

## **Minutes of the Te Rūnanga a Rangitāne O Wairau Group Annual General Hui Held at Ūkaipo on Saturday 21 November 2015 at 2:00pm**

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**PRESENT:**

Kevin (Wayne) Abbott, Richard Andrell, Rata Andrell, Francis Andrell, Rata Andrell, Jeremy Banks, Margaret Bond, Aroha Bond, Butch Bradley, Richard Bradley, Janet Carey, Kuia Carey, Phillipa Carey, Shona Crafar, Janis de Thierry, Anthony de Thierry, Wirihana de Thierry, Kowhai de Thierry, George de Thierry, Pharaoh Wayne de Thierry, 'Kaariamai Pāpa de Thierry, Teoti Hou de Thierry, Elsie Elkington, Milly Finlay, Mandy Fryer, Michael Fryer, Val Goold, Wayne Green, Teone Harawira, Calvin Hart, Corey Hebbard, Wanda Hebbard, Moira Hebbard, Jessica Hill, Pania Huntley, Florence Huntly, Wendy Hynes, Jeffrey Hynes, Safari Hynes, Sydney Hynes, Amiria Hynes, Manaia Hynes, Edna Jefford, Geoffrey Jefford, Maude Joseph, Simone Leaupepe, Sharon Love, Tarina MacDonald, Margaret MacDonald, Louis MacDonald, Ellen MacDonald, Taane MacDonald, Waru MacDonald, Marjorie MacDonald, Shirley MacDonald, Hector (Bruno) MacDonald, Erina MacDonald, Gail MacDonald, Luckie MacDonald, Hannah MacDonald, Phillip MacDonald, Haysley MacDonald, Judith MacDonald, Robin MacDonald, Lawrence MacDonald, Errol MacDonald, Janet MacDonald-Tibble, Paora Mackie, Anituhia McDonald, Carol McDonald, Liz McElhinney, Miria McKinney, Gemma McKinney, Lorraine Minnell, Brian Minnell, Ivan Neame, Linda Neame, Kiley Nepia, Kereana Norton, Jodie Palatchie, Latoya Percival, David Proctor, Ashleigh Proctor, Pikihuia Reihana, Hinemoa Reihana, Jeanine Sadd, Monique Sampaio, Tahlia-Rose Simmonds, Isobel Smith, Sue Tawaka, Marick Tawaka, Maeke Tawaka, Ohomairangi Tawaka, Paakira Tawaka, Rejata Tawaka, Diane Taylor, Hemi Toia, Cruz Tuhimata, Viveyan Tuhimata-Weke, Tui Twose, Gordon Twose, Keelan Walker, Lauree White, Rozmund White

**IN ATTENDANCE:**

Richard Bradley (Rangitāne Staff), Ross Butler (Chairperson, Rangitāne Holdings and Rangitāne Investments), Trevor Deed (Auditor, Deloitte), Sandra Evers (Rangitāne Staff), Corey Hebbard (Rangitāne Staff/Minutes), Diane Ryan (Rangitāne Staff), Janine Thompson (Rangitāne Staff), Keelan Walker (Rangitāne Staff)

**1. OPENING KARAKIA/MIHIMIHI:**

Rangitāne Culture and Language Portfolio Convenor Paora Mackie opened the hui with karakia.

Trust Chairperson Judith MacDonald welcomed attendees and advised that she would chair the Hui from agenda items one through to seven, and Deputy Chairperson David Proctor would chair the remainder of the Hui.

**2. APOLOGIES**

The following apologies had been received:

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Arthur Aldridge, George Aldridge (Jnr), George Aldridge (Snr), Kereama Aldridge, Mary Begbie, Matrice Gledhill, Kahurangi Hippolite (and whānau), Cappy MacDonald, Cathy MacDonald, Malcolm MacDonald, Risman MacDonald, Te Ohonga MacDonald, Peter Meihana, Ranae Niven, Warren Sadd

**MOTION 1:** That the apologies be accepted

**Moved:** Paora Mackie

**Seconded:** Gemma McKinney

**Carried:** **CARRIED UNANIMOUSLY**

### **3. MINUTES OF THE ANNUAL GENERAL HUI HELD ON 30 NOVEMBER 2014**

The minutes of the Annual General Hui held on 30 November 2014 were tabled and read by Trust Chairperson Judith MacDonald.

Three errors were noted:

- Those present should include: Calvin Hart (not Calvin Hunt)
- Under Chairperson's Report, refer to Pikihuia Reihana (not Piki Reihana)
- Under the Financial Report, the minutes should refer to the 12 month ending 31 March 2014, not 31 March 2013

**MOTION 2:** That the minutes of the Annual General Hui held on 30 November 2014 be accepted as a true and correct record, subject to the amendments being made

**Moved:** Pikihuia Reihana

**Seconded:** Calvin Hart

**Carried:** **CARRIED UNANIMOUSLY**

#### **3.1. MATTERS ARISING**

There were no matters arising from the minutes of 30 November 2014.

### **4. TRUST CHAIRPERSON'S REPORT AND PRESENTATION OF THE ANNUAL REPORT**

Trust Chairperson Judith MacDonald presented the 2015 Annual Report and her Chairperson's Report, which outlined Rangitāne o Wairau's achievements over the previous year. 2015 performance was benchmarked against Rangitāne o Wairau's Strategic Plan, Te Pae Tawhiti.

**MOTION 3:** That the 2015 Annual Report be received and accepted

**Moved:** Gemma McKinney

**Seconded:** Rata Andrell

**Carried:** **CARRIED UNANIMOUSLY**

### **5. INCORPORATED SOCIETY CHAIRPERSON'S REPORT**

Incorporated Society Chairperson Lawrence MacDonald provided a verbal report to the Hui on the activity of the Incorporated Society. He acknowledged the work of all portfolio holders on their recent activities. Richard Andrell spoke to the activity of the Hunting and Gathering portfolio and thanked all members who attended these events, noting that there will be more to come in the future. Lauree White spoke to the initiatives being implemented in the Health portfolio, around

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ensuring our Kaumātua and whānau were receiving the support required to meet their health needs. Wendy Hynes updated the Hui on the activity of the membership portfolio and invited iwi members to attend the Kids Christmas Party at Stadium 2000 on 12 December 2015 and noted that there was planning underway to hold Kids Christmas parties in other Rangitāne centres. Lawrence MacDonald thanked Jeanine Sadd for her work on scholarships, and also provided an outline of the activity of the Kaumātua Council who were also looking at events in other districts. Lawrence MacDonald thanked Paora Mackie for his work on the recently formed Culture and Language portfolio. Tarina MacDonald invited input from members on the Employment portfolio.

Lawrence MacDonald concluded his report by thanking all those who attended the Incorporated Society's Hui, and by thanking the nominees to the Executive Komiti, for which there would be an election later in the Hui.

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| <b>MOTION 4:</b> | That the Incorporated Society Chairperson's Report be received |
| <b>Moved:</b>    | Liz McElhinney   |
| <b>Seconded:</b> | Paora Mackie   |
| <b>Carried:</b>  | <b>CARRIED UNANIMOUSLY</b>                                     |

### 6. RANGITĀNE HOLDINGS AND RANGITĀNE INVESTMENTS CHAIRPERSON'S REPORT

Trust Chairperson Judith MacDonald introduced the Chairperson of Rangitāne Holdings and Rangitāne Investments Ross Butler.

RHL/RIL Chairperson Ross Butler stepped through a digital presentation, outlining the strong financial base that the Group has for the future, with no debt and an asset base of \$41m, with strong and experienced Directors. Ross Butler noted that the largest group of assets held by the Group were leasehold properties received through the Settlement (primarily education properties).

Ross Butler confirmed that a Delegations Policy was being worked on to better manage risk and should be in place by the end of the current year. He further advised that new reporting mechanisms were being established for reporting between the companies and the Trust, so as to keep the Trustees informed of the companies' performance during the year.

The companies carry no external debt and the Statement of Investment Policy Objectives (SIPO) sets out the debt levels deemed acceptable for the Group, in the event that borrowings for further investment opportunity were explored.

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| <b>MOTION 5:</b> | That the Rangitāne Holdings and Rangitāne Investments Chairperson's Report be received |
| <b>Moved:</b>    | Lawrence MacDonald   |
| <b>Seconded:</b> | Tarina MacDonald   |
| <b>Carried:</b>  | <b>CARRIED UNANIMOUSLY</b>   |

### 7. FINANCIAL STATEMENTS AND APPOINTMENT OF AUDITOR

Trevor Deed of Deloitte presented the Group's consolidated financial reports to the Hui, and gave a brief outline of the Group's structure and the complexity of the asset mix. Trevor Deed outlined the

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role of the different Group entities and outlined the setup of the Settlement Trust (as a taxable Trust) which settlements from the Crown were received through, along with the Māori Authority status of Rangitāne Holdings and the charitable company status of Rangitāne Investments.

Trevor Deed highlighted the increase in Rental Income as a result of the purchase of \$21m of education and other properties during the year, consequently resulting in reduced earnings from Interest Income. He also advised the Hui that Rangitāne House had been written down during the year by \$1.5m following a revaluation, although noted that due to accounting rules, the uplift in the value of the land (by \$500k) was not able to be recognised during the financial year.

In response to a question on the occupancy of Rangitāne House, Trust Chairperson Judith MacDonald stated the building had an 85% occupancy rate.

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| <b>MOTION 6:</b> | That the financial statements for the Rangitāne o Wairau Group for the year ending 31 March 2015 be accepted |
| <b>Moved:</b>    | Shona Crafar   |
| <b>Seconded:</b> | Pikihuia Reihana   |
| <b>Carried:</b>  | <b>CARRIED UNANIMOUSLY</b>   |

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| <b>MOTION 7:</b> | That Deloitte be appointed as Auditor for the Rangitāne o Wairau Group |
| <b>Moved:</b>    | Judith MacDonald   |
| <b>Seconded:</b> | Lawrence MacDonald   |
| <b>Carried:</b>  | <b>CARRIED UNANIMOUSLY</b>   |

Lawrence MacDonald thanked Trevor Deed for his thorough work in relation to the audit of the Group, and said it was a pleasure to again have him recommended as auditor for the Group.

*Judith MacDonald left the Chair. David Proctor assumed the Chair.*

## 8. ELECTION RESULTS AND CONFIRMATION OF TRUSTEES

Acting Trust Chairperson David Proctor advised that two Trustees (Judith MacDonald and Viveyan Tuhimata-Weke) had resigned by way of rotation, and subsequent to that a postal ballot had been undertaken, contested by Haysley MacDonald, Judith MacDonald and Jeremy MacLeod.

David Proctor provided the results of that postal ballot, confirming that Haysley MacDonald and Jeremy MacLeod were the successful nominees.

Liz McElhinney stood on behalf of her whānau and raised concerns about the confirmation and appointment of Haysley MacDonald as a Trustee, suggesting the current Trustees take the matter away, prior to confirming the results. She said Haysley MacDonald breached kaitiakitanga, and had been charged by Heritage New Zealand for desecration of a burial site at Wairau Pā. As a guardian of iwi assets, Liz McElhinney did not think it appropriate for Haysley MacDonald to be confirmed as a Trustee when he was being charged. A number of audience members said these events were not occurring and that this was not the forum for the matter to be discussed. Jeffrey Hynes raised a point of order, asking whether we were having a general discussion, making statements or if we

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were confirming the Trustees. Acting Trust Chairperson David Proctor responded that we were discussing the matter before a motion was put to the floor.

*Messrs Butler and Deed left the Hui.*

Liz McElhinney reaffirmed her point that her whānau were concerned with the election of Haysley MacDonald to the Trust. She said she did not believe that he should hold the Trustee position because he is before the Courts for the desecration of a Rangitāne Pā site (wahi tapu). She did not want a trustee on the board who desecrates burial sites.

Wayne Abbott stood, and said that he had been involved in Rangitāne's cultural heritage for a number of years. Haysley MacDonald interjected, and stated that the matter was before the Courts and therefore could not be commented on here. He said that the first he was aware of the proceedings was on Rangitāne's social media page, before papers were even served. He denied the allegations, and said it was against the law for the discussion to carry on which could implicate the tribe. The Acting Chairperson David Proctor asked Haysley MacDonald if that statement was a threat, which Haysley MacDonald denied. He reiterated that he could not comment, except to say that the proceedings were being strongly defended.

Acting Chairperson David Proctor said he would like Wayne Abbott to continue, so that the Hui could be informed on what was happening at the Pā. Haysley MacDonald strongly advised against allowing this to proceed as it would be opening the tribe up to legal action. Liz McElhinney stated that this is not about law – it is about lore and Tikanga.

Wayne Abbott said that Haysley MacDonald had been illegally digging with diggers and tractors at Wairau Pā, and had dug up moa bones, adzes, fish hooks and a number of other artefacts and taonga. Wayne Abbot presented the Chairperson with a folder containing photos. Wayne Abbott said that a number of archeological assessments had been completed, and Heritage New Zealand had requested the MacDonald's stop the desecration, however it had been continued. He backed up the statements made by Liz McElhinney and said he would be a witness when the matter went to Court on 18 December for criminal charges.

Phillipa Carey asked Wayne Abbott who had been digging illegally at the Pā. Wayne Abbott responded that Haysley MacDonald and Phillip MacDonald had been digging illegally at the Pā.

Jeffrey Hynes asked whether anybody had approached Haysley MacDonald face to face, and was concerned that it would only be the lawyers winning, and that it was another case of leaving the issue to Pākehā to sort out. Liz McElhinney responded saying she was raising the issue face to face today, and asked Haysley MacDonald what he had done to Kowhai Pā. Haysley MacDonald responded saying that he could not answer because the matter was before the Courts, and that a process needed to be followed. Liz McElhinney reaffirmed her view that Haysley MacDonald was not suitable for the position of Trustee, and that this matter was an issue of Tikanga.

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Jeremy Banks spoke and said that the iwi cannot allow itself to become judge and jury, and that Haysley MacDonald was innocent until proven guilty. He noted that the timing of the proceedings was interesting, in reference to the election of Trustees.

Wendy Hynes stood, and expressed concern that the matter had not been brought to the Trust table, nor had the Trustees received any correspondence or information relation to the proceedings. Wendy Hynes stated that there was a process we needed to follow, and that as a Trustee, she was not prepared to sit here and open herself and the iwi up to liability for the accusations being made by people in the room. Wendy Hynes' comments were greeted with applause. She reaffirmed the need to stick to a process, and let it follow its course.

Acting Chairperson David Proctor advised that the information in relation to the matter had only been received and raised today, and that if something was happening, Haysley MacDonald should have approached the Trust.

Gemma McKinney spoke and said this was a matter of Tikanga, not an issue for Pākehā to decide for us as Māori people. She said allowing Haysley MacDonald to be appointed as a Trustee would be trampling on the iwi's mana, as what he is doing is wrong.

Phillip MacDonald spoke, and said that the iwi was setting itself up as judge and jury. He confirmed that he could not speak about the issue as it was before the Courts.

Robin MacDonald spoke on the matter, saying that he would like the Trustee position to remain vacant until the proceedings were complete. He suggested that Jeremy MacLeod be allowed to fill his position, and that Haysley MacDonald's position remain vacant. This was greeted with objection from the audience.

Rata Andrell spoke, and said she did not want to see the iwi become judge and jury. She suggested it was a matter that the Trustees needed to take onboard, and seek advice from the Kaumātua Council. She said she was not aware of the sites location, but had no doubt that something had happened.

Wanda Heberd spoke and said that the voting was not done properly because three people ran, some people had been blocked from the MacDonald Whānau Facebook page, and that only two people were advertised on the page. She felt the vote had been stacked.

Keelan Walker stood, and began to ask Haysley MacDonald whether he had been charged, however was interrupted by Pikihuia Reihana who raised a point of order, being that Keelan Walker was an employee of the Trust and therefore should not be able to comment. Keelan Walker proceeded to ask the question, with Pikihuia Reihana continuing to raise the point of order. Keelan Walker denied that he was an employee. Pikihuia Reihana clarified that he was a staff member.

Janice De Thierry spoke, and said people shouldn't bandy around statements and words they don't know the meaning of. Some people do not understand the meaning of Tikanga, and shouldn't use the word if they don't know what it means. She said we are all here for Rangitāne and Rangitāne

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mana, and that we do not come here to crucify our own people. She asked that the Chairperson strengthen himself and bring the meeting to order.

Rata Andrell said she would like to see the site in question, and would like to go out there and be shown where it is, so that we can make our mind up on the issue.

Lauree White stood representing the Sadd whānau. She stated that this was a personal issue amongst the MacDonald whānau, and a case of “them and us”. Her whānau had voted, and they were here today for the outcome, not to get into the personal issues between members of the whānau.

Keelan Walker asked Haysley MacDonald if he had been charged, and if so, given that he is taking a leadership role, could he clarify the problem. Pikihuia Reihana raised a point of order that Keelan Walker was a staff member, and could not speak on the matter. Haysley MacDonald confirmed charges had been laid by Heritage New Zealand and that the first he had heard of this was on the Rangitāne Facebook page. Haysley MacDonald said that the vote had happened, the people have spoken, and it was time to get on with things, and that this discussion was not healthy for Rangitāne.

Hector (Bruno) MacDonald asked Haysley MacDonald to stand down, citing his unavailability from prison should he be charged.

Janice De Thierry said these comments were slanderous, and the Chairperson needed to call the meeting to order. Lawrence MacDonald stood and told her to sit down, and she has had her say and she cannot speak again on the matter. She responded that our people are making comments that are wrong, and that the discussion is not mana enhancing.

Butch Bradley spoke, and said that we live in a democracy, and that Haysley MacDonald was innocent until proven guilty, and suggested that continued questioning was not helpful because as the matter was before the Courts, Haysley MacDonald could not comment on the matter. He stated that the people had voted, as they have a right to do, and that the matter could be raised in the future if the allegations are proven correct.

Jeffrey Hynes stood to speak, and Lawrence MacDonald told him to sit down and that there had been enough discussion on the matter. Jeffrey Hynes proceeded and said he felt Butch Bradley had wrapped it up nicely: the allegations haven't been proven, nobody phoned Haysley and that he couldn't comment on the matters raised.

Rangitāne Kuia Isobel Smith and Carol MacDonald spoke together from the front of the room, and said that they both wanted the discussions to stop. They said that today was about highlighting Rangitāne and our people, and that the events of today were disappointing. It was time to calm down and come together.

Wendy Hynes spoke, and said that the Rangitāne o Wairau Trust Deed required that we appoint Trustees at the Annual General Meeting, and should the number of nominees exceed the vacant positions, that a postal ballot be held to determine that outcome. We have run that postal ballot,

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and the results had been received. Liz McElhinney responded, and said she felt it was prudent for the Trustees to take the matter on board, and that it was a matter of Rangitāne mana. Following this, Wendy Hynes proposed a motion to accept the results of the postal ballot.

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| <b>MOTION 8:</b> | That we accept the results of the postal ballot |
| <b>Moved:</b>    | Wendy Hynes                                     |
| <b>Seconded:</b> | Pikihuia Reihana                                |
| <b>Carried:</b>  | <b>CARRIED UNANIMOUSLY</b>                      |

Dave Proctor advised that the Trustees would consider the decision at its first Trustee Hui. He confirmed that Haysley MacDonald and Jeremy MacLeod were elected to the Trust. Applause followed.

Lawrence MacDonald suggested that in order to maintain order and for all attending the Hui that a PA system be used at the next AGM.

Viveyan Tuhimata-Weke stood and wished Haysley MacDonald and Jeremy MacLeod all the best for their time ahead on the Trust. Tarina MacDonald stood and wished Judith MacDonald and Viveyan Tuhimata-Weke all the best for their futures, and thanked them for their time on the Trust, as they had both been positive role models. She sent love to Judith MacDonald who was departing as Chairperson of the Trust.

### **9. ELECTION AND CONFIRMATION OF EXECUTIVE KOMITI**

Lawrence MacDonald advised members that the Executive Komiti of the Incorporated Society had two vacant positions, which would be filled by ballot. Phillipa Carey, Robin MacDonald and Pikihuia Reihana had been nominated for the vacant positions on the Executive Komiti. Ballot papers were distributed, and voting took place.

Once the results had been counted, Lawrence MacDonald advised that Phillipa Carey and Pikihuia Reihana were the successful nominees for election to the Executive Komiti.

Phillipa Carey thanked Tipi Wehipeihana and Phillip MacDonald for her nomination. She acknowledged all those in attendance, and hoped that Rangitāne could continue to grow into the future, and hopes that she serves the iwi well.

Pikihuia Reihana outlined her whakapapa and her connection to three Rangitāne tūpuna. She felt comforted that she is here to serve the people, and expressed thanks to all those in attendance.

Lawrence MacDonald thanked Robin MacDonald for standing for the Executive Komiti.

Haysley MacDonald spoke to his successful election to the Trust. He thanked those who nominated him, Jamie Joseph and Taane MacDonald, and those who had supported him. He said he would like to get to know everyone, and that he was happy to front anything people wanted. He said he would like to work on things important to Rangitāne. His speech was greeted with applause, and Aunt



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Isobel stood and said it was appropriate for us to sing. Pikihuia Reihana led a waiata to celebrate the results.

Rata Andrell said she would like Haysley MacDonald to take her to see the site at the Wairau Pā one day, which Haysley MacDonald agreed to do.

David Proctor expressed thanks on behalf of the Trustees for the work of Judith MacDonald, and requested that iwi members find the time to acknowledge her directly.

### **10. GENERAL BUSINESS**

#### **10.1. CARVINGS**

Rata Andrell enquired what had happened to a number of carvings that had been given away by the iwi to a whānau that had been seen on Facebook. The Acting Chairperson David Proctor advised that the issue was being resolved, by a working group led by Rangitāne Patron Taane MacDonald. Tarina MacDonald explained the issue was a complex and sensitive one, and that the iwi would be notified of the outcome, as to ensure that all parties' mana was upheld. Rata Andrell responded that she did not feel this was an appropriate response, and asked for an explanation on who gave the carvings away. Jeffrey Hynes referred questions on the issue to the Trustees, which David Proctor confirmed there would be a Pānui to update members on the issue. Rata Andrell felt it was a disgraceful matter.

#### **10.2. MOORE FAMILY**

Val Goold spoke on behalf of the Moore family, who wished to express their deep gratitude to Judith MacDonald and Viveyan Tuhimata-Weke as outgoing Trustees. The family had lost their whakapapa over a number of years, and this was now being restored. Val Goold expressed her gratitude to Judith for being able to learn their whakapapa. Isobel Smith offered to share some whakapapa information with Val Goold.

### **11. CLOSING KARAKIA**

Paora Mackie undertook the closing karakia and David Proctor closed the meeting at 4:55pm.



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**Chairperson**

18/2/2017

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**Date**