

18 JUN 2019

Thank you for your email of 9 April 2019 in which you made the following request:

"Under the Official Information Act, I'd like to request any information you have any legal action taken against any/all councils around the country over the last five years. That includes, but is not limited to any briefing papers, notes, correspondence and advice."

On 23 April 2019, further to correspondence with Alex Travis, Principal Advisor, you agreed to narrow the scope of your request to "a summary of key actions." I understand you still want the scope to be relatively broad and to include cases where Housing New Zealand joined action taken by third parties.

Due to the extent of the information requested, I am providing you with a list of key cases involving councils where Housing New Zealand was a party to the proceedings, respondent or appellant.

Generally, these cases relate to our objectives to increase the supply of state and affordable housing, particularly in Auckland and date from 2016 onwards. This includes cases involving action both for and against a council decision or proposal.

I have provided you with the case number and case name, and indicate the nature of Housing New Zealand's involvement, including the relevant legislation. All of these cases are publicly available and can be searched on-line using the details given.

Please note that there are other cases and disputes that are not on the list. These relate to building weather-tight issues and tend to involve multiple parties. For example, if we have purchased a building or had one built, and if it later develops weather-tight issues, we may pursue the architect, the developer and the council to get the issues remedied. Also, where we own units in a multi-unit building that has weather-tight issues, we may join the body corporate and other unit owners to pursue those that we think are liable.

I trust this information will be helpful. You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely



Rachel Kelly
Manager Government Relations

Legal cases involving Housing New Zealand and Councils

HIGH COURT		
Case number	Case name	HNZ involvement
CIV-2016-404-002261	Independent Māori Statutory Board v Auckland Council	
CIV-2016-404-002299	Federated Farmers of NZ Incorporated v Auckland Council	
CIV-2016-404-002302	South Epsom Planning Group Incorporated v Auckland Council	
CIV-2016-404-002305	Valarie Close Residents Group v Auckland Council	
CIV-2016-404-002306	Weiti Development v Auckland Council	
CIV-2016-404-002309	Samson Corporation Limited and Sterling Nominees Limited v Auckland Council	
CIV-2016-404-002310	Samson Corporation Limited and Sterling Nominees Limited v Auckland Council	
CIV-2016-404-002311	Samson Corporation Limited and Sterling Nominees Limited v Auckland Council	
CIV-2016-404-002313	Arena Living Limited v Auckland Council	
CIV-2016-404-002316	Wallace Group Limited v Auckland Council	
CIV-2016-404-002320	JPR Enterprises v Auckland Council	
CIV-2016-404-002321	Howick Ratepayers and Residents Association Incorporated and W Moffatt v Auckland Council	
CIV-2016-404-002322	Hollander v Auckland Council	
CIV-2016-404-002323	Auckland University of Technology v Auckland Council	

Section 301 Resource Management Act (Party)

CIV-2016-404-002324	North Eastern Investments and Heritage Land Limited (NEIL) v Auckland Council	
CIV-2016-404-002325	North Eastern Investments and Heritage Land Limited (NEIL) v Auckland Council	Second respondent
CIV-2016-404-002326	Character Coalition Incorporated and Auckland 2040 Incorporated v Auckland Council	Section 301 (Party)
CIV-2016-404-002327	Character Coalition Incorporated and Auckland 2040 Incorporated v Auckland Council	Intervenor
CIV-2016-404-002328	The Retirement Villages Association v Auckland Council	
CIV-2016-404-002330	Transpower New Zealand Limited v Auckland Council	
CIV-2016-404-002333	Franco Belgiorno-Nettis v Auckland Council	Section 301 (Party)
CIV-2016-404-002335	Franco Belgiorno-Nettis v Auckland Council	Intervenor
CIV-2016-404-002341	Villages of New Zealand (Pakuranga) Limited v Auckland Council	
CIV-2016-404-002343	Royal Forest and Bird Protection Society New Zealand Incorporated v Auckland Council	
CIV-2016-404-002344	Summerset Group Holdings Limited v Auckland Council	Section 301 (Party)
CIV-2016-404-002347	Waste Management NZ Limited v Auckland Council	
CIV-2016-404-002348	Waste Management NZ Limited v Auckland Council	Intervenor
CIV-2016-404-002360	Woolmore and Morris v Auckland Council	Section 301 (Party)
CIV-2017-404-002037	Housing New Zealand Corporation v Auckland Council	Appellant
CIV-2017-404-002075	Auckland Council v Housing New Zealand Corporation	Respondent

ENVIRONMENT COURT

Case number	Case name	HNZ involvement
ENV-2016-AKL-000187	England and Spring Street Residents v Auckland Council	
ENV-2016-AKL-000191	Kiwi Property Group Kiwi Property Holdings Limited v Auckland Council	
ENV-2016-AKL-000195	The Puhoi Community Forum Incorporated v Auckland Council	
ENV-2016-AKL-000197	Robert Adams v Auckland Council	
ENV-2016-AKL-000205	Liddle v Auckland Council	
ENV-2016-AKL-000208	Marian Kohler v Auckland Council	
ENV-2016-AKL-000209	No. 12 Lomond Limited v Auckland Council	
ENV-2016-AKL-000214	Todd Property Group v Auckland Council	Section 274 Resource Management Act (Party)
ENV-2016-AKL-000218	Transpower New Zealand Limited v Auckland Council	
ENV-2016-AKL-000221	Howick Residents and Ratepayers Association Incorporated and Moffatt v Auckland Council	
ENV-2016-AKL-000224	South Epsom Planning Group Incorporated and Three Kings United Group Incorporated v Auckland Council	
ENV-2016-AKL-000229	Walden v Auckland Council	
ENV-2016-AKL-000230	Ryman Healthcare Limited and Retirement Villages Association of New Zealand Incorporated v Auckland Council	

ENV-2016-AKL-000235	Mahi Properties Limited v Auckland Council	Section 274 Resource Management Act (Party)
ENV-2016-AKL-000236	Housing New Zealand Corporation v Auckland Council	Appellant
ENV-2016-AKL-000237	Housing New Zealand Corporation v Auckland Council	
ENV-2016-AKL-000238	Housing New Zealand Corporation v Auckland Council	
ENV-2016-AKL-000240	Sargisson and Barnes v Auckland Council	Section 274 Resource Management Act (Party)
ENV-2016-AKL-000242	Dunlop Family Trust v Auckland Council	
ENV-2016-AKL-000243	K Vernon v Auckland Council	
ENV-2016-AKL-000245	Kuegler Family Trust and Dunbar-Paddy Trust v Auckland Council	
ENV-2016-AKL-000246	Woolmore and others v Auckland Council	Appellant
ENV-2016-AKL-000247	Kevin O'Grady v Auckland Council	
ENV-2016-AKL-000255	Murphy, Adams and others v Auckland Council	
ENV-2016-AKL-000273	Housing New Zealand Corporation v Auckland International Airport Limited	Section 274 Resource Management Act (Party)
ENV-2016-WLG-000058	Wellington International Airport Limited	
ENV-2017-AKL-000096	Straits Protection Society Incorporated v Auckland Council	
ENV-2017-AKL-000105	Auckland Council v London Pacific Family Trust	Section 274 Resource
ENV-2017-AKL-000110	Gavin and Carolyn Smart v Auckland Council	

ENV-2017-AKL-000264	Janet Dickson v Auckland Council	Management Act (Party)
ENV-2017-AKL-000268	Housing New Zealand Corporation v Auckland Council	Appellant
ENV-2017-AKL-000	Franco Belgiorno-Nettis v Auckland Council	Section 274 Resource Management Act (Party)
ENV-2018-AKL-000147	Housing New Zealand Corporation v Auckland Council	Appellant
ENV-2018-AKL-000276	Tupuna Maunga o Tamaki Makaurau Authority v Auckland Council	Section 274 Resource Management Act (Party)
ENV-2019-AKL-000039	Housing New Zealand Corporation v Auckland International Airport Limited	Appellant

