

**NGĀTI REHUA-NGĀTIWAI KI AOTEA TRUST BOARD**

**TRUSTEE'S HUI #9, 4pm Wednesday 29 May 2019 HUI A KANOHI**

**AGENDA**

**1. KARAKIA/MIHI**

Hui opened by Tavake. 4 pm

**2. Trustees In Attendance:**

Tavake Afeaki, Bruce Davies, Valmaine Toki and Aperahama Edwards (Late - joined by Zoom).

**3. Apologies:**

Hillary. Accepted, noted.

**4. Previous Meeting Minutes – Sat 4 May 2019 Draft Board Hui #7 Minutes & Hui #8 Draft Minutes from Mon 20 May 19 hui circulated for consideration**

**Motion:** Discussion about hui minutes as circulated in draft, those who attended, any issues arising, corrections? Everyone has read them? Confirmed. Tavake moves that minutes for meeting on the 4 May 2019 hui are a true and accurate record of the meeting.

**Seconded:** Bruce Davies

**Kua Mana. Unanimous.**

**Motion:** Discussion about hui minutes as circulated in draft, who attended, any issues arising, corrections or amendments? Everyone has read them? Confirmed. Tavake moves that minutes for meeting on the 20 May 2019 hui are a true and accurate record of the meeting.

**Seconded:** Bruce Davies.

**Kua Mana. Unanimous.**

**5. Matters Arising –**

**5.1. Discussion: Storage King Documents,**

**5.2 ElectionNZ beneficiary database & list, updates on original applications & information sought**

### **5.3 Kiwibank Accounts & Becoming Signatories**

Tavake had arranged meeting with Onehunga Kiwibank Manager Mr Kuhaluri on 28 May, attended by Bruce and Valmaine, who both became signatories to the NRNWTB's six (6) accounts, so we could organise and pay bills and reimburse payments.

Aperahama was coming to Auckland and Tavake arranged that he would go into Kiwibank the next morning on 30 May, meet the bank manager and be put on the accounts as a signatory.

Agreed we need to prioritise payments to be made.

**5.4 IRD & Returns, penalties paid, Charities Services returns,** board trustees recalled and grateful for this mahi done by Hillarey and Ngaire.

**5.5 Finances – Status, reimbursements to Nicola, Hillarey, Tavake, bills to pay, XERO subscription.** Trustees noted bank account statements and balances for the six accounts circulated by Tavake. Trustees were again thankful for the payments made from their own money by Hillarey and Nicola and the work done to keep the trust compliant with governmental requirements.

Noted that the trustees asked Hillarey to provide a reconciliation of the amounts she had paid from her own funds – to IRD in tax filing penalties, website annual fees, Xero subscription and any other costs – so that the trust board could reimburse her.

Noted again that the trustees wanted to reimburse Nicola MacDonald her \$435 which she had paid of her own funds for the Storage King arrears in March 2019. Tavake had also paid \$145 of his own funds for Storage King fees in April (before the Kiwibank signatures had been completed) and this could also be reimbursed in due course.

Trustees noted again that there is an existing Xero subscription of \$60 per month being deducted from the operational account for the NRNWTB and asked for Hillarey to confirm this and advise the board.

**5.6 Auckland City – all relationships, Manawhenua Forum, Capacity Grant, Aotea Community Board, Glenfern Order in Council, Cultural Values Assessment Panel, Law of Navigation? Auckland Maori Heritage Committee, Resource Management Consents response team for Aotea, Others?**

*Glenfern Order In Council*

**Resolution 1:** In respect of Auckland City's proposed Glenfern Order in Council, the trust board reject it and oppose it.

**Resolution 2:** the land be returned by the Crown in good faith to Ngāti Rehua-Ngāti Wai ki Aotea as cultural redress because it is a pā site, with wāhi tapu and such a very significant place should come back to tangata whenua.

**Moved** by Valmaine.

**Seconded** by Bruce.

**Kua mana. Unanimous**

#### *Cultural Values Assessment Panel*

City Council project – discussion about the review which reclassified a number of wāhi tapu – Council unilaterally went through and whakanoa that. This panel would sit above that process and monitor to protect tapu.

Trustees believe it is important that tangata whenua are represented on that panel.

Valmaine said that the Council want one representative from the entire iwi cluster to sit on that panel. Other hapū have delegated somebody, we have not.

Tavake is concerned that one person may not be able to represent all hapū interests. Valmaine agrees and also says that procedurally, one person may not know the tikanga for different wāhi tapu in another rohe.

Aperahama says that need to come up with some terms of reference so there is an understanding of how the mana whenua committee will run and how iwi interact.

**Resolution:** Ngāti Rehua to engage with Ngāti Manuhiri and Ngāti Wai to discuss the Cultural Values Assessment panel, how it is comprised, and whether we can come up with a shared model, sharing the role with specific representatives advocating for specific hapū interests and sharing the advocacy where all hapū interests are affected.

**Seconded** by Bruce

**Kua mana. Unanimous.**

#### *America's Cup & Auckland City AC36*

Aperahama understands that there are two forums that are dealing with the America's cup. These forums also have something to do with the dumping of sludge off the coast of Aotea island. We should be involved with the more senior of the two bodies.

**Resolution:** the trust board considers that the involvement in America's Cup is integral to our people and therefore, the trust would like to be represented in that forum and nominate Bruce Davies to represent NRNWTB (**nominated by Tavake**).

**Seconded** by Valmaine.

**Kua mana. Unanimous.**

Must also seek endorsement from Ngāti Wai and Ngāti Manuhiri for this.

Noted for action that the Bruce should also write a letter to the Council (specifically, Rama Ormsby) seeking information on all of the relevant forums on the America's Cup.

*Law of Navigation*

Deferred until next hui.

*Cultural Heritage Programme*

**Resolution:** Valmaine moves that we nominate Aperahama to be the representative on the Board running this programme, and to be assisted by Kelly and that both keep the trust board advised.

**Seconded** by Bruce.

**Kua mana. Unanimous.**

*Resource Consents*

**Resolution:** Valmaine moves that the trust support Aperahama, in conjunction with Kelly, as the first point in contact for resource consents when contacted about them.

**Seconded** by Bruce.

**Kua Mana. Unanimous.**

### **5.7 Hauraki Gulf & Islands Forum**

After discussion, it was agreed that the Trust needed representation on the forum. Valmaine and Aperahama volunteered to do this mahi.

Valmaine moved resolution that Aperahama and Valmaine have shared representation on the forum.

**Seconded** by Tavake.

**Kua Mana. Unanimous.**

## **6. Correspondence IN**

- 6.1. Auckland City
- 6.2. High Court
- 6.3. Maori Land Court
- 6.4. Kiwibank
- 6.5. Bills Payable – Storage King & 2 Degrees – Commercial Consultants debt collector
- 6.6. Auckland City Aotea Community Board re Appeal & NRNWTB Appeal Funding Agreement with Auckland Council
- 6.7. Auckland City re Capacity Grant
- 6.8. Auckland City Manawhenua Forum – Ngarimu Blair & H Te Aho, Co-Chairs w Jeremy in support
- 6.9. beneficiary database
- 6.10 others

## **7. Correspondence OUT**

- 7.1. ElectioNZ – TA seeking full information and original beneficiary application documents etc
- 7.2. Auckland City Aotea Community Board re Appeal grant agreement
- 7.3. Auckland City Capacity Grant
- 7.4. Mook Hohneck – Tavake’s reply to his email & hui request
- 7.5. TBA LT Nicola MacDonald & former trustees seeking trust records, beneficiary database, information & reply from Sarah Wroe (legal counsel)
- 7.6 Other correspondence

## **8. Information Hui to Engage in and Support the Validation Hui and AGM Prep Process**

Hui talked about wānanga kaumātua, wānanga o ngā uri o Ngāti Rehua.

Ngāti Rehua have a number of beneficiaries in Auckland, as well as ahikā beneficiaries on Aotea, in the Omaha area, in the Northland Matapouri/Whananaki area, and others in Bay of Plenty.

Tavake spoke to the kaupapa and some ideas he had:-

Have come to see that both sides to the litigation, all parties and their whanau need to rally around the people they have asked to carry forward this important function. The intense conflict manifest in some of the evidence I have seen before the court and accounts of this lead me to ask if myself whether or not there is a possibility of facilitating some more understanding of the situation by the people of Ngati Rehua.

What I mean by this is promoting and holding a series of hui with beneficiaries at various marae where they feel safe enough to openly talk about what they think is needed to make this process work. At such hui, we would look to have powhiri, so I can be welcomed within the tikanga and kawa of that marae and take time to pay proper respects. I would present to the hui the Court's orders, my duties to them and the Court, the new trust board and our proposals on how to proceed, what the risks are for everyone if we cannot succeed at this process. Those risks include having a Pākehā judge take the step of making a very serious decision about their identity – rather than the people themselves making that decision.

I would then ask them for their views, answers and questions. I seek for us to properly take on board the peoples' views on how to proceed with the validation meetings. I am keen to ask the whanau in earnest, on their marae within their tikanga for their suggestions in the design of this process and seek actual, practical solutions from them.

The intention is to whakamana the people by fronting up to hui in their locales, where they live, where they feel safe to receive information from a manuhiri, an independent facilitator, in an environment where they can participate and be heard for their views.

The concept underpinning this is that if we can achieve some transparency about what is proposed and earnestly seek Ngati Rehua peoples' 'Buy In' to the design of the process, I believe we have a much better chance of succeeding than if we do not.

I propose to go and hui at each of the marae where Ngati Rehua people are and also at another marae or neutral venue in Auckland and also in the Bay of Plenty for those who find that easier and closer – and hold something like 'Ngati Rehua ki Aotea Information and Design Hui'. The hope is that in this way, we can get some traction early in the process, then proceed with that dissemination of information and awareness amongst the people, to a combined validation hui as we have been directed.

As trustees we have discussed having a kaumatua wānanga whakapapa in the lead up to the validation committee, which I have supported as a good start. However, I foresee that the problem with having only one such wānanga is the likelihood that we will only be able to reach a limited section of Ngati Rehua people in one day in one location. This would possibly create further tensions, whereas if we arrange and go to a number of locations to hui with Ngati Rehua people near to where they reside and where they are safe, such as on marae on Aotea, Omaha, Matapouri, the Bay of Plenty and Auckland,

then I believe we will have a greater opportunity of gaining support, a better understanding of the importance of succeeding at this validation process and therefore a better chance of carrying out a successful validation committee hui process.

I appreciate that this will take some more time, organisation and the cost of running hui will be more than just holding one or two, but the prospects of success with engagement of people within tikanga, with all due respect, in their safer environments - will greatly benefit the process. This is my humble view of what is necessary to prepare the uri of Ngati Rehua for a good, tika process.

Ki ahau nei, me whai atu tatou i te ara tika, i o koutou tikanga tuku iho, kia whakamārama ai tātou te ara tika mo ngā mahi, mo ngā uri whakatupu katoa o te hapū.

If possible, it is proposed to run these hui through the month of June or into July 2019 and later if necessary, with a view to completing those hui and during which we would also be asking the people to make time to apply, register or attend the combined validation hui during July and an AGM in August.

If this can be organised and the combined validation committee can resolve the beneficiary database, then the AGM preparations and voting structure can be carried out by professionals, Election Services or another qualified, appropriate, available company.

This would then to be followed by a properly planned, funded, advertised, notified AGM with elections during either August 2019 or thereafter.

There may be some opposition to this process from some who might say it is too long, too expensive, too cumbersome, but if we are to be guided by tikanga as our proper threshold for making a robust, yet safe process, then I believe we must act it through properly at all stages.

It remains my view that an AGM cannot be undertaken without a properly run combined validation committee having reviewed and resolved the key issue of who is entitled to be a registered beneficiary and therefore who is entitled to vote for their trustees. Other views proposing an AGM before that process is undertaken are with respect, putting the cart before the horse. Validation must precede AGM elections and that is why the Court has ordered this to happen.

Tavake proposed that we facilitate, convene and attend six hui in the different areas where there are beneficiaries, to front them as counsel assisting the court, and talk them through the process and what is the substance of what we are faced with and what we have to do to achieve a workable process to progress with. We want to engage in hui a kanoahi in places where they are safe to express their ideas. In that way we can have kōrero about their ideas about the process, to whakamana them as they in turn whakamana their whānau and the hapū. Then through this the people can own the process. Believes this is how we can properly proceed to a combined validation hui and then AGM.

Aperahama suggested we utilise social media to mobilise our people. Agreed.

Tavake - that we should proceed with these hui with the people who are able to attend, noting that a number of the trustees are busy. But it is paramount we get things moving.

**8.1 Resolution** Tavake's proposal and concept to consult NR uri and engage them to whakamana them, their whānau and hapū with information about the process and procedures – in the places where they reside: Hold NRNWTB Information Hui within tikanga, kawa and where uri o Ngati Rehua reside - in Aotea 2 Marae, Omaha Marae, Matapouri/Whananaki Marae, Tamaki Makuu Rau & Bay of Plenty?

**Seconded** Bruce.

**Kua Mana. Unanimous.**

**8.2 Discussion:** possible dates, venues, key people to contact, action, planning, resourcing.

Trustees are to check with their marae, other venues and their whānau to organise and get back to the Trust Board to confirm and progress the prep for each hui, then we can move to resourcing, funding, confirming and convening. Proposed Hui dates for working out details on: -

- Sat 22 June, Matapouri Marae
- Sat 29 June, Ōmaha Marae
- Sat 13 July, a marae in Auckland – Māngere, Papakura, Te Māhurehure?
- Sat 20 July, Whenuatapu Marae, Tauranga or a marae in Rotorua, or both?
- Sat 3 August, Combined Validation Hui, venue TBC
- Sat 24 August, AGM, venue TBC

## **9. AGM upon completion of hui, combined validation committee beneficiary roll**

9.1 Discussion: this will become clearer as we proceed with engaging and consulting the people in our hui and on social media etc. Details will include dates, venues, key people to contact, action, planning, resourcing/funding, catering

9.3 Professional contract for electoral services with whom? :- Election Services, ElectionNZ who are not available until 2020, those are the options? Clearer engagement with these service providers on this is necessary going forward.

## **11. Cost of hui, expenditure, planning**

## **12. Next Hui a Kanohi –? Venue? Dates Please?**

### **13. Final Comments**

Trustees keen to make progress and take next steps.

### **14. Karakia Whakakapi**

Tavake – Hui ended 6.45pm