

**Te Hapū o Ngāti Wheke Incorporated**  
**Rūnanga Meeting Minutes**  
**Sunday 19 June 2022**

**Karakia Timataka:** Māui Stuart

**Ngā Mate:** Pat Hutana, Karen Morgan, Peter Wakefield, Gavin Couch, Aroha Reriti-Crofts

**Present:** Karen Timihou, Mishele Radford, Gail Gordon, Paula Hutana Ata Leffey Isaac Fahey Dave Banks, Makere Fahey, Māui Stuart, Roy Tikao, Manaia Rehu, Jimmy McGregor, Nuk Korako, Elaine Dell, Herewini Banks, Reihana Parata, Manawanui Parata, Waikura McGregor, Maria Korako-, Tait, Cushla Dwyer, Amber Moke, Wene Hepi

**Apologies:** Pani Zaitsev, Ripeka Paraone, Ashley Warnes, Flo McGregor, Catherine Stuart, Lynette Cotterill, Dean Couch, Lynne Veal.

### **Chairperson Report**

#### **Appointments Committee**

Discussion regarding process of change and whether they should be adopted.

Noted the updated roles and committee terms of reference have come from Te Rūnanga.

Noted previous appointment panel was: Kopa June Ripeka Herena Catherine.

**Recommendation:** That the updated position descriptions for the TRONT Rep and Alternate Carried with 2 abstentions and 2 against.

**Recommendation:** That the terms of Reference for the Appointments Committee. Carried

### **Lyttelton West School**

Gail gave an overview of the Lyttelton West school opportunity for a potential development opportunity, the funding from Haea Te Awa, and the need to commit funds to the project to be able to purchase the land. Noted valuations and Geotech report will be received and a decision on purchasing the Church Property Trustees owned sections (the lower 2000 sq metres) will be required 11 July.

#### **Discussion:**

Looking for mandate to complete due diligence? Yes

Gail noted seeking approval to purchase

If the Geotech report says the ground is unstable

Noted need for forecasting work over next two weeks.

Noted there are many options for development of the site including Kāinga Ora, NT Property development. Could have a mix of social, shared equity and other housing. Could also have hauora hub.

**Resolution approved:** That the Rūnanga agree in principle to purchase the Lyttelton West School site subject to appropriate reports.

### **Proposed Steadfast Track**

CCC Regional Parks team have developed a concept design for a walking track up the valley behind Motukauatirahi/ Cass Bay to Summit Road. Whānau to do a walkover of the site of proposed track to ascertain any issues. Anyone interested in being involved to notify the Office.

### **Papa Kainga Development**

Kāinga Ora would like to come and talk with us sometime in the next month around whānau/hapū aspirations re papakainga housing, initiatives to support whānau, now and in the future. A date will be confirmed shortly.

### **Gondola Timetunnel**

Nuk gave an overview of what had happened with the Gondola Time tunnel over the past couple of years and outlined how he had worked with the owners to upgrade the narrative. Noted that unfortunately the owners have not yet upgraded the narrative/voiceover or addressed the other

shortcomings with the Timetunnel. The owners agreed to the Exec request to close the Timetunnel until the situation is rectified.

Mishele confirmed Exec hope to meet with owners in the near future to make clear our expectations for the future.

### **Ngā Rūnanga engagement**

Mishele noted work ongoing with other Rūnanga on a range of initiatives

### **Other policies updated by Exec**

Mishele noted other policies passed by Exec: Complaints Policy and Financial Policies.

### **Rūnanga Hui Attendance**

Noted zoom hui to continue and those on the zoom need to make themselves known and visible.

Chair Report accepted.

### **TRONT Rep Report**

Gail overviewed the report.

It was noted that the Rūnanga has no other commercial opportunities identified as yet.

Noted \$5m cap for each Rūnanga that must be repaid before further funds can be accessed.

Nuk suggested need to look at infrastructure investment here. Haea te Awa and other agencies could support this.

Manaia noted some Rūnanga already have lots of plans and they may access lots of the money.

Gail noted the cap means the funds should be fairly allocated.

Nuk suggested the charitable company should perhaps be doing more due diligence on projects.

Query: Are Rūnanga remunerating Execs and other office holders? Some do honorariums and some do meeting fees.

TRONT Reps have agree to a payrise.

Have not raised the Pūtea Whakamahi other than % to account for inflation. This is partly because Haea te Awa funding has increased.

Funding for Exec and Committees for their mahi should be considered.

Wene advised keen to support paying those doing the mahi including all the portfolios. Shouldn't be running like TRONT. Clash between law and lore. Need to see an organisational diagram.

Noted looking at roles and payment as part of governance review.

### **Financial Report**

Noted likely to break even for the year in terms of operating expenditure.

Manaia requested a list of new grants in each month report.

Noted working to make accounts more user-friendly

Discussion re fibre. Noted Enable may be able to provide quote. May be able to enable houses to connect as well. Starlink could be another option. Need to chase it politically to get action.

Financial Report accepted: Manaia/Gail

### **Approval of Previous Minutes**

Māui queried the note regarding the church committee report and noted his report had been submitted when required. Amendment made to minutes accordingly and minutes approved.

### **General Business**

#### **Sail GP**

Need to have our own base at Naval Point so we can have a presence at the event.

Want to have confirmation for continuation of a smaller committee  
Challenge previously was too much work.

**Agreed:** that Sail GP Set Task Committee mandated to carry on and reduce size.

## **Tangi**

Manaia queried how it went at recent tangi. Mishele noted it went well, that no mandate was required but that safe practices were encouraged and that there was whānau lead person in place.

## **Kaimahi for Nature**

Query regarding the structure and benefit to Rūnanga. Noted it is improving the environment through planting pest species and predator control, providing employment and that the Rūnanga is contracting Living Springs and CVNZ to run the work teams.

Request made for more commns around events so people know what is going on.

Noted Kaimahi for Nature also contributes to meeting Rūnanga running costs.

## **3 Waters**

Gail overviewed the work TRONT is doing with local councils around this.

Noted:

- Much of the infrastructure needs replacement
- anti Māori sentiment is widespread
- relationship with CCC is not particularly good and CCC are opposing the reforms

Wene noted local government are fighting for their democratic rights on it and that we need to assert our rights.

## **Māori Health Authority**

Comes into being 1 July.

Noted Manawhenua ki Waitaha will cease to be. Some of those members will have a role in the new structure. Noted Waikura is involved representing the Rūnanga.

## **Kaumātua Flats**

A report from the Set Task Committee was tabled and read out as outlined here.

*Pani, Ripeka and I are just wanting to update the rūnanga members as to our position as the mandated team to address the property, 2 Rapaki Drive and the Kaumatua flats, after having received the legal opinion from Buckett Law.*

*We wish to make the Runanga aware of the following:*

- 1. Before there can be any further development of the property, the issue of ownership, trusteeship and beneficiaries needs to be resolved.*
- 2. Te Rūnanga o Rāpaki Trust was established in 1990 and is the registered legal owner of the property, 2 Rāpaki Drive, Rāpaki. (Registered title CB475/265)*
- 3. The beneficiaries are the members of Te Rūnanga o Rāpaki/Te Hapū o Ngāti Wheke Rūnanga.*
- 4. It was noted there has been various purported attempts to alter the trust deed (specifically establishment purpose, title and class of beneficiaries) and make claim to the property which appear to be invalid or voidable.*
- 5. That is because clause 15 of the originating settlement makes it clear that there can be no alterations to clause 2 of the trust deed which sets out the purposes. Contrary to that opinion, trustees appear to have purported to change the name of the trust from Te Rūnanga o Rāpaki Trust to Te Mahi Korowai Trust, in the context of making alterations to*

*clause 2 purposes in a way that materially changes who the trusts beneficiaries are and materially detracts from the original settlement.*

- 6. Questions arise as to whether the trustees in making those alterations have acted ultra vires their fiduciary responsibilities to the beneficiaries of the original trust*
- 7. We, in our earlier discussions, had a bottom line condition and that is the land and the flats be returned to the rūnanga, this is non negotiable. Our preference is to resolve this through discussion and agreement; however, in the absence of an inter parties resolution, proceedings will be issued in the high court for directions and other appropriate orders including an application for the removal of the current trustees and subsequent appointment of new trustees.*
- 8. Barbara, (our lawyer), on the 7th June 2022 had requested various documentation from their lawyer (Young Hunter Lawyers). We have yet to receive a reply. Should we receive nil response by 24th June 2022, we will proceed with high court action.*
- 9. We wish to advise the Rūnanga members that should we end up in the high court and be successful, we will instruct Barbara to seek court costs from Te Mahi Korowhai Trust or its trustees personally.*

*Ashley Warnes*

*On behalf of the Rūnanga Kaumātua Flats Set Task Committee*

## **Church**

Māui gave an update from the Church Committee. Noted bell got stolen. Insurance? History of the bell?

Discussion regarding where the other bell (from the Rāpaki ship) should go. Kahui to determine where wharekai bell should go.

Question as to whether more security cameras needed.

Action: Māui to source new bell.

Unmarked graves; need some guidance around process for putting crosses up. Kahui Kaumātua or Trustees to confirm.

Need to think about process and relationship between church committee, trustees and Rūnanga

Do we still need a church committee? Elaine suggested that we have kahui kaumātua, cultural committee and reserve trustees so maybe not needed.

Should the Rūnanga be mandating the Church committee or the trustees?

**Resolution approved:** Church Sesquicentennial Set Task Committee closed.

Noted there is a church committee that was mandated last AGM.

Noted there is a trustee rep on the Church Committee.

## **Road Safety**

Jimmy McGregor noted the need for a mirror at top of Omaru Road to assist with view towards Governors Bay. Noted need for barriers in various locations around Rāpaki.

**Action:** Office to follow up with CCC re barriers and mirrors.

## **Kaumātua Lunch**

Elaine noted a great day out was had with lunch at the Richmond Club. Thanks to Lynne, Paula, Waikura and Lynette.

## **Matariki**

Looking at trip to the movies and also a dinner and quiz.

Put another call out for final numbers by Tuesday for Friday event and will defer/cancel unless there is strong interest.

**Karakia Whakamutuka:** Māui Stuart