

NGĀTI REHUA-NGĀTIWAI KI AOTEA TRUST BOARD

TRUSTEES' HUI #22&23 12.30pm Monday 3rd February, 2020.
Auckland City AND Wednesday 12th February, 2020. By Zoom

AGENDA

1. **Karakia** TA
2. **Mihimihi** TA
3. **Attendances** TA, BD, JW, VT, AE. KK admin support.
4. **Minutes – Kawa Wananga Whakapapa 19 Oct 19 confirmed TA moved. Seconded JW. Kua mana. Hui #21 Minutes of 15 Dec 19 confirmed. TA moved. Seconded DB. Kua mana. Minutes**

Kaumatua Wananga Whakapapa hui minutes 19 Oct 19, Kawa Marae

Moved: TA Second: JW Unanimous. Kua mana

VT wants clarification on who leaked the DRAFT hui minutes of the Kaumatua Wananga Whakapapa hui at Kawa. JW said that he spoke to Mook regarding what was said, but did not share the minutes. TA reiterates the policy with minutes. Only draft and confidential to Board until and unless they are confirmed by the Board. Also, at hui, when someone has a 'take' with someone and are speaking about it, and that person are not present to defend themselves - it needs to be shut down. We are committed to maintain open, transparent processes. Mook Hohneck's lawyer contacted TA saying they contained defamatory content. TA Policy confirmed. Our Board Hui Minutes are not to be circulated to others until and unless they are confirmed by the Board.

TA - 5 months to go and need the Trustees to be working together to get across the line. Not dissension and dragging our collective efforts down. We are all responsible collectively as a Board of Trustees. We must trust each other to be able to do this mahi. Need to have these discussions regarding the validation committee.

23 December 2019 minutes Hui #21 circulated

Moved: TA Second: BD Unanimous. Kua mana

5. **Matters Arising. Application for registration forms**

TA backgrounded hui with ESL attended by TA, BD, JW & KK. What was discussed and what we need to discuss and confirm. - timeline for the registration process has been confirmed by Elections Services. Agree on some of the content of the registration form. AE questions why Matapouri not on there. TA states it's about the whenua of Aotea, Ngati Rehua-Ngatiwai ki Aotea. AE - all those that belong to Matapouri whakapapa to Ngāti Rehua. All the marae should be withdrawn, if you take out Matapouri and Whananaki. TA agrees that maybe no marae needed on form because this is hapu based process for uri descended from Aotea. JW only been two marae. BD agrees.

Resolution: For the purposes of the hapu registration application form we do not need to have marae affiliation section and resolve to remove it.

Moved: TA Second JW/AE. kua mana

BD against noted

VT para 4. Why has "whether by birth, legal adoption or whangai" been crossed out on the application form? Pre-empting the disenfranchising of people. AE what are our legal obligations? TA there is going to be a combined validation committee that can determine this. What is the tikanga on whakapapa? Does the committee accept whangai? AE do you think we are closing the door? BD allow the kaumatua to determine. AE what is the harm of saying – adoption, whangai? JW disagrees – these

words do not have to be in there. TA suggests the sentence should be, “people who whakapapa to the following tupuna to be considered by kaumatua validation committee are eligible to register to the Trust”. JW the only way to whakapapa to the tupuna is through blood. AE that is not correct, that is up to the kaumatua to determine on the tikanga.

TA Application form for Elections Services will be amended as follows: “4. To be eligible to register with the Trust you must be able to whakapapa to Rehua, Te Awe or Ranginui. The combined kaumatua validation committee will make a decision to accept registration, ask for more information, or decline the application.”

Moved: BD Second: JW. VT AE opposed. TA casting vote to keep this clear and simple and move forward. Majority in favour. Kua Mana

KK to circulate the Elections Services registration application form received. TA look at Zoom meeting to get the form approved ready for Election Services. Combined kaumatua committee TA wants the names confirmed by the end of the week so they can be submitted to Justice Palmer.

Get the kaumatua validation committee composition – information from Elections Services. Sort out dates, funding, and venue.
Review of the current database
Plan for receiving and vetting new registrations.
Committee needs to meet as one.

TA Karakia.
#Hui 22 ended 3pm.

#Hui 23 continuation of #22 – Wed 12 Feb: 5pm by ZOOM
Attendance: BD, TA, JW, AE, VT

6. Karakia TA

- 7. Elections Services** – TA had emailed Craig Taylor, Change the wording for clause 4. Clause 5 – marae affiliations – to remove Clause 5 TA has advised ES. TA advises that he did **not** receive a draft copy of registration form prior to the hui with ES. They have sent through a draft copy with amendments to be shared with trustees to peruse. TA suggests the clause with marae needs to be removed. AE suggests keep the confidentiality clause. TA goes through the variations of the privacy act consent clause. AE and TA agree to keep it simple. Utilise Option 1 – remove the last sentence. Asks each of the trustees if they have any concerns with the registration form. No objections.

Resolution: We take the first simple privacy consent option in the draft registration form, utilise the first part and delete the rest.

Moved: TA Second: JW. Kua mana

2 Contracts received from ES. First contract is for the elections, and the other contract is for consultancy. The consultancy is attending the kaumatua validation hui and developing the database and other processes of consultancy. AE asks why are there voting packs? We haven't decided the voting process yet, it could be voting from the floor? We need to consider the cost. TA asks how did you conduct the last voting? AE nominations are called before a hui and then during the AGM voting occurs. BD there was voting at the AGM. AE states proxies have been a problem in the past. JW who determines whether the proxy forms will be used? By the kaumatua group? BD This is when the trouble started was through the proxy forms because they couldn't be validated on the day. TA there is a provision for proxy forms in the Trust Deed. JW Does that mean that those that want to utilise a proxy form on the day of voting? TA

it all comes back to the validation of the registration. AE there is no source evidence of the spreadsheet of names. Vote needs to be done on the day at the AGM. Get in contact with whanau and keep them registered. TA there is not sufficient evidence to assure the Court that the database has integrity. We will review the existing database and call for new registrations, this was what the parties to the Court case agreed to and the Court has ordered. AE the database does not exist there is only a spreadsheet of names. Need the source documentation to verify the address is correct and they have registered themselves. TA the kaumatua committee will handle this, they are to consider the existing database as per Court orders agreed to by the parties. AE disagrees what are the kaumatua verifying with no source documentation. AE agrees that the kaumatua should be validating every new registration. BD thinks its up to the kaumatua committee. AE we need consistency here – it's not a hard to ask for everyone to fill out a registration form. JW validate the current database and accept new registrations. AE reminds that there are very few registration forms completed so we only have a spreadsheet. TA there were kaumatua at our series of hui who do not want to re-register again. TA also has concerns that when we come to an AGM he is worried that we don't have any pitfalls and can have a smooth AGM process. BD doesn't agree that people on the database who are validated by the kaumatua committee should remain and not have to re-register.

TA we need to get on with the registration process, organising of kaumatua validation committee. The most important thing the trust can do now is engage ESL to get our registration processes, forms into order and get them out to your whanau, the hapu. Then get the combined kaumatua validation committee sorted and the Trust to provide all the necessary support to them.

VT has concerns over the registration form – the wording uses 'bloodline' with whakapapa? If so, then the wording about whangai needs to be in there. Did not feel that he had enough time to process the registration form. It is up to us to determine the wording for our registrations this wording is not new but other iwi utilise this wording. If we don't have his wording we as trustees are not fully informing the beneficiaries. TA the kaumatua validation committee have the mana, matauranga, tikanga to determine who should be on the database.

JW if don't whakapapa by blood to Rehua, Ranginui and or Te Awe you can't register. VT there is legislation and tikanga regarding this 'take'.

TA we cannot prescribe this, it must come from the kaumatua and what they know. AE also asks that the word bloodline be removed it is not needed. JW states it strengthens the word whakapapa. BD wants the wording in AE take out bloodline and leave it to the kaumatua to determine. VT Tautoko. JW wants bloodline wording in. TA intervenes and suggests that we do remove the wording 'Bloodline' – is not necessary because it conflates and modifies the concept 'whakapapa' with the Pakeha term 'bloodline', so it is limiting 'whakapapa'. The tikanga of the hapu about whakapapa is for the Kaumatua Committee to decide. Not us. Then the combined kaumatua committee will consider each registration on its merits and validate or not, or ask further questions if necessary. TA will also instruct ESL to increase the whakapapa form to fill in – to 4 generations up from the applicants, because then between the 10 kaumatua, they will know who the applicant is.

Resolution: We remove the word bloodline from clause 4 sentence 3

Moved: TA Second: VT. Opposed: BD JW. TA casting vote to get this done. Majority in favour. Kua Mana

TA will get in touch with ESL to change this. VT asks to note that she wanted the wording for whangai and adoption in. TA **Noted.**

That the trustees BD and JW request that the independent chair ask the court for funding for ESL as this will cost lots. Noted.

8. Defamation Case

TA Letter from lawyer of Bell Gully tabled as circulated by TA email right after our 3 Feb hui. JW did not hand out the minutes but BD and JW have spoken with Mook Hohneck. AE is disappointed. VT tautoko. TA asks each trustee in turn if they sent the minutes out to anyone else. All replied **No**.

TA - will write to the lawyer and say that the minutes were only in draft and only passed on 3rd Feb 2020. They have not been sent out to beneficiaries as the minutes were in draft. The trustees asked that TA to ask the lawyer how did Mook Hohneck come to be in possession of them? TA instructs all trustees to destroy all draft copies of the Kawa marae hui of 19 October 2019 draft minutes. Now we only use the confirmed Kawa 19 Oct 19 Hui Minutes which Tavake amended back in December and circulated and which we all confirmed on 3 Feb 20. VT am appalled and find it difficult to work with trustees who cannot work with trustees who are being dishonest and makes it difficult to move our hapu forward.

9. **Next hui** – Wednesday 4th March 4pm Zoom Friday 13th March 2pm Auckland City Council. Next Hui after that tentatively 2pm Friday 13 March at Auckland City. Need to confirm validation committee and set down firm dates for them to hui.

10. Kaumatua Validation Committee

JW, AE and VT to get a list of names for nominees from both sides to form the combined kaumatua validation committee to Board by 14th Feb.

TA has concerns for Rodney Ngawaka as a defendant not being represented. JW reiterates that he has spoken with Rodney Ngawaka who is engaging with the other defendants and JW says he is well informed with what is happening.

11. Trustee Mahi

Resolution: That the Trust Board nominate JW to engage with Panuku of Auckland City to represent NRNWTB, learn about that, earn meeting fees for Board to support ESL, registrations, hui & elections.

Moved: TA Second: BD Kua Mana

BD to ring and engage with Auckland Council and attend hui with AC36 to generate income.

12. Finances

BD to get paid reimbursement kms

13. Response/Availability to the invitation from the Aotea Local Community Board

VT to see if Local Board paying contribution to NRNWTB costs to travel to hui with them.

Karakia Whakamoemiti TA. 7.20 pm