

NGĀTI REHUA-NGĀTIWAI KI AOTEA TRUST BOARD

TRUSTEE'S HUI, 5pm Wednesday 27 MARCH 2019
ONLINE ZOOM HUI WITH ONE TELEPHONED IN

INTERIM INDEPENDENT CHAIR TRUST HUI #5 MINUTES

Whakataukī whakataki
[Introductory proverb]

Anei tātou nā ko te pō; anā tātou nā he rā ki tua
[Here we are in the night; and the day is yet to come
Here affliction grips us, yonder is relief]

1. **Karakia.** Tavake

2. **In Attendance:** Tavake Afeaki, Valmaine Toki, Bruce Davies

3. **Apologies:** Hillarey, Aperahama. Apologies moved and accepted.

4. **Minutes of Previous Hui:**
 - 4.1. Meeting minutes of Wednesday 21 March to be held over until the next hui. TA to work on and circulate them.

5. **Matters Arising**
 - 5.1. **Correspondence In – Palmer J's Directions of today, 27 March 2019**

 - 5.2. Tavake read through Justice Palmer's directions. Tavake to become signatory of the Kiwibank trust accounts as ordered by the Court. Reserve appointing other signatories until a later date where all trustees are convened and a resolution is passed. Bruce was happy with the reading and the directions.

 - 5.3. Bruce expressed that the AGM is the most important thing and that's what he is focussed on. He also said that he has seen the database – he was only mistaken of the nature of it. Tavake says that of course he wants to do the AGM, but things have to be ready so that we can go ahead.

 - 5.4. Tavake acknowledges that Bruce has seen the paper copy of the database, and suggested that perhaps ElectionNZ has the electronic copy.

 - 5.5. **Storage King Unit, Trust records**

 - 5.6. Tavake recommended on 18 March, that Nicola be repaid her \$435 outlay. Tavake wrote to Storage King Manager on 27 March and copied trustees. Tavake went to Storage King today – and advised the manager that he wanted to rely on the contract, buy a key and get a swipe card to enter the compound. A staff member cut the old lock of the unit with bolt-cutters. Inside was a cabinet. Two

of three drawers contained files. His task was to itemise the contents and create an inventory. He has started this.

- 5.7. There were financial reports, minutes, agenda documents from between 2000 – 2013. This is what he has discovered so far. He has not yet seen anything entitled 'database'. So far his inspection has been cursory though. Tavake believes that there should be more recent files and records in there, from 2014 to the present.
- 5.8. Tavake said Nicola has sent through a copy of the YE 31 March 2018 audited accounts to all trustees. Different counsel have also handed over other documents. Sarah Wroe had emailed earlier sets of the trust's audited accounts from 2016 and 2017.

5.9. Bills payable

- 5.10. It is likely we need to pay for accountants, auditors, the mobile phone bill.
- 5.11. Valmaine says that we should wait and see how much liability we have and then deal with the creditors according to their priorities.
- 5.12. Tavake waiting to make more progress before he gets in touch with IRD again. Bruce supports this.
- 5.13. Tavake seeks a resolution for him to go to the Kiwibank and have the trust accounts signed over to him. Will await other trustee's views to see who wants to be signatories.
- 5.14. Hillarey had offered to prepare GST returns and set up a Xero accounting system for the trust. Trustees present agree to this in principle, subject to getting bank accounts, receipts and other necessary information. Moved by Bruce and seconded by Tavake. Unanimous. Kua mana.

5.15. Monies receivable & Auckland City

- 5.16. Once we know the status of the bank accounts we can look to employ professional services such as, accountants, auditors and a secretary.
- 5.17. Tavake received a call from Rama Ormsby of Auckland City to follow up on whether the trustees are open to proceeding with the relationship agreement. Informed him that we had just talked about this. Valmaine volunteered to follow this up. Rama to send through the relevant documents for the application to Tavake. Tavake will send this through when received. The Aotea Community Board also wants to engage, but hui agreed that capacity building funding is more important right now.

5.18. Validation hui and AGM

- 5.19. Counsel for Defendants, Sarah Wroe provided an alternative election body; Election Services and Dale Ofoske. Tavake did not know much about them and would still like to get the database from ElectionNZ.
- 5.20. Bruce concerned that with ElectionNZ it cost excess of \$14k – they were charged with removing names of deceased and cleaning up the database.

Valmaine notes that they attended every ratification hui, so they were probably more involved than with just the database.

5.21. Bruce suggested that we hold a special general meeting to ratify the financial accounts. Valmaine would be sceptical to accept those accounts without seeing them and the details of them. She wouldn't be comfortable putting time restraints on or rushing having an SGM until these accounts can be seen fully. Tavake said that the database has to be resolved before we can have an AGM. We can't have an AGM or an SGM until we have funds, accounts, we have a database, and then we can go forward and hui according to the trust deed.

5.22. Resolution that the trustees get the accounts; comprehend the accounts; scrutinise the accounts; if necessary seek independent advice; and then they can be scrutinised at a duly convened Special General Meeting. Then the trustees can know we have done their due diligence. Motion by Tavake. Seconded by Bruce. Unanimous. Kua mana.

5.23. Tavake noted this should be the subject for further discussion by the whole board.

5.24. Annual General Meeting

5.25. Tavake said we are going to have an AGM when we have the professional assistance of an election operation, we have the accounts, we have the validated databases, we have a validation hui by the kaumatua ope in terms ordered by the Court, then we have the validation hui and then have that ratified.

5.26. Valmaine thinks we should not be bound by time. The priority is for the process to be tika. Bruce says whakapapa is about tikanga and history, not just genealogy. We can't have these hui until the kaumatua ope are put together again, and not held separate. Some of the forms had been crossed off because people did not know who was who. Tavake says that we need consistency of process; quality of forms; and those kaumatua bodies to be reconvened to do the mahi. Bruce wants the kaumatua body to begin being formed again immediately. Valmaine would prefer to have the database first.

5.27. Tavake asked who would be on the validation panel? Bruce and Aperahama were originally on the panel. Bruce provided a couple of names, they were himself, Bern Rosieur, couldn't remember the others. Valmaine suggested Michael Beazley, Rawiri Wharemate, Aunty Suie Rata, Aperahama, Aunty Heria. Valmaine suggested we must have a hui to decide on this before we have validation hui.

5.28. Resolution to have a wānanga on whakapapa of Ngāti Rehua-Ngāti Wai between the kaumatua. This should be on Aotea. Moved by Bruce. Seconded by Tavake. Unanimous. Kua mana.

5.29. Hauraki Gulf Overlapping Claims Waitangi Tribunal Urgent Inquiry

5.30. Tavake opened up the floor for korero on the claims inquiry.

- 5.31. Valmaine said she had attended a Zoom hui with Ngātiwai. She was concerned about Ngātiwai asserting mana whenua over the island. They claim that it is only procedural and not substantive – but she is concerned that they will be wanting more than they expressed. Most of the discussion was centred around Aotea. The people in that Zoom hui weren't aware of the battles where Hauraki source their interests and didn't have evidence to challenge that. That is because we are not there to provide this knowledge. It leaves our interests unheard. Attending the hearing will not jeopardise the settlement we have been offered by the Crown. Otherwise Marutuahu and Ngātiwai won't be able to represent our claims.
- 5.32. Bruce was firm with his stance and the distrust with the Ngātiwai Trust Board. Ngātiwai don't have the right to represent Ngāti Rehua Ngātiwai ki Aotea.
- 5.33. Valmaine thinks we should still be there [at the Waitangi Tribunal]. Perhaps we should apply for an urgency, because our interests are being undermined and we want to be at the table as Ngāti Rehua - Ngātiwai ki Aotea.
- 5.34. Valmaine would like to file an urgency. She would support Bruce attending the Tribunal Hearing if we have the funds on the trust's behalf. Bruce still needs to think about this. Bruce and Valmaine to have a conversation tomorrow after he had thought about it overnight and revert to us.

6. Other Matters

- 6.1. Valmaine to meet with a Hauraki Gulf Islands organisation on the island on Tuesday 2 April and welcomes any other trustees to korero with him.
- 6.2. Valmaine also raised the consent of dumping sludge 30km off the East coast of Aotea. The Aotea community board have said they will provide the \$5k Maori budget to the trusts for the use by whanau for costs incurred as a result of the granting of consent. To appeal the resource consent granted to the big Auckland company, CRL.
- 6.3. Note that the appeal is going on and the resolution is that the trust accepts the Community Board's offer of financial assistance to support the appeal against granting of consent to CRL. The appeal has been lodged by a number of people. Moved by Valmaine. Seconded by Bruce. All in favour. Kua mana.
- 6.4. Valmaine has been nominated for the Sea Change Committee to care for the moana. She sought support from the trust in the nomination process, which closes 1 April. Discussion on this. Bruce not keen to support her being put in a Committee with support from the trust without all the trustees. Bruce said it will distract from our mahi for the trust; we should leave that to new elected trustees.

7. Next Meeting

- 7.1. 5 pm Tuesday 2nd of April 2019. We hope 5pm will work, ask Aperahama and Hillary. If we can meet physically, then we will. Failing that, it will most likely be a Zoom/telehui.

Karakia Meeting closed at 7.15pm by way of karakia from Tavake