent use of funds.

Nga mihi,

Phil

Phil Wilson

Tumu Whakarae | Chief Executive

Executive Assistant:

[REDACTED]

Email: [REDACTED]@aucklandcouncil.govt.nz

[REDACTED]

From: Dominic Wilson [REDACTED]@aucklandcouncil.govt.nz>

Sent: Wednesday, June 26, 2024 2:06 PM

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Noho ora mai

Dominic



Dominic Wilson

Te Tauihu Waka Tairanga Whenua /

Co-governance manager

[redacted]@aucklandcouncil.govt.nz

www.maunga.nz

From: Toni Van Tonder (Devonport - Takapuna Local Board) [redacted]@aucklandcouncil.govt.nz>

Sent: Tuesday, June 25, 2024 8:48 AM

To: Dominic Wilson [redacted]@aucklandcouncil.govt.nz>; Paul Majurey

[redacted]; [redacted]; Nerissa Henry (Maungakiekie-Tamaki Local Board) [redacted]@aucklandcouncil.govt.nz>; Tania Tarawa [redacted]; Councillor

Christine Fletcher [redacted]@aucklandcouncil.govt.nz>; [redacted]; Tauanu'u

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(External) [redacted]; Councillor Ken Turner

[redacted]@aucklandcouncil.govt.nz>; Councillor Kerrin Leoni [redacted]@aucklandcouncil.govt.nz>;

Karen Wilson [redacted]

Cc: David Bhana [redacted]@aucklandcouncil.govt.nz>; Challen Wilson

[redacted]@aucklandcouncil.govt.nz>

Subject: RE: Ōtāhuhu judicial review proceedings update

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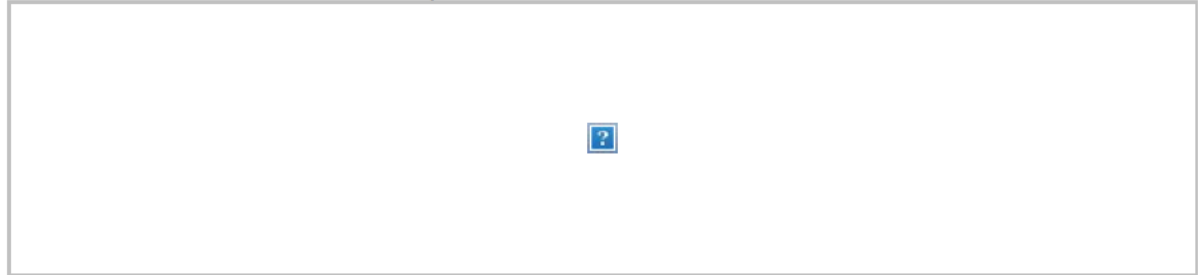
Toni

Toni van Tonder | Chairperson

Devonport-Takapuna Local Board

Deputy Chair | Tūpuna Maunga Authority

██████████
Auckland Council, The Strand, Takapuna 0620



Visit our website: aucklandcouncil.govt.nz

From: Dominic Wilson ██████████ [@aucklandcouncil.govt.nz](mailto:██████████@aucklandcouncil.govt.nz)>

Sent: Monday, June 24, 2024 5:03 PM

To: Paul Majurey ██████████; Toni Van Tonder (Devonport - Takapuna Local Board)

██████████ [@aucklandcouncil.govt.nz](mailto:██████████@aucklandcouncil.govt.nz)>; ██████████; Nerissa Henry (Maungakiekie-Tamaki Local Board) ██████████ [@aucklandcouncil.govt.nz](mailto:██████████@aucklandcouncil.govt.nz)>; Tania Tarawa ██████████;

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Tauanu'u Bakulich (Mangere-Otahuhu Local Board) ██████████ [@aucklandcouncil.govt.nz](mailto:██████████@aucklandcouncil.govt.nz)>; Ngarimu

Blair (External) ██████████; Councillor Ken Turner

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Karen Wilson ██████████

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Subject: Ōtāhuhu judicial review proceedings update

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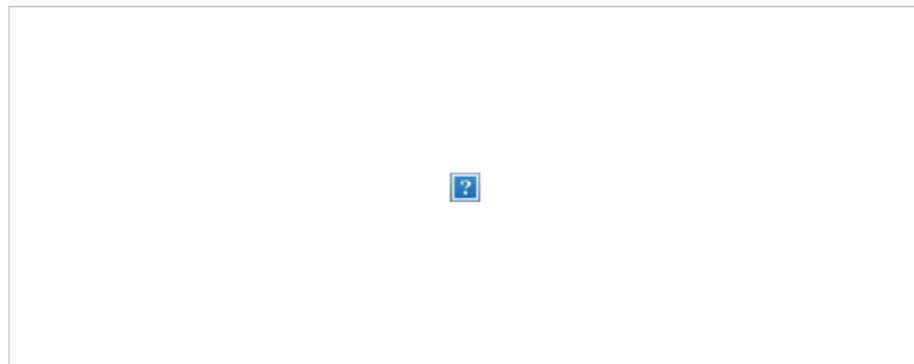
Dominic

Dominic Wilson

Acting Kaiwhakahaere Te Waka Tai Ranga Whenua

██████████ [@aucklandcouncil.govt.nz](mailto:██████████@aucklandcouncil.govt.nz)

██████████



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From: [Councillor Ken Turner](#)
To: [Phil Wilson](#); [Dominic Wilson](#); [Toni Van Tonder \(Devonport - Takapuna Local Board\)](#); [Paul Majurey](#); [REDACTED];
[Nerissa Henry \(Maungakiekie-Tamaki Local Board\)](#); [Tania Tarawa](#); [Councillor Christine Fletcher](#);
[REDACTED]; [Tauanu'u Bakulich \(Mangere-Otahuhu Local Board\)](#); [Ngarimu Blair \(External\)](#); [Councillor Kerrin Leoni](#); [Karen Wilson](#)
Subject: Re: Ōtāhuhu judicial review proceedings update
Date: Saturday, 29 June 2024 1:26:04 pm
Attachments: [image001.png](#)
[image002.jpg](#)

Dear Phil

Thanks for copying me into this communication.

I am not happy with this situation. Moreover, I do not support public money (that's what TPMA funds are) being spent to fight for an outcome that can be achieved by following the court's recommendations.

Regard

Ken Turner

From: Phil Wilson [REDACTED]@aucklandcouncil.govt.nz>
Sent: Wednesday, 26 June 2024 5:27 pm
To: Dominic Wilson [REDACTED]@aucklandcouncil.govt.nz>; Toni Van Tonder (Devonport - Takapuna Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Paul Majurey [REDACTED]; [REDACTED]; Nerissa Henry (Maungakiekie-Tamaki Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Tania Tarawa [REDACTED]; Councillor Christine Fletcher [REDACTED]@aucklandcouncil.govt.nz>; [REDACTED]; Tauanu'u Bakulich (Mangere-Otahuhu Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Ngarimu Blair (External) [REDACTED]; Councillor Ken Turner [REDACTED]@aucklandcouncil.govt.nz>; Councillor Kerrin Leoni [REDACTED]@aucklandcouncil.govt.nz>; Karen Wilson [REDACTED]

Subject: RE: Ōtāhuhu judicial review proceedings update

Tena Koutou members and Tupuna Maunga Authority staff. Tena koe, Chair Paul,

My starting point in commenting on this matter is to say that it's been my privilege (and responsibility) to ensure the Council organisation backs the mandate, decision-making and objectives of the Authority on essentially all occasions where it has been challenged. That will continue – noting however that on this occasion, I am quite concerned that multiple Authority members have raised concerns directly with me related to the Otahuhu proceedings.

These concerns seem to fall into three areas:

- 1/ Members were not briefed on appeal matters
- 2/ Some members at least feel the decision to take legal action should have come to the Authority rather than be made by officers, and
- 3/ That the costs of action may fall to Auckland Council by virtue of our obligation to support costs for the authority (either directly because of the specific arrangement regarding legal costs or because Council has a statutory obligation to meet normal operational funding)
- 4/ Council itself hasn't been consulted before decisions were taken to appeal (or seek leave to appeal directly to the Supreme Court).

Its not for me to comment on the merits or otherwise of the litigation. Yes, it is true that a decision was made separately that Council itself would not continue in this process and would abide by earlier Court decisions. I respect however that the Authority needs to make its own decisions and undoubtedly does have legitimate grounds to appeal. It also has broader matters to consider including defending the underlying purpose of the authority, its plans and even the integrity of post settlement arrangements. Now however, we are in a situation of legal costs potentially being substantial, and there being no formal Authority resolution to rely on. I appreciate it can be argued to be an operational matter and for staff to

decide to continue legal action or not under delegation. But staff ordinarily have the ability to kick decisions back up to the governance layer where it is contentious or where there is a clear will that this happen from at least some Authority Members. It is my view that for this not to happen is actually an unfair and unsafe position to leave Dominic and the team in.

My request therefore is that the matter be resolved at an Authority hui before further public funds are expended and I have asked Dominic, ultimately as a Council officer, to ensure that happens.

I apologise for any intrusion into the Authority's space and to the Chair in particular, but my desire is to see this sorted amicably and I have a clear responsibility for prudent use of funds.

Nga mihi,

Phil

Phil Wilson

Tumu Whakarae | Chief Executive

Executive Assistant:

[REDACTED]

Email: [REDACTED]@aucklandcouncil.govt.nz

[REDACTED]

From: Dominic Wilson [REDACTED]@aucklandcouncil.govt.nz>

Sent: Wednesday, June 26, 2024 2:06 PM

To: Toni Van Tonder (Devonport - Takapuna Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Paul Majurey [REDACTED]; [REDACTED]; Nerissa Henry (Maungakiekie-Tamaki Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Tania Tarawa [REDACTED]; Councillor Christine Fletcher [REDACTED]@aucklandcouncil.govt.nz>; [REDACTED]; Tauanu'u Bakulich (Mangere-Otahuhu Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Ngarimu Blair (External) [REDACTED]; Councillor Ken Turner [REDACTED]@aucklandcouncil.govt.nz>; Councillor Kerrin Leoni [REDACTED]@aucklandcouncil.govt.nz>; Karen Wilson [REDACTED]

Cc: David Bhana [REDACTED]@aucklandcouncil.govt.nz>; Challen Wilson

[REDACTED]@aucklandcouncil.govt.nz>

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Noho ora mai

Dominic

Dominic Wilson



**Te Tauihu Waka Tairanga Whenua /
Co-governance manager**

[REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)
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From: Toni Van Tonder (Devonport - Takapuna Local Board) [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>

Sent: Tuesday, June 25, 2024 8:48 AM

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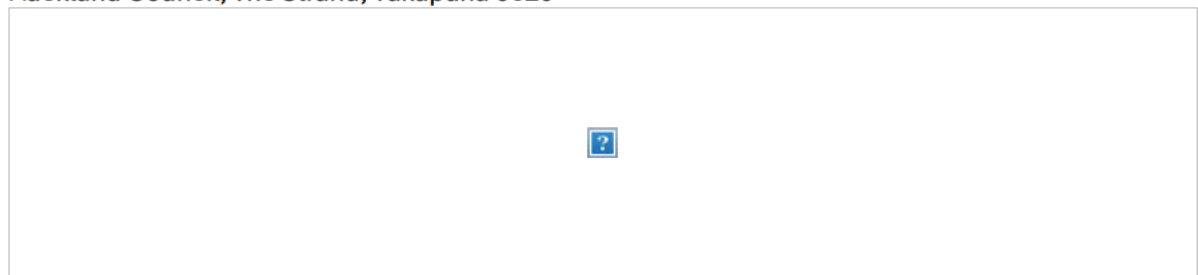
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Devonport-Takapuna Local Board

Deputy Chair | Tūpuna Maunga Authority

[REDACTED]

Auckland Council, The Strand, Takapuna 0620



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Sent: Monday, June 24, 2024 5:03 PM

To: Paul Majurey [REDACTED]; Toni Van Tonder (Devonport - Takapuna Local Board)

[REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>; [REDACTED]; Nerissa Henry (Maungakiekie-Tamaki Local Board) [REDACTED] [@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)>; Tania Tarawa [REDACTED];

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Blair (External) [REDACTED]; Councillor Ken Turner

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Cc: David Bhana [REDACTED]@aucklandcouncil.govt.nz>; Challen Wilson
[REDACTED]@aucklandcouncil.govt.nz>

Subject: Ōtāhuhu judicial review proceedings update

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Noho ora mai

Dominic

Dominic Wilson

Acting Kaiwhakahaere Te Waka Tai Ranga Whenua

[REDACTED]@aucklandcouncil.govt.nz



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To: [Dominic Wilson](#); [Toni Van Tonder \(Devonport - Takapuna Local Board\)](#); [Paul Majurey](#); [REDACTED]; [Henry \(Maungakiekie-Tamaki Local Board\)](#); [Tania Tarawa](#); [Councillor Christine Fletcher](#); [Tauanu'u Bakulich \(Mangere-Otahuhu Local Board\)](#); [Ngarimu Blair \(External\)](#); [Councillor Kerrin Leoni](#); [Karen Wilson](#)
Cc: [David Bhana](#); [Challen Wilson](#)
Subject: Re: Ōtāhuhu judicial review proceedings update
Date: Monday, 8 July 2024 2:25:20 pm
Attachments: [image002.png](#)
[image003.jpg](#)

Dear Dominic

I'm just wondering when I can expect Hui 93 to be scheduled.

Time is sliding by, and with all due respect, as an appointed member of the TMA, I want to get to grips with everyone's perspective on this issue.

Moreover, I want to understand all the implications, if any, on the public purse. I do not in principle support public money paying for these legal fees. That said, I am open to any information that might change my position. But, seeing as no one has told me anything, I'm looking forward to a meeting of any sort, as soon as possible.

Sincerely
Ken Turner

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Sent: Wednesday, 26 June 2024 2:06 pm
To: Toni Van Tonder (Devonport - Takapuna Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Paul Majurey [REDACTED]>; [REDACTED]>; Nerissa Henry (Maungakiekie-Tamaki Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Tania Tarawa [REDACTED]; Councillor Christine Fletcher [REDACTED]@aucklandcouncil.govt.nz>; [REDACTED]; Tauanu'u Bakulich (Mangere-Otahuhu Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Ngarimu Blair (External) [REDACTED]; Councillor Ken Turner [REDACTED]@aucklandcouncil.govt.nz>; Councillor Kerrin Leoni [REDACTED]@aucklandcouncil.govt.nz>; Karen Wilson [REDACTED]>
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Dominic Wilson

Te Tauihu Waka Tairanga Whenua /

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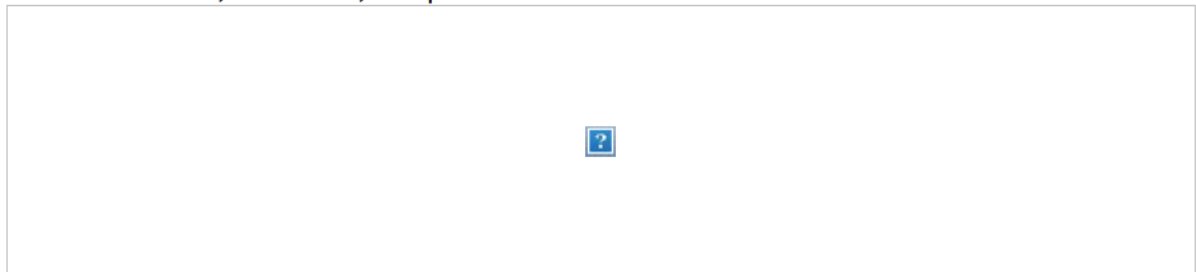
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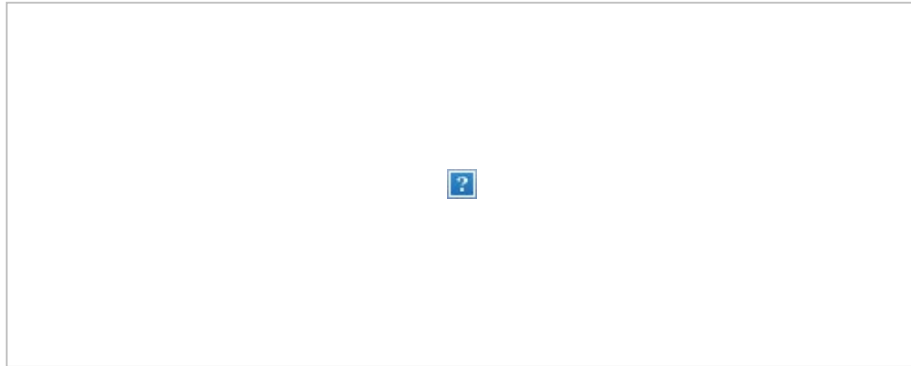
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Dominic Wilson

Acting Kaiwhakahaere Te Waka Tai Ranga Whenua

[REDACTED]@aucklandcouncil.govt.nz



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[REDACTED]; [Tauanu'u Bakulich \(Mangere-Otahuhu Local Board\)](#); [Ngarimu Blair \(External\)](#); [Councillor Kerrin Leoni](#); [Karen Wilson](#)
Cc: [David Bhana](#); [Challen Wilson](#)
Subject: RE: Ōtāhuhu judicial review proceedings update
Date: Monday, 8 July 2024 5:32:00 pm
Attachments: [image001.png](#)
[image002.jpg](#)

Kia ora Ken

Hui 93 is scheduled for Monday 29 July 2024.

Nga mihi

Dominic Wilson

From: Councillor Ken Turner [REDACTED]@aucklandcouncil.govt.nz>
Sent: Monday, July 8, 2024 2:25 PM
To: Dominic Wilson [REDACTED]@aucklandcouncil.govt.nz>; Toni Van Tonder (Devonport - Takapuna Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Paul Majurey [REDACTED]; [REDACTED]; Nerissa Henry (Maungakiekie-Tamaki Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Tania Tarawa [REDACTED]; Councillor Christine Fletcher [REDACTED]@aucklandcouncil.govt.nz>; [REDACTED]; Tauanu'u Bakulich (Mangere-Otahuhu Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Ngarimu Blair (External) [REDACTED]; Councillor Kerrin Leoni [REDACTED]@aucklandcouncil.govt.nz>; Karen Wilson [REDACTED]
Cc: David Bhana [REDACTED]@aucklandcouncil.govt.nz>; Challen Wilson [REDACTED]@aucklandcouncil.govt.nz>
Subject: Re: Ōtāhuhu judicial review proceedings update

Dear Dominic

I'm just wondering when I can expect Hui 93 to be scheduled.

Time is sliding by, and with all due respect, as an appointed member of the TMA, I want to get to grips with everyone's perspective on this issue.

Moreover, I want to understand all the implications, if any, on the public purse. I do not in principle support public money paying for these legal fees. That said, I am open to any information that might change my position. But, seeing as no one has told me anything, I'm looking forward to a meeting of any sort, as soon as possible.

Sincerely

Ken Turner

From: Dominic Wilson [REDACTED]@aucklandcouncil.govt.nz>
Sent: Wednesday, 26 June 2024 2:06 pm
To: Toni Van Tonder (Devonport - Takapuna Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Paul Majurey [REDACTED]>; [REDACTED] <[REDACTED]>; Nerissa Henry (Maungakiekie-Tamaki Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Tania Tarawa [REDACTED]; Councillor Christine Fletcher [REDACTED]@aucklandcouncil.govt.nz>; [REDACTED]; Tauanu'u Bakulich (Mangere-Otahuhu Local Board) [REDACTED]@aucklandcouncil.govt.nz>; Ngarimu Blair (External) [REDACTED]; Councillor Ken Turner [REDACTED]@aucklandcouncil.govt.nz>; Councillor Kerrin Leoni [REDACTED]@aucklandcouncil.govt.nz>; Karen Wilson [REDACTED]@xtra.co.nz>
Cc: David Bhana [REDACTED]@aucklandcouncil.govt.nz>; Challen Wilson [REDACTED]@aucklandcouncil.govt.nz>
Subject: RE: Ōtāhuhu judicial review proceedings update

Tēnā koutou

Thank you for the various notes from members.

The legal proceedings will be an agenda item at Hui 93.

A few notes in the meantime:

- As is the case with Council, management oversees any litigation.
- Given the short appeal periods, papers were filed to preserve the legal position.
- The current position is procedural in nature with the opportunity for the TMA to review its ongoing involvement once the procedural decisions of the Courts are made.
- While the TMA won most of the legal points in the High Court, as per the privileged Buddle Findlay memo, the one area where the Court found against us is very troubling to management in being able to undertake our work. This will also have repercussions for the work of Auckland Council. It is therefore very important to our work to have the correct legal position clarified.
- If the decision had gone in favour of the TMA, Ms Waru would have appealed and we would be in the same position, ie ongoing litigation.
- Finally, it is a fair observation that we should have provided an earlier briefing. It is not an excuse, a note that we still do not have a replacement for Nick and we have four staff down. Therefore, management are doing their best to undertake the actual work of protecting the Maunga as well as our administrative activities.

Noho ora mai
Dominic



Dominic Wilson

**Te Tauihu Waka Tairanga Whenua /
Co-governance manager**

[\[REDACTED\]@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)
www.maunga.nz

From: Toni Van Tonder (Devonport - Takapuna Local Board) [\[REDACTED\]@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)

Sent: Tuesday, June 25, 2024 8:48 AM

To: Dominic Wilson [\[REDACTED\]@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz); Paul Majurey

[\[REDACTED\]@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz); [\[REDACTED\]@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz); Nerissa Henry (Maungakiekie-Tamaki Local Board) [\[REDACTED\]@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz); Tania Tarawa [\[REDACTED\]@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz); Councillor Christine Fletcher [\[REDACTED\]@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz); [\[REDACTED\]@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz); Tauanu'u Bakulich (Mangere-Otahuhu Local Board) [\[REDACTED\]@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz); Ngarimu Blair (External) [\[REDACTED\]@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz); Councillor Ken Turner

[\[REDACTED\]@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz); Councillor Kerrin Leoni [\[REDACTED\]@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz);

Karen Wilson [\[REDACTED\]@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)

Cc: David Bhana [\[REDACTED\]@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz); Challen Wilson

[\[REDACTED\]@aucklandcouncil.govt.nz](mailto:[REDACTED]@aucklandcouncil.govt.nz)

Subject: RE: Ōtāhuhu judicial review proceedings update

Kia ora Dominic,

Thank you for this memo.

It concerns me that the TMA filed an application for leave directly to the Supreme Court on 7 June and then to the Court of Appeal on the 21 June. Who has made that decision? Should that not be a decision of the Authority? This has all happened prior to members being informed of these proceedings and I think this reflects poorly on our governance processes.

Our next hui is at the end of July. It would be good to call a Teams meeting of members to discuss this case and its implications; and canvas members views as to whether they have an appetite to progress an appeal, when Auckland Council does not.

Nāku, nā | Yours faithfully

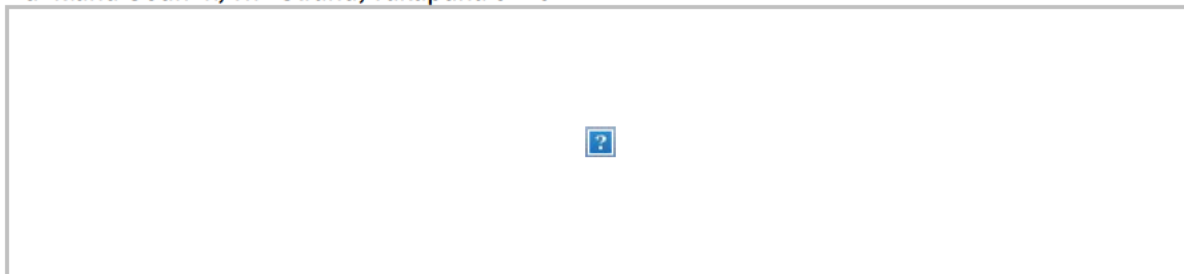
Toni

Toni van Tonder | Chairperson

Devonport-Takapuna Local Board

Deputy Chair | Tūpuna Maunga Authority

Auckland Council, The Strand, Takapuna 0620



Visit our website: aucklandcouncil.govt.nz

From: Dominic Wilson [redacted] <[\[redacted\]@aucklandcouncil.govt.nz](mailto:[redacted]@aucklandcouncil.govt.nz)>

Sent: Monday, June 24, 2024 5:03 PM

To: Paul Majurey [redacted] <[\[redacted\]@aucklandcouncil.govt.nz](mailto:[redacted]@aucklandcouncil.govt.nz)>; Toni Van Tonder (Devonport - Takapuna Local Board) [redacted] <[\[redacted\]@aucklandcouncil.govt.nz](mailto:[redacted]@aucklandcouncil.govt.nz)>; Nerissa Henry (Maungakiekie-Tamaki Local Board) [redacted] <[\[redacted\]@aucklandcouncil.govt.nz](mailto:[redacted]@aucklandcouncil.govt.nz)>; Tania Tarawa [redacted] <[\[redacted\]@aucklandcouncil.govt.nz](mailto:[redacted]@aucklandcouncil.govt.nz)>; Councillor Christine Fletcher [redacted] <[\[redacted\]@aucklandcouncil.govt.nz](mailto:[redacted]@aucklandcouncil.govt.nz)>; Tauanu'u Bakulich (Mangere-Otahuhu Local Board) [redacted] <[\[redacted\]@aucklandcouncil.govt.nz](mailto:[redacted]@aucklandcouncil.govt.nz)>; Ngarimu Blair (External) [redacted] <[\[redacted\]@aucklandcouncil.govt.nz](mailto:[redacted]@aucklandcouncil.govt.nz)>; Councillor Ken Turner [redacted] <[\[redacted\]@aucklandcouncil.govt.nz](mailto:[redacted]@aucklandcouncil.govt.nz)>; Councillor Kerrin Leoni [redacted] <[\[redacted\]@aucklandcouncil.govt.nz](mailto:[redacted]@aucklandcouncil.govt.nz)>; Karen Wilson [redacted] <[\[redacted\]@aucklandcouncil.govt.nz](mailto:[redacted]@aucklandcouncil.govt.nz)>

Cc: David Bhana [redacted] <[\[redacted\]@aucklandcouncil.govt.nz](mailto:[redacted]@aucklandcouncil.govt.nz)>; Challen Wilson [redacted] <[\[redacted\]@aucklandcouncil.govt.nz](mailto:[redacted]@aucklandcouncil.govt.nz)>

Subject: Ōtāhuhu judicial review proceedings update

Tēnā koutou

Confidential and Subject to Legal Privilege

I attach a note from our legal team on the recent decision in *Waru v Tūpuna Maunga Authority* (copy of decision also attached).

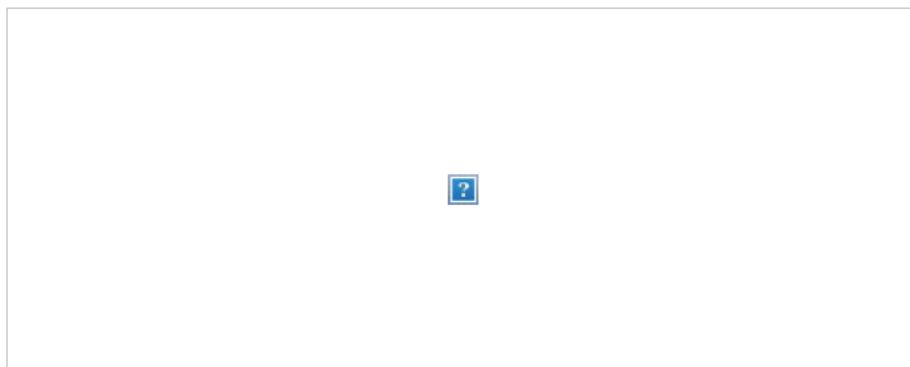
Noho ora mai

Dominic

Dominic Wilson

Acting Kaiwhakahaere Te Waka Tai Ranga Whenua

[redacted] <[\[redacted\]@aucklandcouncil.govt.nz](mailto:[redacted]@aucklandcouncil.govt.nz)>



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