



Date: Monday, 28 March 2022
Time: 1.09pm
Venue: Online via Zoom

TŪPUNA MAUNGA O TĀMAKI MAKĀURAU AUTHORITY

HUI 73 – 28 March 2022

Open Minutes

Chairperson	Paul Majurey	Ngā Mana Whenua o Tāmaki Makaurau (Marutūāhu Rōpū)
Deputy Chairperson	Cr Alf Filipaina	Auckland Council (Governing Body)
Members	Cr Josephine Bartley	Auckland Council (Governing Body)
	Cr Dr Cathy Casey	Auckland Council (Governing Body)
	Toni Van Tonder	Auckland Council (Devonport-Takapuna Local Board)
	Chris Makoare	Auckland Council (Maungakiekie-Tāmaki Local Board)
	Hauāuru Rawiri	Ngā Mana Whenua o Tāmaki Makaurau (Marutūāhu Rōpū)
	Bernadette Papa	Ngā Mana Whenua o Tāmaki Makaurau (Ngāti Whātua Rōpū)
	Clay Hawke	Ngā Mana Whenua o Tāmaki Makaurau (Ngāti Whātua Rōpū)
	Dennis Kirkwood	Ngā Mana Whenua o Tāmaki Makaurau (Waiohua-Tāmaki Rōpū)
	Zaelene Maxwell-Butler	Ngā Mana Whenua o Tāmaki Makaurau (Waiohua-Tāmaki Rōpū)

APOLOGIES

Lemauga Lydia Sosene Auckland Council (Chair – Māngere-Ōtāhuhu Local Board)

Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014

109 Functions and powers

- (1) The Maunga Authority has the powers and functions conferred on it by or under this Act or any other enactment.
- (2) In exercising its powers and carrying out its functions in relation to the maunga, the Maunga Authority must have regard to—
 - (a) the spiritual, ancestral, cultural, customary, and historical significance of the maunga to Ngā Mana Whenua o Tāmaki Makaurau; and
 - (b) section 41(2).
- (3) In exercising its powers and carrying out its functions in relation to the administered lands, the Maunga Authority must have regard to the spiritual, ancestral, cultural, customary, and historical significance of the administered lands to Ngā Mana Whenua o Tāmaki Makaurau.

[Emphasis added]

41 Maunga must remain as reserves vested in trustee

- (1) This section applies to each maunga once the maunga is—
 - (a) vested in the trustee under subpart 1, 2, or 3 of this Part;
and
 - (b) Declared a reserve under any of sections 18 to 29, 33, and 39.
- (2) The maunga is held by the trustee for the common benefit of Ngā Mana Whenua o Tāmaki Makaurau and the other people of Auckland.

...

[Emphasis added]



Key

- Tūpuna Maunga
- Local board boundaries and geographic areas

Tūpuna Maunga Reserve Status*

The following Tūpuna Maunga, with the relevant reserve status, are classified as reserves subject to the Reserves Act 1977

Maunga	Reserve Status
Matukutūruru	Historic reserve
Maungakiekie / One Tree Hill	Recreation reserve
Maungarei / Mt Wellington	Recreation reserve, Local Purpose reserve
Maungawhau / Mount Eden	Historic reserve, Recreation reserve
Maungauika / North Head	Historic reserve
Ōwairaka / Te Ahi-kā-a-Rakataura / Mount Albert	Recreation reserve
Pukewīwī / Puketāpapa / Mount Roskill	Recreation reserve
Te Kōpuke / Tītīkōpuke / Mount St John	Recreation reserve
Ōhinerau / Mount Hobson	Recreation reserve
Ōhūiarangi / Pigeon Mountain	Historic reserve, Recreation reserve, Local Purpose reserve
Ōtāhuhu / Mount Richmond	Recreation reserve
Takarunga / Mount Victoria	Recreation reserve, Local Purpose reserve
Te Tātua-a-Riukiuta / Big King	Recreation reserve
Te Ara Pueru / Te Pane-o-Mataaho / Mangere Mountain	Historic reserve, Recreation reserve, Local Purpose reserve
Rarotonga / Mount Smart	Recreation reserve

* See sections 18-29, 33 (repealed), 39, 41, 47, 53, 54, and Schedules 1 & 2, 6 of Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014

Member Dennis Kirkwood opened the hui.

1 Apologies

MOVED by Member CC Casey, seconded by Member D Kirkwood:

That the Tūpuna Maunga Authority:

- a) **accept** the apology from Lemauga Lydia Sosene for absence.

CARRIED

2 Declaration of Interest

MOVED by Member CC Casey, seconded by Member D Kirkwood:

That the Tūpuna Maunga Authority:

- a) **note** there were no declarations of interest.

CARRIED

3 Procedural motion to exclude the public

MOVED by Member CC Casey, seconded by Member D Kirkwood:

That the **Tūpuna Maunga Authority**:

- a) **exclude** the public from the following part(s) of the proceedings of this meeting.
- b) **agree** that Paul Beverly be permitted to remain for Confidential Item C1 Ōwairaka litigation after the public has been excluded, because of their knowledge of the Ōwairaka litigation which will help the **Tūpuna Maunga Authority** in its decision-making.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

C1 Ōwairaka litigation

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege. In particular, the report contains legally privileged information.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

CARRIED

1.10pm The public was excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

2.12pm The public was re-admitted.

Member Dennis Kirkwood closed Hui 73.

2.12 pm The Chairperson thanked members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD AT A
MEETING OF THE TŪPUNA MAUNGA O TĀMAKI
MAKAURAU AUTHORITY HELD ON

DATE:.....

CHAIRPERSON:.....