



Ngāti Rehua Ngātiwai ki Aotea Trust

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#23 NRNWKA Board Minutes Ref:151021

Date and Time:	Monday 15th Nov 2021 5.30pm
Trustees	Opo Ngawaka, Tipi Howe, Taumata Toki, Rosanna Whaanga
Others	Pam Armstrong, Tyne Martin, Marilyn Stephens
Tu Mai Taonga	Makere and Jo
Agenda Item	Details
Karakia / Mihimihi	Opo Ngawaka
Weekly update for Tū Mai Taonga	<p>Summary of key points from the discussion with the Project Team Jo and Makere</p> <p>MOU and TOR Status Steering Committee Timeline</p> <p>Two-part Induction</p> <ul style="list-style-type: none"> NRNWKA Trust: Induction into a NRNWKA-led Project <ul style="list-style-type: none"> Establish that NRNWKA will set vision and tikanga for the project Establish how tikanga will guide the project Establish project structure and formal lines of communication Establish Way of Working Programme Team: Induction into the Tū Mai Taonga Project <ul style="list-style-type: none"> Summarise the project to date Establish the project needs that require Steering Committee input Put forth key urgent decisions that the committee must make first Inform them of important, less urgent decisions/actions <p>ACTIONS: Tū Mai Taonga (Makere) to draft weekly updates for the Trust to send out to mana whenua via trust and/or marae email list. [After the first few, it would probably be more appropriate to do a monthly newsletter.] First update to address:</p> <ul style="list-style-type: none"> Job security for Motairehe Ltd. staff. Tū Mai Taonga transition period. [Updates to come out on Fridays to coincide with Trust update?] NRNWKA to inform project team of status and timeline for MOU, TOR and Steering/Sub Committee. (Also, has the trust decided what to call the committee? Should it just be called the Tū Mai Taonga Committee?) Also, think about how to establish the project as a NRNWKA-led project. Let the project team know if help wanted.
1. Apologies	Jeff Cleave
2. Previous Minutes	<p>Resolution 1</p> <p>That the previous minutes (#22) be received and confirmed</p> <p>Moved: Opo Ngawaka Seconded: Taumata Toki Carried</p>
3. Matters Arising	Nil
4. Financial Report	<p>Financial report</p> <p>- Mitchell has not been paid. Tyne is wanting to know who else can sign off on his payment of work.</p>



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	<p>- Can trustees go into the bank and sign the documents to open a new account. - Tipi will go into a kiwi bank to be a second signature on all the accounts. - Tyne spoke with Elna from Auckland city council and she said that the documents are signed off. Action 1: Statement of works council to be signed and returned</p> <p>Process with the Bank. <i>Trustees need to attend bank in person to open a new account. Taumata prefers not to be a signatory but all 5 will need to be in attendance to open the new ANZ account -</i> Action 2: Followup with Aperehama to assist as current second signatory.</p>
5. Conflict of Interest	Nil
6. Correspondence	As per emails
7. Status of actions	<p>Deferred actions 1: Tyne to work on a recruitment policy – <i>In progress</i> 2: Process with the Bank. <i>Trustees need to attend bank in person to open a new account. Taumata prefers not to be a signatory but all 5 will need to be in attendance to open the new ANZ account - Pam will followup with Aperehama to assist as current second signatory.</i> 3: Pam to prepare a draft support letter for Motairehe marae for the Boards approval. <i>The letter is approved by the Board. To be noted that we regret we cannot support a statement to guarantee employment due to HR processes however there are experienced/qualified mana whenua.</i> 4: Opo will need to look at the Sea change take and find out more detail around the mapping and strategy. Protective mechanisms for Aotea are important. <i>Taumata will follow up with Valmaine.</i> 9: Taumata to send his sample logo <u>Actions from 1/11/21</u> 1: Tyne to prepare a draft schedule for resource management fees – <i>In progress</i> <u>Actions from last meeting</u> 1: Pam to confirm if community nominees have accepted nominations and then progress to confirming invitation to be on the sub committee- Letter sent 15/11 2: Pam to seek confirmation from Kawa and Motairehe of representatives by this Friday 19th. - <i>Awaiting confirmation</i></p>
Updates	
Code of Conduct	The Code of Conduct process needs to be addressed. There has been a breach and trustees will revisit this at the next meeting.
Chairs Update	<p>Te Kete Rukuruku naming process – Opo will follow up Independent statutory Board rep comes to an end next year. Need to plan for the replacement. This can be discussed at the Chairs meeting. Action 3: Need to draft a letter of objection re the Sea Change as there has been no discussion with NRRWKA. Taumata will look into the cross claims.</p>



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	<p>COVID 19 – Aotea Health centre has appointed Jolene as a kai manaaki . NWTB have appointed Elaine and they will both work together to provide support to whānau. Action 3: Letter of appreciation to be sent to Aotea Health Center for their good work</p>
<p>Deputy Chair Update</p>	<p>Capacity Funding meeting held today. Contractual discussions for the next 3 years at 50k per year. Draft document to follow. Resolution 2: That the capacity contract signatory will be the Chair Moved: Tipi Howe Seconded: Rosanna Whaanga Carried</p> <p>Action 4: Pam and Tyne to follow up re the scope and JD’s for Tū mai taonga Recommend that an accountant be contracted – likely 1 day per week Day to day book keeping can be part of the Managers role</p>
<p>Update from Taumata re Visitor Information Centre</p>	<p>Visitor Information Centre Report –1. Takeover a. Local Board Funding b. Interim Management 2. Future Plans Takeover Following on from our resolution to officially engage in this space I informed Kathy Cummings of the local board of the resolution and began a dialogue with her concerning the available funding from the Local Board, future plans and interim management over the summer period. Local Board Funding The Aotea Local Community Board has \$29,000 of funding per annum to support the management/operations of the Visitor Information Centre. Kathy has advised me that to secure this year’s funding the NRNWKA TB would need to formally pass a resolution to receive the funding and have Kathy submit a report to the Local Board at their next business meeting so the transfer of funds can be accepted. Subsequently, I would recommend to the Trust that we formally pass a resolution to that effect. NRNWKA TB Taumata Toki This year’s funding will provide us with resources to contract out the work at the VIC over the summer season until we have developed a plan and activated the space according to our vision. Furthermore, the funding from this year will provide us with the opportunity to engage with professionals to help develop the space. Interim Management In the event COVID restrictions permit travel and the running of the VIC, we would need to have employees or contractors managing the space over the summer season as an interim measure until we have fully developed the space to achieve our aspirations for a mana whenua area. Subsequently, I have engaged with Kathy Cummings and Lucy Dixon (previous manager of the VIC) who have advised me of potential methods to achieve a suitable interim management strategy. We came to the conclusion that contracting a team to run the VIC in the interim period might be the most suitable approach for the Trust. To this end, I would like to publicise the opportunity for work on the island in this space on our website so that any interested whānau members may apply, I would also like to offer this opportunity to community members, as such exploring the right channels for publishing this opportunity among the community would be the next step. I am of the mind that the contracting period will last from December to March/April and the expected staff would be one manager to create rosters, admin, etc. and one to three individuals to man the VIC during operating hours. I note that Lucy will be providing me with information regarding the operations over previous years, including wages and operating hours, this will be helpful in guiding us in creating an effective plan for this interim period. NRNWKA TB Taumata Toki Future Plans As far as future plans are concerned, I envisage developing the space into an area reflective of Ngāti Rehua Ngāti Wai ki Aotea history and tikanga while also creating a space for tourism, commercial and kai activations. In order to adequately affirm these aspirations I have asked for a lease agreement, the financials for the management of the VIC in previous years, potential funders and any other relevant information.</p> <p>Resolution 3: That NRNWKA formally accept the Visitor Centre funding. Kathy to submit a report to the Local Board at their next business meeting so the transfer of funds can be accepted</p> <p>Moved Tipi Howe Seconded: Rosanna Whaanga Carried</p>



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	<p>Contracts could be offered for the busy summer period Dec- March.</p>
<p>Treaty Settlement a. The Meeting b. Recommended Next Steps 2. MACA Claim 3. Overlapping Rights Claim 4. Fisheries Treaty Settlement</p>	<p>Treaty Portfolio – Report by Taumata</p> <p>Treaty Settlement a. The Meeting b. Recommended Next Steps 2. MACA Claim 3. Overlapping Rights Claim 4. Fisheries Treaty Settlement</p> <p>The Meeting (12 November 2021) On Friday the 12th of November 2021 at 9:00am, the Ngāti Rehua Ngāti Wai ki Aotea Trust Board, through nominated trustees and other representatives, attended a meeting with members of Te Arawhiti and the Chief Crown Negotiator. In attendance for mana whenua was myself (Taumata Toki, Trustee), Jeffery Cleave (Trustee), Marilyn Stephens (Kaumatua) and Valmaine Toki (Beneficiary/Advisor). On behalf of the Crown was Maureen Hickey (Regional Manager of Treaty Affairs and Relations), David Tapsell (Chief Crown Negotiator), John Clarke (Kaumatua/Cultural Advisor), Richard Thomson and Penny Downing (Maureen’s team members). Rosana Whaanga (Trustee) and Tipi/Grant Howe (Trustee) joined the meeting at 10am. The meeting was successful, our team affirmed the position regarding the previous Deed of Settlement, making clear the flaws and injustices of the previous Deed of Settlement, while also expressing the consensus among beneficiaries at our AGM (31st July 2021) that there is a desire to quash the Deed of Settlement and begin the negotiation process afresh. The team on behalf of mana whenua highlighted the discontent of whānau, the disrespectful nature of the DoS and the failures of the Crown to assure a proper agreement was reached. It was made clear to David and the other attendees on behalf of the Crown that we are in no rush to seek a settlement that does not reflect the best interests of mana whenua. I noted that if our tupuna have endured these inadequacies for so long we can wait until an appropriate settlement agreement is reached that accurately remedies the injustices faced by our whānau and provides the hapū with assets and interests that will benefit the mokopuna that are to come.</p> <p>Subsequently, David has proposed the following as an initial step towards a new negotiation process: - The Trust Board take the DoS and break it down into three categories: o Firstly, any parts of the Deed of Settlement we are content with, that could potentially pass forward into a new agreement. o Secondly, any parts in the Deed of Settlement that must go; and o Thirdly a list of assets/rights that must be in any new settlement package. David has asked that we all meet again on Aotea sometime in February to discuss these lists/breakdowns, COVID restrictions permitting. To this end, I acknowledged that we would endeavor to achieve this step. However, it may be unlikely as we would firstly like to seek kaumatua guidance on whether the kino of the previous Deed of Settlement is navigable and subsequently if any new agreement can be founded upon parts of the previous Deed of Settlement. Furthermore, I highlighted that the Trust Board would opt to progress a transparent process that involved whānau having an opportunity to express their thoughts on these lists.</p> <p>Recommended Next Steps Considering the overview detailed above my recommendation for next steps regarding the Treaty Settlement would be: 1. Kaumatua be asked to advise whether the kino of the previous Deed of Settlement is navigable and subsequently whether the previous Deed of Settlement can be broken down to form some of the foundations of a new settlement package. 2. Create a team to breakdown a basic outline of the requested lists. 3. The Trust Board review the breakdown (created by “the team”) and make any necessary amendments. 4. Hui be held on island to invite beneficiaries to contribute constructively to the lists. 5. A final list considering all the contributions of the Trust Board and beneficiaries be created and prepared in advance of the next hui with the Crown group.</p> <p>MACA Claim As it stands, Tamaki Legal has a minor conflict of interest. Although Tamaki Legal endeavored to navigate the conflict through discussions with the relevant party, I would to expediate the process and ensure work is being completed in this space by proposing the board</p>



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	<p>pass a resolution to marginally reduce our claim to an area that Tamaki Legal is no longer conflicted (please see attached map). I would like to acknowledge that remaining with Tamaki Legal is beneficial to the Trust due to their knowledge and work in the space relating to claims over Aotea. Despite the conflict, a historian has been engaged and other substantial work has commenced in this area through Uncle Micheal’s Claim and my whānau trust’s claim. Furthermore, Tamaki Legal has also begun exploring the pros and cons of a direct negotiation with the Crown or proceedings through the High Court regarding this matter. Overlapping Rights Claims Having spoken with Siaso from Tamaki Legal I have been provided with some feedback on avenues available to the hapū to ensure that we have a seat at the table during this discussion. Since the Waitangi Tribunal has published their report indicating the interested parties must follow a tikanga process in discussions to resolve the issue I have been advised that making an application to the Waitangi Tribunal to include us as a party may not be the best avenue. Siaso has recommended that contact with Te Arawhiti to advise them of our situation to date and asking them how they will take steps to ensure that we are party to the discussions as the mana whenua of the area is the best course of action. Subsequently, Siaso has contacted Te Arawhiti on our behalf to request this information and will provide an update accordingly.</p> <p>Fisheries. As the Trust is looking to progress matters in all spaces, I would like to suggest that the Trust resolve to form a team dedicated to engaging with Ngāti Wai regarding the return of the Ngati Rehua Ngatiwai ki Aotea fisheries allocation assets. I understand that, for the purposes of the original Fisheries settlement, Ngati Rehua Ngatiwai ki Aotea agreed to be subsumed into the Ngatiwai claim on the condition that the Ngati Rehua Ngatiwai ki Aotea fisheries allocation assets be returned. This has not yet occurred. Progressing this matter would be beneficial to the Trust. This is a piece from my last report and I would like the Trust to discuss this potential resolution at our next meeting dated 22 November 2021.</p> <p>Trustees to have a think about how this might be broached with NWTB. Perhaps via the kāhui kaumatua roopu</p>
General Business	
Tieke trans-location	Action 5: Confirm the Tieke translocation
Registration validation	<p>Validation of 8 registrations – Interim process required.</p> <p>Action 6 : As an interim measure, process the 8 registrations until such time as the new committee is established.</p>
Date for Open meeting	Open meeting to be scheduled. Date can be set at next meeting.
Other Matters	Business arm for the Trust – For further discussion
Whakamutunga	Closed 8.30pm with a karakia -Taumata Toki
Next meeting	Monday 5.30pm
Summary of resolutions	<p>Resolution 1 That the previous minutes (#22) be received and confirmed</p> <p>Moved: Opo Ngawaka Seconded: Taumata Toki Carried</p>



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Summary of Actions	<p>Action 1: Statement of works council to be signed and returned</p> <p>Action 2: Followup with Aperehama to assist as current second signatory.</p> <p>Action 3: Need to draft a letter of objection re the Sea Change as there has been no discussion with NRNWKA. Taumata will look into the cross claims.</p> <p>Action 4: Pam and Tyne to follow up re the scope and JD's for Tū mai taonga</p> <p>Action 5: Confirm the Tieke translocation</p> <p>Action 6 : As an interim measure, process the 8 registrations until such time as the new committee is established.</p>

Approved: