



POUKURA PĀ RESERVATION TRUST

MINUTES - CHARTER DEVELOPMENT HUI-A-HAPŪ.

DECEMBER 18TH 2022.

POUKURA MARAE.

Present: Denise Chappell (Zoom), Sarah-Jane Cuthers, Kahurangi Riwai Davison, Willow Davison, Nerissa Downing, Kavan Faoagali, Karauria Fa'uhiva, Kirsten Hepi (Zoom), Phoenix Hepi (Zoom), Awatea Johnson, Renee Kainuku (Zoom), Lisa Kaukau, Marie Maeva, Ngahuia Maeva, Kia Paranihi (Zoom), Marydeane Paranihi, Hinepare Patience, Tara Riwai, Randall Skipper, Takana Skipper, Soul Te Tomo, Nikki Tupaea, Te Whaitama.

Poukura Pa Reservation Trustees: Sarah-Jane Cuthers, Willow Davison (Facilitator), Hinepare Patience.

Apologies: Poriwira Kahura (Chairperson), George Patena-O'Connor (Trustee).

1. WELCOME

The hui was opened by Kahurangi Davison and Karauria Fa'uhiva with karakia at 10:30am.

The Trustees introduced themselves to the roopu, followed by whanaungatanga.

2. PURPOSE OF THE HUI / WHAT IS A CHARTER?

The Trustees explained that this was the first in a series of three for the purpose of putting together a Charter, and asked whether everyone present knew and understood what a Charter was, and its purpose. Majority of those present indicated that they did.

The Trustees impressed upon all present that a Charter is a hapū document, not a Trust document, and that it was important and necessary that the hapū determine the content of the Charter.

It was further shared by the Trustees that the Charter is a document that the hapū creates, that it is there to provide the Trust/Trustees with a framework within which they can work freely and with the trust of the hapū. It was noted that the current Charter had areas that were open to interpretation, and lacked the necessary clarity required of a charter. They added that it was important that the Charter be clear in order to avoid misinterpretation from either the Trust/Trustees or the hapū, and that it is a document which should provide guidance in situations where further clarity is needed.

The Trustees clarified that their role in the hui was to help facilitate the discussion only, and that they would be actively participating in the hui with their hapū pōtae on. All were in agreement that it is for the hapū, via the Charter, to provide the Trust with clearly designated areas of responsibility over which they have authority to operate with the mandate of the hapū, and that anything which is not clearly authorised within that mandate, requires the approval of the hapū to progress.

3. QUORUM

The Trustees stated that in the current Charter (2010), a hui-a hapū requires at least 15 hapū members and a quorum of the Trust (currently quorum is 3).¹ As these requirements had been met, the hui would proceed.

4. ZOOM

The Trustees acknowledged that there were technical difficulties with the Zoom, specifically that the sound from the marae was not going through to those online clearly, and the marae was continually disconnecting from the internet (noting that the internet for the Zoom was being provided by a Trustees' mobile phone via 'mobile hotspot'.) It was decided that the discussions would be transcribed as they occurred, allowing the zoom participants to submit questions and share their thoughts on what was being discussed.

5. WĀNANGA

The hapū decided that the hui should proceed wānanga-style, ie in one big group, so that everyone can hear, be informed by, and have the opportunity to respond to everyone else's differing perspectives.

A hapū member set the expectation that we respect each other, let people finish what they want to say and that there are pens and paper available to capture thoughts and ideas should points be raised that they wished to respond to.

The Trustees reiterated that they are looking to the hapū for guidance on this charter and that as they are also members of the hapū, will contribute to the discussion as members of the hapū.

6. BACKGROUND

A hapū member reiterated that the June 2019 Court Judgement² specified that "The Trustees should file an amended charter following a review and after consultation with the beneficiaries within 12 months from the date of this judgment."

A hui-a-hapū was to be organised following the 2021 Poukura Pa AGM for the express purpose of engaging the hapū in in-depth discussions around the review of the Trust charter.

The hapū were advised at that hui that certain items were recommended be included in the charter according to the Maori Reservations Regulations 1994³ such as the name of the marae Trust, the area of the reservation, and the beneficiaries of the marae.

Name: The hapū were clear that the name of the marae Trust is the "Poukura Pa Reservation Trust."

Area: The hapū discussed the area of the reservation as being only 4 acres of the 1A3 block⁴, not the entire block as shown in the 2010 charter, and that anything outside of the specified 4 acres does not fall within the authority of the Trust.

¹ Refer charter wording/advertisement

² Refer 2019 court judgement re charter review order

³ Refer Maori Reservations Regulations recommended content of a charter

⁴ Refer map of reservation area

Beneficiaries: A hapū member provided as evidence the court minute of 1908⁵, which clearly captured the korero of our tūpuna and made clear that the beneficiaries of the land blocks known as Poukura are those who whakapapa to the 7 original landblock owners, who were Amiria Takiwa (1A1); Tauti Te Tomo (1A2); Titihuia Ngakuru (1A3); Pipiana Takiwa (1A4); Monika Paehua (1A5); Materita Kerei (1A6); Rerehau Kahotea (1A7).

A hapū member questioned why Ngakuru was not included as an original owner, it was explained that while there was no evidence as to the reason Titihuia (Ngakuru's wife) was listed as the sole owner of the block referred to as 1A3, the 1908 court minute confirms that Ngakuru was present⁶ when Titihuia's sole ownership was confirmed and recorded in that minute.

The hapū was advised that a motion was put forward in the 2021 AGM that the beneficiaries of the Poukura land blocks must whakapapa to the original land block owners.⁷ It was also noted that the 2021 motion was not a new decision for the hapū, but was instead a decision to uphold the original decision made by our tūpuna in 1908, and again in 1924.

It was further noted that the names of those original landowners were not specified in the 2021 motion, and it was suggested that for the sake of clarity, a new motion be put forward that both reiterates our tūpuna korero of 1908 and specifies who the original land block owners were.

7. LAW

During a mind-mapping exercise for the hapū to provide their thoughts on 'What is a Charter', a hapū member provided information regarding the legal requirements of a charter. He explained that a charter is a legal document, and that there needs to be a power of alteration. He clarified that in order for a Court to accept a charter, there are certain requirements that must be met, ie the announcement of the hui, attendance at the hui.

A hapū member referred to the ineffectiveness of the current charter, highlighted by the fact that in 2019, Judge Harvey expressed that the 2010 charter did not provide the necessary clarity for the hapū to address the issues being raised, which had led to the need for court proceedings, and the subsequent decision by the court for a charter review by the hapū to address the inadequacies within the 2010 charter.

The Trustees reiterated the importance of ensuring that the charter was a clear framework of guidelines and rules provided by the hapū to the Trust, and that the guidance provided by such clarification should ensure the protection of both Trust and hapū.

A hapū member advised that a good charter should be a 'living document' as it should evolve as the needs of the hapū evolve, addressing any issues of clarity as they arise. Those present agreed.

8. CHARTER REVIEW

The hapū suggested that a charter review should be included on the agenda at each AGM. This gives the hapū a chance to re-assess whether the charter is fit for purpose, or whether it needs to be amended. If changes to the charter are required, the Trust are then able to arrange a hui to revise it.

⁵ Refer 1908 court minute list of owners

⁶ Refer 1901-08 list of attendees

⁷ Refer 2021 decision of hapū regards upholding previous decision made by our tūpuna

ACTION: Charter review process to be added to draft charter. 2022 draft Charter amended to reflect this addition under Section 10 (10.1-2)

9. TRUST COMMUNICATIONS

The hapū acknowledged that there had been lots of information coming through on email lists; facebook groups for Poukura kaupapa and that had been helpful, although the question was again raised as to whether these forms of communication were appropriate for the sharing of expressly hapū related information, and whether they should be restricted to the Poukura marae website. It was suggested that everyone that registers receives a hard pack of materials. The Trustees noted that there is a lack of resources, funding, and capacity from within the Trust to do printing, posting and mailouts at this time. A further challenge to posting/mailouts to our hapū members was whether the Trust had current postal addresses.

A hapū member suggested that the Trust approach the Tūwharetoa Māori Trust Board for this information, however it was noted that for privacy reasons they would be unlikely and/or unwilling to share the personal data they hold on behalf of the iwi.

The Trustees added that it would be helpful if those present went back to their whānau members and encouraged them to get involved and to come along to our Poukura charter hui through word-of-mouth.

ACTION: Those present agreed that all the recorded minutes from the charter hui be uploaded to the Poukura website for Ngāti Parekaawa ki Poukura members to access.

It was suggested that Motions be put to the floor to confirm the earlier korero.

MOTION 1

That all present understand the purpose of a Charter and accept and understand that the Poukura Pa Reservation Trust area consists of the specified 4 acres of 1A3 block only.

Moved: Marydeane Paranihi Seconded: Lisa Kaukau

Objections: Nil

Motion CARRIED.

MOTION 2

That as per the tūpuna korero recorded in 1908, the beneficiaries both legally and beneficially of Poukura Pa Reservation are the descendants of the original owners of the 7 landblocks – Amiria Takiwa, Tauaiti Te Tomo, Titihuia Ngakuru, Pipiana Takiwa, Monika Paehua, Materita Kerei and Rerehau Kahotea.⁸

Moved: Nerissa Downing

Seconded: Soul Te Tomo

Objections: Nil

Motion CARRIED.

10. MINDMAP EXERCISE: VALUES, INTENTIONS AND NEEDS OF BENEFICIARIES

The Trustees explained that the values, intentions and needs are what guides us as a hapū and will ultimately guide the Trust in their mahi.

⁸ Refer "Tūpuna Intent" as set out in the base draft charter 2022

Values that were important to the hapū were listed as:

- Kawa & Tikanga
- Manaakitanga
- Whanaungatanga
- Tino Rangatiratanga
- Self-sufficiency
- Matauranga
- Kotahitanga – all are treated equally, respectfully and with dignity to preserve unity.
- Tiakitanga
- Aroha
- Rangimarie
- Mana – Esteem for self, others, given and received. Mana whenua is mana from the land.
- Mana Motuhake – self governance, independence, historically every hapū had their own rangatira.
- Standards of behaviour expected from Trustees.

Kawa & Tikanga

The hapū discussed at length kawa & tikanga and many examples of tikanga & kawa were provided. It was agreed that the hapū set their own tikanga, however kawa is set and unchanging. It was also agreed that developing tikanga will require a lot of listening and learning over many days, and as a hapū, we need to develop kotahitanga first.

A hapū member raised the matter of external issues affecting our tikanga such as climate change and covid, and the importance of creating safety protocols to protect our whānau coming home.

Parekaawatanga

A hapū member raised the question of “What is Parekaawatanga?”

A hapū member noted that one of the responsibilities of the Trust is to “uphold Ngāti Parekaawa tikanga”, but that unless the hapū agrees on and defines our Ngāti Parekaawa tikanga, the Charter/Trust cannot be expected to “uphold it”. There were concerns that the Ngāti Parekaawa values could not be formulated within the charter, or that the Trustees would then be expected to act as ‘Policemen’ of these values.

A Trustee advised that once the hapū had developed their charter, the Trust would look to facilitate a series of hui similar to the charter development, but with a strong focus on Parekaawatanga and what that means to the hapū, and that kawa and tikanga should form part of that series of wānanga.

ACTION: Ngāti Parekaawatanga wānanga (inc kawa & tikanga) to be facilitated by the Trust once Charter development complete.

The hapū agreed that Māori are known for being transformative and that tikanga adapts to suit the times and the evolving needs of the hapū.

Kai break at 12:40pm - Meeting resumed at 1:55pm

11. GUIDING POU OF THE TRUST

Due to the time pressures, it was decided by the hapū that the korero about values and intentions can be revisited next hui on 7 January 2023. The hapū agreed that the ‘Guiding Pou of the Marae Trust’ as

noted in the Powerpoint draft charter 2022 would be a fantastic base for the hapū to build on as it reflected a lot of the korero that had been covered.

MOTION 3

That the 'Guiding Pou of the Marae Trust' becomes an agreed and accepted part of the Charter.⁹

Moved: Marydeane Paranihi Seconded: Awatea Johnson

Objections: Nil

Motion CARRIED.

12. DISPUTE RESOLUTION

The hapū agreed that the Dispute resolution korero needed more time and can be visited at the next hui.

13. TRUST ROLES AND RESPONSIBILITIES; FUNCTIONS OF THE TRUST

A hapū member referred to the "Successful Trust Management" book for advice and guidance around the Number of and criteria for the appointment of trustees.

The hapū discussed how many Trustees should be on the Trust, many thought that a good number was 7, some suggested 5.

It was clarified that during the 2022 court hearing to approve the current trust membership, Judge Doogan stated that he was happy with 5 Trustees, as it is currently, as he felt this was the best path forward to ensure that Poukura would not be left without a Trust and so mahi could continue, however he did encourage the hapū to revisit/revise this number during the charter review.

7 Trustees was suggested to ensure representation from each of the 7 original land block owners, however it was also noted that not all of the 7 owners had descendants.

After further korero about the cons of having an even number of Trustees, all present agreed that an odd number of Trustees is preferred.

MOTION 4

That the number of Trustees on the Poukura Pa Reservation Trust be set at either five (5) or seven (7).

Moved: Willow Davison Seconded: Awatea Johnson

Objections: Nil

Motion CARRIED.

ACTION: 2022 draft charter amended to reflect the decision under Section 6 (6.3).

14. INTERN TRUSTEES

A hapū member suggested the possibility of having a baseline of Trustees with an extra 1 or 2 as 'intern Trustees' who would not have voting rights, but there to learn about Trusteeship of their own marae. It was noted that there are legal responsibilities on Trustees, and that it would be difficult to ensure the

⁹ Refer "Guiding Pou" as set out in the base draft charter 2022

interns' safety and protect them from the legalities and responsibilities of the Trusts overall decision making.

15. TRUST MEETINGS

Following on from the intern Trustee korero, it was noted that the Trustee hui are open for the hapū to attend, noting that some of the Trust korero is confidential. An example of confidential information would be if a Trustee needed support for mental health issues/personal safety.

It was suggested that the hapū could be made aware of the schedule of meetings, be provided the agenda/Kaupapa and a Zoom link so they might attend to observe. It was also advised that 'in committee' time be a considered factor of each meeting.

MOTION 5

That the Poukura Pa Reservation Trust meetings are open to the hapū, with 'in committee' time set aside and determined by the agenda.

Moved: Nikki Tupaea Seconded: Lisa Kaukau

Objections: Nil

Motion CARRIED.

ACTION: Trustee meetings schedule to be put on website, agenda to be provided with 'in committee' time factored in and the Zoom link provided. Added to 2022 draft Charter under Section 7 (7.1.5)

16. CHARTER AVAILABLE TO ALL HAPŪ

It was noted that the previous Poukura Procedures manual was very restrictive in who could request and receive a copy of the charter. The hapū were asked if they would support a motion to ensure that the charter is available to any member of the hapū if they requested it.

MOTION 6

That the approved Charter is available to any member of the hapū who requests it.

Moved: Willow Davison Seconded: Sarah-Jane Nataria Cuthers

Objections: Nil

Motion CARRIED.

ACTION: 2022 draft Charter amended to reflect the above decision under Section 11 (11.1)

17. MEETING CLOSE

Kahurangi Davison closed the hui with a karakia at 3.00pm.

Next Hui-a-hapu: Charter Development – Saturday 7th January 2023.

Reference 1

3.1 GENERAL MEETINGS

- a. Unless subject to an order of the Māori Land Court or a Special Meeting has been called to address an urgent issue, the Trustees shall hold an Annual General Meeting (AGM).
- b. Twenty one (21) clear days notice shall be issued by way of written notice at Poukura Marae and a notice in local newspaper(s) approved by the Trustees.
- c. The quorum of Trustees required at any General Meeting, or Special Meeting shall be half plus one.
- d. Trustees must be in attendance unless an apology has been received – preferably in writing – by either the Chairperson or Secretary or their Deputy or Assistant.
- e. A General or a Special Meeting may proceed with a quorum of Trustees and a minimum of fifteen (15) Ngāti Parekaawa whanau.
- f. Trustees shall present to the whanau at the Annual General Meetings:
 - i. An Annual Report, financial report and an outline of activities proposed for the forthcoming year that includes a schedule of hapū and marae reservation trustee meetings.

3.2 SPECIAL GENERAL MEETING

- a. A Special General Meeting of the Marae Reservation Trust can be called when required by either the Trustees or the whanau.
- b. Twenty one (21) clear days notice shall be given via public medium.
- c. A quorum of Marae Reservation Trustees is required at any Special Meeting.

Public Notices

<p>Tahorakuri A1 Section 11F Ahu Whenua Trust Meeting of Owners (23)</p> <p>Date: Saturday 19 November 2022 Time: 10am Registration – meeting starts 10.30am Where: Te Toke Marae, Te Toke Road, Reporoa.</p> <p>Agenda:</p> <ol style="list-style-type: none"> 1. Karakia & Mihimihī 2. Apologies 3. Minutes of last meeting 4. Matters arising 5. Financials including payment of all accounts, accountant, advert for this meeting, koha to the marae 6. Update of Trust Operations 7. Approval of new signatories for Bank Account. All must have access to internet banking 8. New Committee members: Chair, Secretary/Treasurer 9. Replacement Trustees. Tony (deceased) Tui retired 10. General Business: <ol style="list-style-type: none"> i) Occupation Order Applications for Donna Barnes and Raymond Barnes. Plans with size of sections will be presented for all shareholders to approve ii) Future Plans for the remainder of the farm. Lease, hay harvesting & sale of bales, bee hives, sale of any other products from the block must be approved by the Trustees. No one individual has the right to approve any other activity on the land without prior discussion with the Trustees. Fencing of the farm area iii) Other Matters- succession of Niko's shares to Floyd Pook iv) Discussion on one off Dividend Payment to all shareholders (All shareholders please bring current ID; evidence of address as well as bank account details) v) 1pm - Set date for next meeting. Closing karakia vi) LUNCH – (Tidy and mop out marae) (Visit to the farm) <p>Any queries please email:</p>	<p>WAKA KOTAHI NZ TRANSPORT AGENCY</p> <p>Vehicle Disposal Notice is hereby given that the following vehicle removed from SH1, Eastern Taupo Arterial, will be disposed of on 2nd December 2022</p> <p>1999 Toyota Corolla Registration - KDS77</p> <p>Last Known Owner: Aaron Johnson 16 MacDonell Street, Hilltop, Taupo</p> <p>Enquiries please contact: The Manager Downer PO Box 44 TAUPO Ph: (07) 3789494 For: Kaye Clarke REGIONAL MANAGER</p>	<p>WAKA KOTAHI NZ TRANSPORT AGENCY</p> <p>Vehicle Disposal Notice is hereby given that the following vehicle removed from SH32, Nearest side road, Te Putu Road, will be disposed of on 2nd December 2022.</p> <p>2007 Suzuki Swift Sport Registration - MEN811</p> <p>Last Known Owner: Toma Tau Sio 297 Warspite Avenue, Waitangirau, Porirua</p> <p>Inquiries please contact: The Manager Downer PO Box 44 TAUPO Ph: (07) 3789494 For: Kaye Clarke REGIONAL MANAGER</p>	<p>WAKA KOTAHI NZ TRANSPORT AGENCY</p> <p>Vehicle Disposal Notice is hereby given that the following vehicle removed from SH5, (Near Ohaaki Road) will be disposed of on 2nd December 2022</p> <p>Mitsubishi Lancer Registration - UL1928</p> <p>Last Known Owner: Lindsay Pratt 55 Waikawa Beach Road, RD 31, Levin</p> <p>Enquiries please contact: The Manager Downer PO Box 44 TAUPO Ph: (07) 3789494 For: Kaye Clarke REGIONAL MANAGER</p>	<p>WAKA KOTAHI NZ TRANSPORT AGENCY</p> <p>Vehicle Disposal Notice is hereby given that the following vehicle removed from SH1, Hatepe, nearest side road, Hinemaiaia Access road, will be disposed of on 2nd December 2022</p> <p>2006 Nissan Teana Registration: KPP341</p> <p>Last Known Owner: IAG New Zealand Limited AON Centre 1 Willis Street Wellington</p> <p>Inquiries please contact: The Manager Downer PO Box 44 TAUPO Ph: (07) 3789494 For: Kaye Clarke REGIONAL MANAGER</p>
<p>PUBLIC NOTICE HE PĀNUI</p> <p>CLOSURE OF ROADS TO ORDINARY VEHICULAR TRAFFIC</p> <p>LAKE TERRACE, REDOUBT STREET, POIHIPI ROAD, RIFLE RANGE ROAD, KAIMANAWA STREET, FERRY ROAD, ROBERTS STREET AND HIRANGI ROAD.</p> <p>2022 LAKE TAUPŌ CYCLE CHALLENGE 25 AND 26 NOVEMBER 2022</p>		<p>POUKURA PA RESERVATION CHARTER HUI-A-HAPŪ AND SGM</p> <p>Ngāti Parekaawa ki Poukura whānau are invited to attend a series of hui-a-hapū at Poukura marae for the purpose of developing a Charter on the following dates:</p> <p>Sunday 18th December 2022: 10am. Saturday 7th January 2023: 10am.</p> <p>An SGM will be held on Sunday 5th February 2023; from 10am to accept the Charter.</p> <p>Please see www.poukura-marae.co.nz for further information.</p>		

Reference 2

IN THE MĀORI LAND COURT OF NEW ZEALAND
AOTEA DISTRICT

A20180003539

UNDER Section 21, Māori Reservations Regulations
Act 1994

IN THE MATTER OF Hauhungaroa 1A3 (Poukura Pā)

PARANAPA REWI OTIMI ON BEHALF OF
THE KAUMĀTUA KI TE TINI O
PAREKAAWA
Applicant

JASON FA'UHIVA, KAHURANGI
DAVISON, TE AURERE HEPI, WILLOW
DAVISON, GREGORY RIWAI, CRAIG
PARANIHI AND ATONIO FA'UHIVA AS
TRUSTEES OF POUKURA PA
Respondents

Hearing: 20 May 2019, 401 Aotea MB 45-57
(Heard at Tūrangi)

Appearances: Paranapa Rewi Otimi in person
Kahurangi Riwai-Davison in person

Judgment: 20 June 2019

JUDGMENT OF JUDGE L R HARVEY

Decision

[38] Manuel Edward Iria Kahura, Morehu Hare Te Tomo, Jason Karauria Michael Fa'u'hiva, Awatea Rikki Gayla Johnson, Nyra Yvette Marshall, Poriwira Kahura, Carmen Gage also known as Carmen Te Rerehau Hansen, Patience Simeon also known as Patience Alexandria Rangi Simeon and Neil Joseph Ngakuru Edwards are appointed responsible trustees by way of replacement for the current responsible trustees for a term of three years in accordance with the charter of Poukura Marae.

[39] The trustees should file an amended charter following a review and after consultation with the beneficiaries within 12 months from the date of this judgment.

401 Aotea MB 114

[40] For the avoidance of doubt, as the advisory trustees term of appointment has concluded, the Court record will be amended to remove the names of those former advisory trustees.

[41] Leave is reserved for any party to apply for further directions at any time.

[42] There is no order as to costs.

These orders are to be issued immediately per r 7.5 Māori Land Court Rules 2011.

Pronounced in open Court in New Plymouth at 4.45pm on Thursday this 20th day of June 2019










L R Harvey
JUDGE

Maori Reservations Regulations 1994

• with search matches highlighted

Search within this secondary legislation

By clauses | View whole (60KB) | Versions and amendments

 Contents |  Previous clause | Next clause  |  Tag clause |  Remove |  Previous hit | Next hit 

7 Charter in respect of marae

(1) Subject to subclause (2), where a reservation is a marae, the trustees of that reservation shall draw up, in agreement with the beneficiaries of the marae, a charter for the reservation, which charter may include provision for the following matters:

- (a) the name of the marae:
- (b) a general description of the marae reservation (including a plan if appropriate):
- (c) a list of iwi, hapu, or whanau (whichever is relevant) who are the beneficiaries of the marae reservation:
- (d) the process for nominating and selecting marae trustees:
- (e) principles to which the trustees will have regard in relation to the marae:
- (f) the manner in which the trustees are to be accountable to the beneficiaries:
- (g) the process by which conflicts between beneficiaries and trustees are to be resolved:
- (h) the recognition of existing marae committees:
- (i) the appointment by the trustees of 1 or more committees for the purposes of carrying out the day to day administration of the marae:
- (j) the procedure for altering the charter:
- (k) provision for the keeping and inspection of the charter:
- (l) subject to the provisions of the Act or any regulations made under the Act, such other matters as the beneficiaries of the marae may require.

(2) Where a reservation that is a marae is to be held for the common use and benefit of the people of New Zealand, the charter for the reservation shall, instead of being drawn up in agreement with the beneficiaries of the marae, be drawn up in agreement with the beneficial owners of the land.

Reference 4

Definition of Physical Trust - The specific area governed by the Trustees (Marae reservation area)

- A: Ablution block
- B: Whare moe
- C: Whare tipuna
- D: Wharekai extension
- E: Wharekai
- F: Storage container
- G: Urupa
- H: Total area comprising the Marae Reservation – area of Marae Trust responsibility.



Marae Reservation - Hauhungaroa Part 1A3
- being 1.6187 hectares or 4 acres more or less.

Urupa – KAKARAHUPEREI – Hauhungaroa 1A8
- being .2023 hectares or 1/2 an acre more or less.

settlement regarding the division
 It was decided to subdivide as follows:-

1. An area of 280 acres to be cut off in the south east corner of the block in a rectangular area 5.6 chains by 50 chains as shown by lines marked A B C D at angular points on plan No 6079. Such area of 280 acres to be called Hauhungaroa No 1A

4-8-08 Tokaanu 228

and to go to the following owners

77.	Pipiana Te Tono	40 share
62.	Monika Paehua	40
	Amiria te Tono (successors)	40
88.	Titihua Ngakura	40
89	Tauaiti Te Tono	40
87.	Rerehan Kahotea	40
63.	Materita Kerei	40
		<hr/>
		280

This area of 280 acres to be a papakaitiaki and absolutely restricted

Reference 6

Hauhungaroa • Plan no. 6079 • 62600 acres • 50+ page(s) • Waikato-Maniapoto

AU LOCATION Microfilm reel 84-75	MINUTE BOOK Otorohanga MB No.40	ON PAGES 152-153 • 154 • 156 • 160 • 163-164 •
DISTRICT Waikato-Maniapoto	BLOCK Hauhungaroa	
DATE CASE BEGAN 29 November 1901	CASE TYPE Partition • Relative interests • Survey	PLACE OF SITTING Kihikihi
KAIKORERO / WITNESS Te Waiti → Te Papanui → Te Rangikawhiria, Ngakuru → Takiro, Te Heuheu → Te Rangikaiwhiria, Ngakuru → Te Piwa (Te Riwa ²) → Kapu, Karawhira → [[Muunu, Karawhira see Kapu, Karawhira]] → Moon, William → Kerehi, Patina ² → Kerehi ² , Tokena → Matekau, Te Paehua → Poututerangi → Hohaia, Te Waiti → Te Kahui → Te Tomo, Ngahianga		
TUPUNA (WHAKAPAPA FROM) Rangiita		
WHAKAPAPA PAGES 232		
IWI / HAPU Ngati Turumakina? • Ngati Parekawa • Ngati Meremere? • Ngati Te Maunga?		
JUDGE Mair, William Gilbert		
NOTES Charging order, p.195 Judgement, pp.233-238 Arranging lists, p.245 ff. Historical evidence Decision, pp.359-361		

Reference 7

Willow: Mr Chair, can I just say that I know there was a motion put forward, that we discuss or come to an agreement with regards to what has been presented. Can we do something with that?

Nyra: I can formulate the motion. I would like to move that this draft copy of the marae charter be received.

Willow: That is not the motion that I was speaking of.

Nyra: I'm formulating this motion.

Willow: So, the motion is that the draft charter be received? So, in the receipt of the draft charter, what does that entail?

Nyra: That it has been tabled.

Morehu: So, Willow are you speaking about Kahurangi's korero?

Willow: Yes.

Morehu: Kahurangi, I appreciate what you have given and your korero. And what is going to be put into the charter? So as with all documentation, we need to review it all of the time, because a charter should not stay the same, it should be organic.

Kahurangi: Mr Chair, I can feel you because nobody wants to attack it! Nobody wants to say yes because there are still people here who believe differently. Put it to a vote. I believe this has to be done because Covid 19 may stop it. And my children, and their children, and their children will have the same problem.

Morehu: Ok, so what are you putting forward?

Kahurangi: I'm putting forward that we accept that we here of Poukura are Ngati Parekaawa and the beneficiaries to the land that was secured and made inalienable by the original owners, that we whakapapa to the original owners. And we don't need to go back through to Puraho and Kikoreka because we know we're Parekaawa. We also know we are Raukawa. We also know we are Maniapoto but here is Parekaawa. We've been given the wonderful title of Ngati Parekaawa. We take that on that there is no way that this inalienable land on which the reservation is sitting becomes anyone else's right to talk about. That is what I'm putting to you, I don't feel that will put anyone here, in jeopardy or in loss of anything, any mana. The mana of this whenua is through those who fought and gave and went to court and sat all of that time in courts, to secure 280 acres for them and their descendants. And upon one of those blocks being Titihuia's at the time, the marae was brought down. 6 years later. Who was here at the opening? All of Te Tino o Parekaawa? Kao. The photo is over there on the wall. A handful of people from here. And I would like, and it doesn't take a lot to think about. This has gone on for years. Years and years and years. And my hope is that it will stop what happened last time, in the last few years, from ever happening again. We will always welcome, I understand, with arms open, any one of our greater whanaunga. Who whakapapa to Parekaawa. Nau mai, nau mai, haere mai. But you don't come here and tell us how to run our marae. Like I don't have a right to go to your house and tell you how to put it in order.

Kauria: Those who don't have a right to come to our table.

Awatea: Sorry, what was the motion?

Kahurangi: that we here today accept that Ngati Parekaawa as written in the gazette is us, the descendants of the original owners of this land.

Kauria: So, you want to define the title of the people of Poukura?

Kahurangi: Motion that the beneficiaries, both legally and beneficially of Poukura Pa reservation are the descendants of the original owners of this land.

MOTION: That the beneficiaries, both legally and beneficially of Poukura Pa Reservation are the descendants of the original owners of this land. The 7 land blocks.

Moved: Willow Davison

Seconded: Kia Paranihi

1 Objection - Motion Carried

Kahurangi: Thank you. Settled.

Kauria: What do we call ourselves then? Ngati Parekaawa ki Poukura?

Kahurangi: No, kaore. We are Ngati Parekaawa as said in the gazette.

Kauria: Ngati Parekaawa tuturu? Then we go to Mokai who has been standing since 1898 and suggest to them that we are Ngati Parekaawa.

Reference 8

Tupuna Kōrero - Their intentions

Ngāti Parekaawa have been resident at Poukura since the early 1900's, prior even to the opening of the Whare Tīpuna in 1930. Court minute from as early as 1887 shows the ancestral connection of Ngāti Parekaawa to the whenua known as Poukura. It is important to note that those same records clearly refer to Ngāti Parekaawa as being distinctly separate from those Hapū who shared ancestral links with Ngāti Parekaawa, but occupied lands outside of the Poukura blocks, therefore any reference to Ngāti Parekaawa after the year 1887, specifically relates to the Hapū at Poukura.

Ngāti Parekaawa is one of the recognized Hapū of both Ngāti Tuwharetoa, and Ngāti Raukawa.

Historical Dates & Facts

- 1887 – Hauhungaroa 1 interested parties listed
- 1908 – Partition of 1A block from Hauhungaroa 1
- 1924 – Division of 1A (280 acres) into 7 separate 40 acre family blocks
- 1930 – Opening of whare tīpuna
- 1968 – Gazette notice issued for Reservation



Beneficiaries of the Marae

1. Beneficiary by Whakapapa: Ngāti Parekaawa ki Poukura beneficiary status is automatically granted to any individual who can show by way of whakapapa their connection to any of the original owners of the 7 land blocks that make up the whenua known as Poukura.

1. The court minute of 1908 makes clear the intentions of the original owners of the land blocks that make up the whenua known as Poukura, with regards to those who shall be beneficiaries of Ngāti Parekaawa. This right was conferred solely upon the descendants of those original owners. Any persons not connected to the original land owners by way of whakapapa may be granted beneficiary status as per the following:

1. Beneficiary by Traditional Whangai: is granted to those who have been raised via traditional whangai methods by a beneficiary and who themselves also whakapapa to Poukura (same category as Beneficiary by Whakapapa)
2. Beneficiary by Legal Adoption: is granted to those who have been legally adopted by a beneficiary by Whakapapa but do not themselves whakapapa. This type of beneficiary may attend meetings, participate in consultation, is eligible for nomination to the Trust, and may vote.
3. Beneficiary by Traditional Atawhai: is granted to those who have been raised via traditional whangai methods by a beneficiary by Whakapapa but do not themselves whakapapa. This type of beneficiary may attend meetings, participate in consultation, is eligible for nomination to the Trust, and may vote.
4. Beneficiary by Marriage: is granted to those who can show evidence of marriage or legal de-facto status to a beneficiary by Whakapapa. This type of beneficiary may attend meetings and participate in consultation, but is not eligible for nomination to the Trust, and may not vote.

Any question arising with regard to the validity of beneficiary status outside of any of the above must be brought to a Hui-a-Hapū, for further deliberation by Beneficiaries by Whakapapa, being the only group granted beneficiary status without question. Decisions relating to beneficiary status must be validated and confirmed by majority vote of those present/eligible to vote on these matters.



Guiding Pou of the Marae Trust

1. **TAONGA:** - Our people are our wealth, to be developed, retained and welcomed home.
2. **MANA WHENUA:** - Maintain, respect and protect the land that provides for the present and future generations.
3. **MANA MOTUHAKE/RANGATIRATANGA:** - Acknowledge our connection to other Iwi/Hapū while protecting our ancestral right to self-governance, self-determination and independence.

POUKURA PA RESERVATION TRUST
340 Karangahape Road, RD1, Kuratau, TURANGI 3381

Table of Contents

- 1.0 **Preamble**.....
- 2.0 **Description of Land and Buildings on Marae Reservation**
- 3.0 **Beneficiaries of the Marae**.....
- 4.0 **Guiding Principles of the Marae Trust**
- 5.0 **Trust Objectives**.....
- 6.0 **The Process for Nominating and Selecting Marae Trustees**
- 7.0 **Accountability & Transparency of Marae Trustees**.....
- 8.0 **The Conflict Resolution Process**.....
- 9.0 **Recognition of Marae Committee**.....
- 10.0 **Charter Review/Procedure for altering the Charter**.....
- 11.0 **Provision for keeping and inspection of the Charter**
- Appendices**

1.0 Preamble

Ngāti Parekaawa have been resident at Poukura since the early 1900's, prior even to the opening of the Whare Tipuna in 1930. Court minute from as early as 1887 shows the ancestral connection of Ngāti Parekaawa to the whenua known as Poukura. It is important to note that those same records clearly refer to Ngāti Parekaawa as being distinctly separate from those Hapū who shared ancestral links with Ngāti Parekaawa, but occupied lands outside of the Poukura blocks, therefore any reference to Ngāti Parekaawa after the year 1887, specifically relates to the Hapū at Poukura.

Ngāti Parekaawa is one of the recognized Hapū of both Ngāti Tuwharetoa, and Ngāti Raukawa. The first recorded Trust for Poukura Pa Reservation was established in 1978.

2.0 Description of Land and Buildings on Marae Reservation

- 2.1 Urupa – KAKARAHUPEREI – Hauhungaroa 1A8 – being .2023 hectares or 1/2 an acre more or less.
- 2.2 Marae Reservation - Hauhungaroa Part 1A3 - being 1.6187 hectares or 4 acres more or less.



3.0 Beneficiaries of the Marae

- 3.1 Beneficiary by Whakapapa: Ngāti Parekaawa ki Poukura beneficiary status is automatically granted to any individual who can show by way of whakapapa their connection to any of the original owners of the 7 land blocks that make up the whenua known as Poukura.
- 3.1.1 The court minute of 1908 makes clear the intentions of the original owners of the land blocks that make up the whenua known as Poukura, with regards to those who shall be beneficiaries of Ngāti Parekaawa. This right was conferred solely upon the descendants of those original owners. Any persons not connected to the original land owners by way of whakapapa may be granted beneficiary status as per the following:
- 3.1.1.1 Beneficiary by Traditional Whangai: is granted to those who have been raised via traditional whangai methods by a beneficiary by Whakapapa; AND who themselves also whakapapa.
- 3.1.1.2 Beneficiary by Legal Adoption: is granted to those who have been legally adopted by a beneficiary by Whakapapa but do not themselves whakapapa. This type of beneficiary may attend meetings, participate in consultation, is eligible for nomination to the Trust, and may vote.
- 3.1.1.3 Beneficiary by Traditional Atawhai: is granted to those who have been raised via traditional whangai methods by a beneficiary by Whakapapa but do not themselves whakapapa. This type of beneficiary may attend meetings, participate in consultation, is eligible for nomination to the Trust, and may vote.
- 3.1.1.4 Beneficiary by Marriage: Is granted to those who can show evidence of marriage or legal de-facto status to a beneficiary by Whakapapa. This type of beneficiary may attend meetings and participate in consultation, but is not eligible for nomination to the Trust, and may not vote.
- 3.1.2 Any question arising with regard to the validity of beneficiary status outside of any of the above must be brought to a Hui-a-Hapū, for further deliberation by Beneficiaries by Whakapapa, being the only group granted beneficiary status without question. Decisions relating to beneficiary status must be validated and confirmed by majority vote of those present/eligible to vote on these matters.

4.0 Guiding Principles of the Marae Trust

- 4.1 Taonga Our people are our wealth, to be developed, retained and welcomed home.
- 4.2 Mana Whenua Maintain, respect and protect the land that provides for the present and future generations
- 4.3 Mana Motuhake/Tinorangatiranga: Acknowledge our connection to other Hapū while protecting our ancestral right to self-governance, self-determination and independence.

5.0 Trust Objectives

- 5.1 Guided by the above principles, the Marae Trustees are tasked, as the Hapū elected representatives:
 - 5.1.1 to maintain the health and wellbeing of the Marae Reservation,
 - 5.1.2 to facilitate the use of marae facilities without discrimination,
 - 5.1.3 to call an annual general meeting every year for the purpose of presenting:
 - 5.1.3.1 *a general report and a financial report for all activities, income and expenditure for the prior year,*
 - 5.1.3.2 *a roadmap outlining goals and expected outcomes for the following year.*
- 5.2 A list of current trustees is appended (Appendix 1)
- 5.3 Selecting Marae Trustees:
 - 5.3.1 Nominations of Trustees should represent the family lines of the seven original block owners, namely:
 - 5.3.1.1 *1A1: Amiria Takiwa (nee Te Tomo);*
 - 5.3.1.2 *1A2: Tauaiti Te Tomo;*
 - 5.3.1.3 *1A3: Titihuia Ngakuru;*
 - 5.3.1.4 *1A4: Pipiana Takiwa (nee Te Tomo);*
 - 5.3.1.5 *1A5: Monika Paehua;*

1A6: Makarete Kerei;

5.3.1.6 1A7: Rerehau Kahotea.

5.3.2 That the Trustees should contribute to the survival and development of Ngāti Parekaawa

5.3.3 That the Trustees will be viewed as representatives of Ngāti Parekaawa and will act in the best collective interests of the Hapū.

6.0 The Process for Nominating and Selecting Marae Trustees

6.1 Nominations/Voting – Subject to the exclusions in section 3, any beneficiary of Poukura Marae over 18 years old is eligible to:

6.1.1 be nominated for the position of trustee;

6.1.1.1 *Must attend a Trustee Workshop to better understand responsibilities they are expected to meet prior to acceptance of nomination;*

6.1.2 nominate a trustee;

6.1.2.1 *The nomination form is to be signed and witnessed and dated by both the nominator and the person being nominated.*

6.1.2.2 *Nomination forms along with evidence of Trustee Workshop attendance must be received by the Trust secretary no less than 7 days prior to the Annual General Meeting*

6.1.2.3 *Nominees should receive their Acknowledgement Forms prior to the commencement of the hui*

6.1.2.4 *All nominations must be approved on the day of elections by the Hapū members in attendance. The approval process should be determined at the time.*

6.1.3 vote at the election of trustees and on any matter where a Hapū vote is called for.

6.2 Term of Office - The term of office shall be for a period of three years.

6.3 Number of Trustees – The number of trustees shall be determined by the beneficiaries but shall not be either five (5), or seven (7).

6.4 Replacement of Trustees – Upon the death, resignation or removal by the Court of a Trustee, the remaining trustees shall ensure that the next Annual General Meeting of the beneficiaries considers replacements. Application shall then be made to the Court for an

Order replacing Trustee/s.

6.4.1 Removal of Trustees – A Trustee may be asked to resign if that person has failed to carry out her/his duties satisfactorily by:

6.4.1.1 *Being absent from more than three (3) consecutive meetings of the trustees without tendering a good and reasonable apology;*

6.4.1.2 *Being rendered incapable of carrying out her/his duties because of prolonged illness;*

6.4.1.3 *Being declared bankrupt after taking office;*

6.4.1.4 *Having been convicted of a criminal offence since taking office;*

6.4.1.5 *Bringing the Hapū into disrepute, as determined by a vote of No-Confidence by the beneficiaries.*

6.4.1.6 *Misuse of finances*

7.0 Accountability & Transparency of Marae Trustees

7.1 Trustees, both individually and collectively are to uphold the office of trustee with honesty and integrity and should not bring the office into disrepute. They are accountable to the beneficiaries of Ngāti Parekaawa and this should be reflected in:

7.1.1 Minutes, records and accounts being accessible to the beneficiaries at a trustee meeting, provided that:

7.1.1.1 *The request received is not frivolous or vexatious; and*

7.1.1.2 *Is received in writing and fully outlines the reasons for the request; and*

7.1.1.3 *The records in question do not contain material that must be handled in a confidential manner; and*

7.1.1.4 *Sufficient time is given for the Trustees to consider the request; and*

7.1.1.5 *The Trustees must agree by a two thirds majority of full membership to grant the request.*

7.1.2 A Chairperson's Report is to be tabled at each AGM outlining the activities of the trustees for the previous 12 months;

7.1.3 A full and complete Treasurers report is to be tabled at each AGM, outlining all income and expenditure for the previous 12 months;

- 7.1.4 The financial accounts are to be audited triennially at the end of each term and the auditor appointed at the AGM.
- 7.1.5 A full schedule of trustee meetings is to be provided to the hapū along with an agenda, venue details, and zoom link if appropriate. The hapū members understand that while every effort will be made to ensure the details are correct, last minute changes can sometimes occur, such as availability of trustees due to unforeseen circumstances.

8.0 The Conflict Resolution Process

- 8.1 Any conflict between a beneficiary and trustee/s should be brought to the attention of the Trust executive.
- 8.1.1 Should the conflict not be able to be resolved between the Trustee and individual, the matter will be raised at a special general meeting of the Hapū, provided:
- 6.8.1.1 *the issue communicated is not frivolous or vexatious; and*
 - 6.8.1.2 *is received in writing and fully outlines the reasons for the conflict;*
 - 6.8.1.3 *the trustees agree by a two-thirds majority of full membership to raise with the Hapū.*
- 8.1.2 If raised at a general meeting (special or otherwise) by either the Trust or the individual then a resolution will be by majority vote.

9.0 Recognition of Marae Committee

- 9.1 The Trustees recognise the Marae Committee as being responsible for the day to day running of the marae including:
- 9.1.1 the maintenance of the grounds, buildings, urupa and urupa access;
 - 9.1.2 management of the kitchens during tangi and AGM;
 - 9.1.3 opening of the marae prior to arrival and lock up after departure of guests;
 - 9.1.4 provision of induction on arrival, and the conducting of post departure check before bond refund.
 - 9.1.5 organising of the pae for tangi, and powhiri if required for hui/hireage, advising if those necessary to do either are unavailable.
- 9.2 The Marae Committee will be elected triennially at the same AGM as the Trust election. The Marae Committee shall promote the principles outlined in the charter and report to

the AGM of the Trustees.

10.0 Charter Review/Procedure for altering the Charter

- 10.1 A Charter Review is to be included on every AGM agenda, at which time it will undergo an assessment by those of the hapū gathered, to determine if it is still relevant and fit for purpose.
- 10.2 If the hapū determines that changes are necessary, the Trust is required to make arrangements for an SGM with the express purpose of consulting and then voting on the proposed changes to the charter.

11.0 Provision for keeping and inspection of the Charter

- 11.1 A copy of the charter will be lodged with the Māori Land Court. It will be maintained by the Secretary and issued to each trustee, with updated copies made available on the website and on display at the marae. Any updates will be sent out in soft copy format to beneficiaries whose email details are on file.
- 11.2 Issued in accordance with the Māori Reservations Regulations 1994 after consideration and endorsement of a meeting of the Trustees and beneficiaries of Ngāti Parekaawa ki Poukura on this _____ day of _____, 20_____.

Chairperson:

Secretary:

Poukura Marae

Charter Appendices

Appendix 1: List of current Trustees:

Poriwira Kahura - Chairperson
Nataria Cuthers - Secretary
Willow Davison – Treasurer
George Patena
Hinepare Patience

MINUTES OF CHARTER HUI 1