



TE TII A WAITANGI MARAE

20 April 2024 – SGM Minutes

25 Te Kemara Ave, Waitangi

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Waitangi Marae SGM

Paihia Primary School 9am.

Attendance and documents attached.

Wimutu; Opening Karakia.

Ngati Kawa; Opens meeting introduction to whare, whakairo, agenda, H&S floors open to mihi, whanaungatanga.

Hama; mihi, whanaungatanga.

Esme; intro, secretary for today, attendance register, process.

Tea Break.

Apologies; Waireti P, Maryanne B, Karo T, Leanne Williams, Audrey Bessiter, Lani and Ata , Katarina Heihei, Roseanna Walsh, Elizabeth Napier, Ania Napier, Jeff Kopura, Larise Kaun, Pita and Leanne Apiata, Hinehou Apiata.

Merehora/moves Amiria/seconds Apologies.

Agenda; 2022 &2023 Audited financial accounts, Danny Tuato'o facilitate Marae Charter, General business, confirm next s.m.g meeting.

Jim Baker; Financial report2023, breakdown of Charitable trust hapu fyi.

Merehora: enquires as to the whakapapa of charitable trust and its status with marae, i.r.d, auditors and accountants past and present, cost. The need to be audited, better options for financial reviews, and do we have a new accountant lined up for Jims retirement.

Lydia; enquires as to a deposit she regularly pays into the mare account and wants clarity.04/01/23-07/11/23 \$163 in total.

Jim; Lydias putea goes into monies received (koha).

Isaiah; talked of his inaugural hui for Arawhiti use of koha funds with tautoko from trustees.

Fonz; has issue with some of the expenditure on tamariki who kaimahi he supports opportunities for all tamariki and rangatahi enquires as to the issue of buying alcohol from koha.

Esme; tautokos tamariki rangatahi receiving their trip to rainbows end denigh any favoritism and explains it was previous trustees who were responsible for decisions at that time.

Merhora; tautoko the use of koha for alcohol.

Fonz; walks out upset negative threats towards Esme and Jim.

Ngati Kawa; Calls meeting to order.

Bill Tane; financial and charter process discussed 2022 show preparation of two accounts. Is the marae still a charitable trust queries accountability, cash receipts, transparency has auditor stated issues with accounts.

Jim; there are 2 sets of accounts (marae, charitable) cash receipts, Xero audited reports Jim has never seen any misappropriated of funds Stands firm Waitangi Marae Financials are on par.

Bill; Report audited by Independant accessor.

Jim; it is.

Amiria; issues with expenditure for alcohol for Kaimahi.

Susan; there is no more dinking on Marae whenua this is to be included in new charter.

Moemai; issues with covid payments and koha to Oromahoe NgatiKawa Marae, she feels our accounts should be open for all, transparently, how is funds distributed?

Sissy; should this meeting be held due to injunction pending and should injunctors be speaking (conflict of interest and breaches etc.) We need a whakapapa list for marae let's get back to basics, we service Ngapuhi do we All know the Whakapapa and are the people speaking appropriate to speak. Connection to the whenua.

Hama; moves we receive the financial reports?

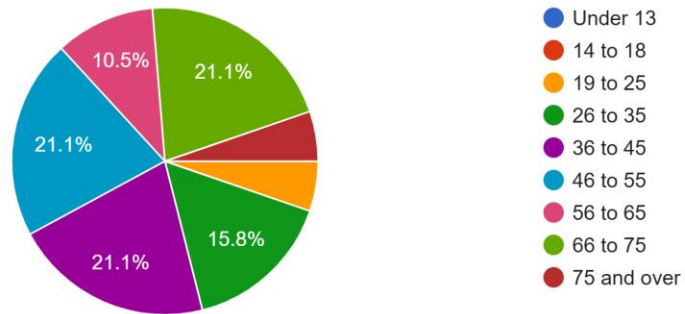
Hama/moves Isiah/seconds. Carried

Ngatikawa; Introduces Danny to facilitate the Charter review. any further info required can be accessed on our website. Surveys etc.

Charter survey results presentation by Ngati Kawa

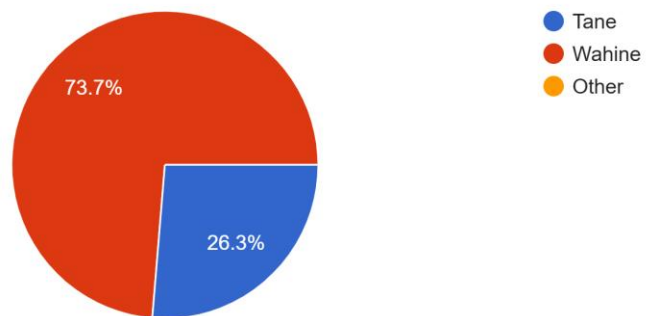
(2) What age group are you in?

19 responses



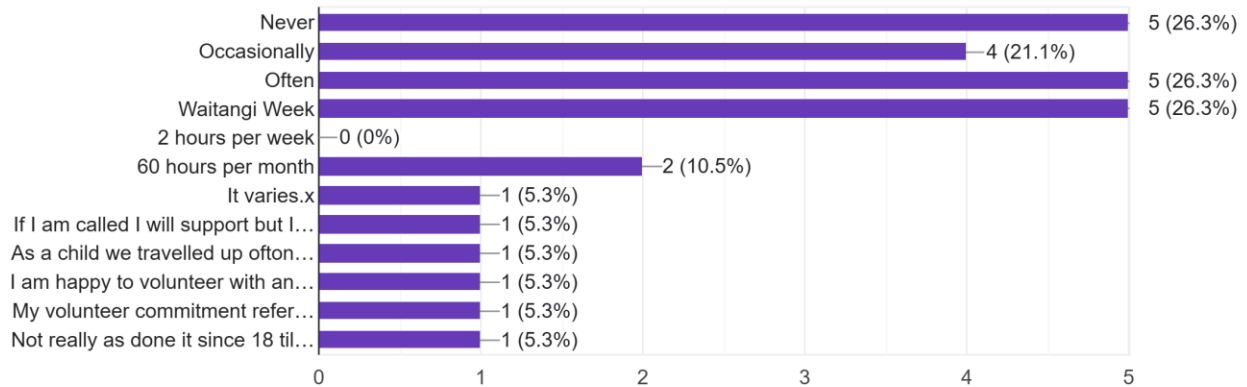
(3) What is your gender?

19 responses



(7) How often are you volunteering at the marae supporting trustees or contributing to any of the mahi?

19 responses



(8) Do you have any advice on organizing Waitangi week commemorations?

19 responses

no

It would be more efficient if everyone was briefed properly and egos removed ,and better security.x

Being organised as early as possible

see above

Look after your organizers its a big job takes a lot of work

Give this back to the Iwi, invite hapu to the planning of the week.

Give a year to prep ,have debriefs on improving the previous Waitangi, Kaumatua ,Kuia are priority, Security,regular hui for kaimahi for duration ,week

I'd love to know whats the current process is before advising any change in honesty

It may be beneficial to have open and honest discussions regarding the significance of Waitangi week and it's impact on society

Probably.

Waitangi week commemorations is a Ngapuhi event. All hapu of Ngapuhi should be involved in the planning, hosting & celebrating the signing of Te Tiriti 1840.

Get properly funded and outsource organisation of main mahi n months ahead n keto violent people off the whenua

Parawhenua Marae should invite volunteers and Marae Trustees from (Oromahoe, Parawhenua, Rawhitiroa, Tauwhara, Ngawha, Te Tii, Takou, Okorihi, Otangaroa, Waima) to a Strat Plan to set up

working party groups to assist Waitangi Marae Trustees with all the tasks for that week including a team to specifically take care of the pack down on the 7th of February.

More accountability for cash received

No I don't. I'm really coming into this space to begin to learn.

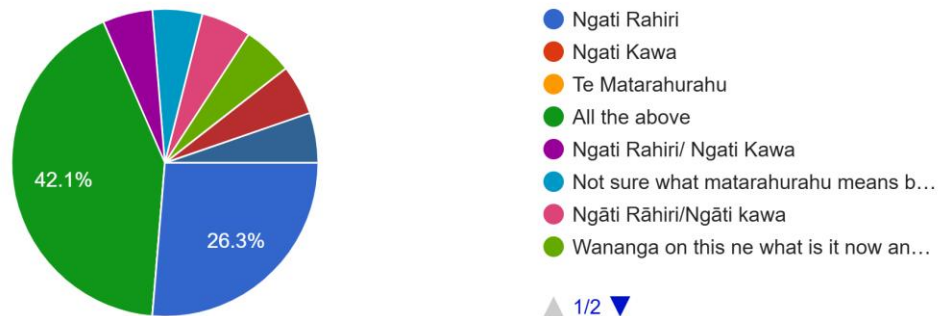
No advice, would love to partake in volunteering at marae though. Have never explored who to ask etc. I have a lot of whakama within myself

No

Maintain leading by examples.

(10) Which Hapu should be listed on our charter as holding the mana of Waitangi Marae?

19 responses



Lunch Break 1pm.

130pm Charter Review cont...

Danny Tuato'o introduces himself before facilitating our marae charter review.

Informs everyone that our new charter needs to comply with legal responsibilities then he provides a high-level comparison of the Maori Reservations Regulations 1994, current 1994 Charter and draft template.

We currently have a 1994 Charter that has not been reviewed in 30 years so this is your opportunity to modernise it and to make it fit for purpose while retaining the special aspects of what is in there. The Charter is a guidance document with a set of rules on how the marae should operate. Ideally, it should be reviewed every year at the AGM.

The draft template in front of us today comes from the Waitangi Tribunal and Maori Land Court so everything in here is already acceptable by these institutions. However, its not a full gone conclusion as no outcome has been reached yet cause you as beneficiaries must make the decision of what you adopt from the draft and what you think should be amended. After we're

happy with what we want in the charter, we are required to get it approved by the MLC, so it becomes a legal document.

Jim Baker raises a specific point about the two entities being the Te Ti A Maori Reservation and the Te Tii Waitangi Marae Charitable Trust. Question for Danny, do we adopt one charter for both entities? Yes, if they don't marry up then you can fire me.

Bill Tane directs us all to walk thru clause by clause and it should answer all our queries.

Clause	Comments	Action
1.1	<p>Name</p> <p>Amiria – the whare was a community hall. It had a cross on it. The whare and kohatu combined is 140 years old. 1800's named Te Tiriti O Waitangi Marae. It has a marae name why are we deciding to change it?</p>	Wananga
1.2	Location	Wananga
1.3	<p>Amiria - The land is reserve for Ngati Rahiri original mo ngai maori o Aotearoa. When was the people of nz removed? Ture Whenua 1994 section 338, subsection 3</p> <p>Danny – is NZ in or out, I'm not facilitating that hui (with humour). A class of persons is confining.</p> <p>Adalaide – Te Atairangi Kaahu used to be part of it.</p> <p>Isaiah – Ngati Rahiri Mana Whenua not Ngati Rahiri tangata.</p> <p>Maureen Otene – who is persons? I'm not a person. We should not be defined as a person. Us and tangata whenua are not persons. That's the NZ Company. Persons are subordinate to the NZ Company. Use of reservation.</p> <p>Hapeta – Ture Whenua 1994. Section 338, subsection 7.</p>	Wananga

	<p>Hayward Brown – whanau trust is where the power is, should be at the top making all the decisions whereas this process gives the charter all the powers. I want to know the name of block and see the map</p> <p>Kate; why are we not comparing it to TB3 trust order?</p>	
1.4	<p>Bill Tane – we need to understand the history of the whenua and the whakapapa to know who are the beneficiaries then everything else will fall into place. TB3 has 251 owners and a registry of Tupuna Whenua Reps.</p> <p>Danny - how do we rectify it with the court?</p> <p>Adalaide - TB3 and the Marae used to be one but were split in 1990's. The Ahikaa are the ones who keep the home fires burning. There's whanau who live away but still got to listen which is tikanga not a pakeha kaupapa. NZ herald in 1994, big hui SGM 200 or 300 people to decide on the current marae charter.</p>	<p>Wananga</p> <p>Strong sense of a high priority from the floor</p>
1.5	<p>Land description</p> <p>Esme asks if we should check the land survey's to make sure it's still the same</p> <p>Danny responds that it doesn't necessarily affect the charter so don't require it right now but good to do eventually. In 1918, the MLC recorded 2.7 hectares and it hasn't changed.</p> <p>Sissy Baker: when talking Ngati Rahiri, our whenua boundaries encompass 25 blocks from here to Haruru falls, not just the marae</p>	
2	<p>Need to ask ourselves, what is the purpose of our marae?</p> <p>Sissy Baker – purpose is tikanga and wairua.</p>	<p>Wananga</p>

	<p>Adalaide. 1993 TB3 commercial arm. Marae given the camp to support marae. Our job is to host the nation. The marae's Manaakitanga. Ngati Rahiri Ngati Kawa. 12 meetings with 12 marae's and last month all stayed at the marae. tuna, kumara TB3 to awahi with putea. Ahikaa, keeping the fires burning for the nation. Couldn't be on both. Power, rates, insurance. We went to council saying your water pipes going thru our land so where's the compensation.</p>	
2.1	The charter is made under reservation regulations	
2.2	<p>e) uphold Te Tiriti O Waitangi</p> <p>Maureen Otene - Persons are subordinate to NZ Company so how can we throw trustees to the beast and then expect them to uphold Te Tiriti? They can't, leave it for the Hapu.</p>	Wananga
3	Trustees	
3.1	<p>Recommend minimum of 7</p> <p>Need an odd number so no stale mate when voting</p>	
3.2	<p>Amiria - all trustees from Ngati Rahiri. Concerned this negates those who whakapapa to the whenua. He uri ahau no Rahiri. Sissy objects. At the Kooti, I will present my whakapapa. My husband whakapapa's here but does not speak for me. I'm Te Hikitu, Hokianga, Te Arawa and Tuhoe.</p> <p>Defined whakapapa. Do we want it in the charter?</p> <p>Bill Tane. Where do our Waitangi lands come from? TB3 practises mana whenua of 251 tupuna. Where your whakapapa comes from</p>	Wananga

	and who are your trustees needs to be wananga and everything else will fall into place.	
3.3	Executives	
3.4	Official marae address	
4.	Term of office	
4.1	Confirmed current trustees	
4.2		
	<p>Stagger appointments.</p> <p>Merehora - Trustees are active from Marae nomination</p> <p>Bill Tane – Going thru election is only one step in the process. Appointments start from day MLC makes you a legal responsible trustee.</p> <p>Danny - Checks of trustees suitability must be done. MLC Judge must be satisfied. Opportunity for objections for reasons of bankruptcy or previously removed as trustees etc. Also gives elected trustee opportunity to opt out. Generally smooth process unless contested but MLC safeguard to appoint suitable trustees.</p>	
4.3	Danny recommends 3-year term	Wananga
4.4	<p>Co-opting trustees</p> <p>Bill tane doesn't agree with co-opting if someone passes away. Prefer waiting for next vote at AGM</p>	Wananga
5	Persons allowed to be trustees	
5.1	Danny adds that the MLC Judge needs to be satisfied you're a responsible trustee	

	<p>Amiria – contests e) trustees must not be Directors</p> <p>Bill Tane – against nepotism e.g. brother and sister etc. Point is fair representation.</p> <p>Hama - signatories should not be husband and wife.</p>	
6.	Nominations	Wananga
6.1	You could be in antarctica and nominate someone	
7.	<p>Voting</p> <p>Recommends voting by ballot as confidentiality important</p> <p>Bill Tane. If you're Ngati Rahiri you are entitled to vote, should be given every opportunity. We need to understand history to answer that question of who gets to vote.</p> <p>Ngati Kawa. The whenua has been inherited from somewhere, so we all need to understand the whakapapa.</p>	Wananga
7.1	<p>Voting trustee show of hands.</p> <p>Amiria - Must be present in person. However, one of our last trustees left the election and a whanau member spoke on his behalf.</p>	Wananga
7.2	No proxy	ALL AGREED
8.	Notices of meetings	
8.3	All platforms	Wananga

	<p>Use all available means of electronic and person, newspaper, email, radio. Notice must comply, sadly newspaper is still required but how many read it.</p> <p>Tupua Whanau Reps registry like TB3 is a point to consider so we have beneficiaries contacts list.</p> <p>A registry based on Ngati Rahiri whakapapa is up to us to decide. Don't leave it up to the MLC.</p>	
9.	Quorum	
9.2	<p>Bill Tane - consider 21 beneficiaries present at general meetings. Is it 21 from off a Ngati Rahiri beneficiary register?</p> <p>Kim Ashby - My Tamariki are all beneficiaries but not 18 years old so can't vote. You don't want all the Ashby's making all the decisions.</p> <p>Should it be Tupuna Whanau Reps like TB3?</p>	
10.	<p>Maori Land Court</p> <p>Maureen Otene – why we letting a foreigner make decisions for us. We can make our own decision in our Kooti Marae.</p>	Wananga
11.	<p>Trustees duties</p> <p>h) Ngati Kawa - If you miss 3 consecutive hui then you will be removed. We need committed trustees who turn up and do the mahi.</p> <p>Bill Tane. Id like to add that trustee must be present for the entire hui not just an hour and then disappear.</p> <p>Danny adds code of conduct, example if I read all my trustee material, made comments hand in apologies does that still mean I've attended.</p> <p>Isaiah.</p>	Wananga

Isaiah - alongside that we should also discuss incentivisation cause being a trustee, we don't sleep. We give up a lot of our life.

Esme - we trustees are attacked, harassed and falsely accused in court. If the applicant loses their court case against us, I want to see that they pay compensation to the trustees.

Sissy Baker - split trustees powers and trustees obligations. Also, what are the rights of beneficiaries? Danny said good point, need beneficiaries rights. Just need to get the balance right cause its unrealistic for trustees to call a hui for every issue. Ngati Kawa says if who wants to raise an issue should have support from 10 other beneficiaries. Bill Tane says to call a special hui its should be 21 beneficiaries in support. Esme. We get it all the time, people claiming they speaking for a whanau but no letter of confirmation to grant them that authority from the actual whanau. That would be an advantage of having whanau reps appointed by the whanau so we know who is who. Maureen. That's where a resolution from the whanau comes into place.

Lydia. Beneficiaries should know everything so no fighting.

Judy, Marae and TB3 should be working together. Danny, for the purpose go have a korero with TB3 but trustees duties should be in the charter so everyone can see.

Maureen. Why are we asking trustees to uphold te Tiriti when they are subordinate to the Crown therefore, they can't uphold the te Tiriti.

Adalaide. Waitangi Marae holds the mana. Education about trustees responsibility. There are those who believe in He Whakaputanga and held portfolio's to see where its feasible and

	<p>then report back to us. There are lots of people don't understanding all that stuff. Maureen: Leave it for the Maori Incorporations cause they are not persons subject to NZ Company.</p> <p>1994 charter says tangi takes presence so that's our kaumatua's korero that should be remembered for this review.</p> <p>Curve ball to limit powers around marae assets bank loans and investments. Call it if you don't want it.</p> <p>Day to day operations, committee's vs trustees. Clarity around roles and responsibilities.</p> <p>Merehora - trustees must do a) b) c)delete do their best</p>	
12.	Finances	Wananga
12.2	<p>Amiria asks for clarification. According to this clause, will accounts not be audited annually. Danny, correct. If you want it to be audited annually that's fine but it comes at a cost. We need to strike a balance</p> <p>Amiria - In any event trustees will be undertaken not Less than 5 years. Is this saying that trustees are not required to furnish audited accounts less than 5 years? That if so are these trustees saying that the audited accounts don't have to be presented for at least 6 years? Ngati Kawa. The trustees are not saying this, the template is.</p> <p>Amiria - my concern is this I can bet you this will be passed and accepted. MULTIPLE OJECTIONS TO HER STATEMENT!!!</p> <p>Danny - This not tailored to this marae. There are 800 marae and all have there own financial requirements.</p> <p>Bill Tane: Qualified accounts - means work required to do on audit so mitigation of this</p>	Wananga

	<p>financial status needs to improve its systems e.g needs a procedures and policy manual. Accountant / auditor should do bookkeeping, manage xero and report back to beneficiaries at an operational level for transparency and confidence.</p> <p>Ngati Kawa: [We have completed audits since 2015], they are expensive but necessary as it helps with funding applications so how do we strike the balance where we can still comply on that level.</p> <p>Why are we paying expensive consultants when we have TB3 our commercial arm TB3 who have skills to utilise. In the future maybe a review two entities using one set of auditors.</p> <p>Danny suggests we seek a recommendation from auditors to be compliant and fit for purpose.</p>	
13.	Not discussed	
14.	Not discussed	
15.	Not discussed	
16.	Esme - Need a code of conduct.	Wananga
17.	Not discussed	
18.	Not discussed	
19.	Not discussed	

GENERAL BUSINESS

Maureen; presented a resolution to be tabled. (Open Spaces) Attached .3pages.

Request from Beneficiaries for an update on the Marae Development Project. Ngati Kawa provides a brief that Mark Katterns is pushing along nicely. The steel beams are in, and major modification work started on the front porch extension. Potential reopening Waitangi Week 2025.

All agreed for the next SGM to be held on 6th July 2024. Venue to be confirmed.

Aunty Billie; Reminds everyone don't be afraid to come to the marae just come and help and be a part of the whanaungatanga thanks everyone

Meeting closed with Karakia and Waiata 3.30pm

Chairman

Ngati Kawa Taituha