



POUKURA PĀ RESERVATION TRUST

MINUTES - CHARTER DEVELOPMENT HUI-A-HAPŪ.

JANUARY 7th 2023.

POUKURA MARAE.

Present: Vicky Box, Denise Chappell, Sarah-Jane Cuthers, Kahurangi Riwai Davison, Leroy Davison, Takangaroa Davison, Te Paa Davison, Willow Davison, Nerissa Downing, Kavan Faoagali (Zoom), Karauria Fa'uhiva, Marie Gage, Rangimarie Maria Harrison (Zoom), Pip Hartley, Awatea Johnson, Lisa Kaukau (Zoom), Marie Maeva (Zoom), Kia Paranihi, Hinepare Patience (Zoom), Tara Riwai (Zoom), Nikki Tupaea (Zoom), Caroline Te Tomo, Soul Te Tomo, Pip Hartley, Te Whaitama (Zoom).

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

Apologies: Poriwira Kahura (Chairman), George Patena-O'Connor

1. WELCOME

The hui was opened by Kahurangi Davison with karakia at 10:35am.

The Trustees introduced themselves to the roopu, followed by whanaungatanga. All attendees were welcomed to the hui, including those on Zoom.

The Trustees acknowledged the contribution and support from the hapū at the previous hui.

1. QUORUM

The Trustees noted 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.

2. ZOOM

The Trustees acknowledged that there were technical difficulties with the Zoom in the previous hui, specifically that Zoom attendees had found it difficult to hear the korero, and the connection was not good. The Trustees advised that roopu that the connection had been upgraded for this hui however the Zoom attendees confirmed that it was difficult to hear the discussion.

To assist those on Zoom, the Trustees asked those present to speak in a louder voice, and the facilitator would stop the meeting to check in with those on Zoom for their contributions.

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

The Trustees impressed upon all present that the 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.

¹ Refer charter wording/advertisement

A hapū member clarified that although this was the second in a series of three for the purpose of putting together a Charter, the Charter Review had started in 2021 at the Poukura Pā AGM. She explained that at that AGM, a decision was made by the hapū to uphold the decision made by our tūpuna in 1908 regarding the beneficiaries of Ngāti Parekaawa.

The Trustees added that the purpose of the current meeting was to progress the work that had been done previously by identifying, through in depth discussion, any areas of the draft charter that needed to be reworded to provide a clear framework for the Poukura Pā Reservation Trust to operate within.

The roopu were advised that the next hui-a-hapū for the Charter development was scheduled for Sunday, 5th February where it was hoped the charter review will be finalised and adopted.

A hapū member suggested that the hui-a-hapū on Sunday become a whole weekend noho, as the hui was being held on the Waitangi long weekend and would provide a greater opportunity for hapū members to participate. There was general agreement from those present.

MOTION 1

That the long weekend (4th and 5th February 2023) be used as a full weekend noho for the purpose of completing the Charter review.

Moved: Pip Hartley Seconded: Nerissa Downing

Objections: Nil

Motion CARRIED.

4. ACCOUNTABILITY OF TRUST TO BENEFICIARIES

A hapū member requested clarification on the wording used on the draft charter under ACCOUNTABILITY OF TRUST TO BENEFICIARIES. They wished to know whether “That the Trustees will be viewed as representative of Ngati Parekaawa ki Poukura and will act in the best collective interests ...” referred to matters relating to the marae area only. Those present accepted that this was the understanding, that the Trustees were responsible for the 4 acres of the marae reservation only. The roopu discussed the boundary between 1A3 and 1A4, however it was noted that this korero did not fit within the parameters of the purpose of this hui.

The facilitator reiterated that it was important to maintain an environment in which everyone could feel safe contributing to the korero. The roopu were reminded to offer all contributions to the centre of the floor so that everyone could have the opportunity to speak to the contribution, rather than to the contributor.

5. SLIDE 1 - DRAFT CHARTER PREAMBLE²

The facilitator shared that the Preamble was simply a small introduction to create a picture providing known historic fact, and that a preamble was a nice to have in a Charter, not a need to have, and that we should not be limited to recommendations in the Marae Reservations Act 1994.

The Trustees reiterated that a charter should not have ambiguity; it should provide clarity and that it should never be subject to personal interpretation, it should tell the Trust exactly what process should be followed in different circumstances, it does not have to be long and complex, some charters have

² Refer Slide 1 - Preamble

been known to be no more than a half page long as that has sufficiently captured the extent of authority that the hapū has felt it necessary to give their Trustees.

Some hapū members shared their disagreement with the historical fact provided in the preamble, and questioned the Trustees right to exclude whānaunga who did not whakapapa to the original land owners but who believed themselves to be Ngāti Parekaawa. The hapū members believed that the hapū should consider the inclusion of specific persons that do not meet the definition of beneficiary as able to vote on Poukura Reservation matters, and to be eligible to be voted onto the Trust.

The roopu were reminded of previous attacks on the Poukura Pā Reservation Trust by our whānaunga who did not whakapapa to Ngāti Parekaawa ki Poukura, but considered themselves to be Ngāti Parekaawa.

The roopu discussed the role of Ngāti Parekaawa ki Poukura in wider Ngāti Parekaawa hapū affairs.

The roopu agreed that we as Ngāti Parekaawa ki Poukura had no input into the affairs of the other Ngāti Parekaawa hapū and that we as Ngāti Parekaawa ki Poukura did not expect to have the right to input into the affairs of the other Ngāti Parekaawa hapū.

The roopu agreed that the wider Ngāti Parekaawa hapū should not have the right to have input into the affairs of Ngāti Parekaawa ki Poukura, and that the wider Ngāti Parekaawa hapū should not expect to have that right.

The roopu strongly agreed that Ngāti Parekaawa hapū are our whānaunga and that they would always be welcome at Poukura.

After further discussion, the roopu agreed that the wider Ngāti Parekaawa hapū should not have decision-making power over what is done at Poukura, nor did it fit with the clear intentions our tūpuna made in 1908.

A hapū member shared a whakatauki:

“Ko tatau te hunga ora hei. Upoko tao, ko o tatou tipuna te rakau. Kei te rere tonu te tao.”

We the living are as the head of the spear, and our ancestors the shaft, and the spear is still in flight.

The meaning of the whakatauki was explained as the living carrying forward the decisions of our tupuna, and that this was whakapapa.

The roopu were reminded that the seven original owners made it clear in 1908 that this land was inalienable and it can't be given away therefore we, Ngāti Parekaawa ki Poukura, are the owners both legally and beneficially.

As this korero specifically related to the issue of beneficiaries which had already been reviewed, and in the interests of saving time by continuing to go over much of what had already been discussed in both this and previous hui, it was decided that the Preamble would be removed from the draft charter until such time as it was decided to be included.

MOTION 2

That we table slide 1 for rewording.

Moved: Willow Davison

Seconded: Soul Te Tomo

Objections: Nil

Motion CARRIED.

6. SLIDE 5 – GUIDING POU: VALUES AND INTENTIONS

The facilitator read out the updated slide containing the changes made from previous hui. The question was raised as to why we were going over slides that had already been addressed. It was shared that the working theory was that as updates were made, updated slides and their new wordings would be shared in subsequent hui to ensure everyone was aware of what was being entered into the charter, and potentially refine if needed. It was decided that in the interest of limited time that we would remove this repetition from the process and look only at those slides that had not yet been addressed. On this note, it was also expressed that any values and intentions we expect our trustees to uphold, we should also expect of ourselves and each other as individual members of the hapū.

7. SLIDE 6 – TRUST ROLES, RESPONSIBILITIES, FUNCTIONS OF THE TRUST³

Hapū members questioned the matter of maintenance and sought clarification as to whether this incorporated upgrades as well as further improvements to the marae reservation. It was clarified that the Trust be responsible for maintaining what was currently present on the reservation, however there was need for the Trust to look towards ways that the existing infrastructure can better meet the evolving needs of the beneficiaries.

A hapu member added that he would expect the Trust to utilise the funds prudently, ensuring they used best practise such as sourcing multiple quotes for maintenance and repairs. He added that items that required an upgrade should be held back until funding can be sourced unless urgent in which case, prudent use of Trust funds should be utilised. The roopu agreed that the responsibility of determining the prudent use of funds is left to the Trust body to determine on a case by case basis.

A hapū member raised the issue of the erosion of the marae reservation. Following further discussion it was determined that this was a maintenance issue and therefore the Trust's responsibility. The roopu agreed that this should be treated as urgent and be open to hapū input.

MOTION 3

That a further bullet point is added to what is currently listed under "Roles and Responsibilities/Functions of the Trust" as number 4: Actively identify the growing needs of the marae reservation and engage the hapū in conversations around creating solutions and making decisions around developments.

Moved: Te Ira Davison

Seconded: Kia Paranihi

Objections: Nil

Motion CARRIED.

Kai break at 12:29pm - Meeting resumed at 1:40pm

8. ZOOM

The floor was opened to those on Zoom to table anything they wished to say. Feedback received was that there was support for the decision that the lakeshore come under the Trust's responsibilities; that further consideration be given to a revetment similar to that installed at Waitahanui; that the halting of any further erosion be the main focus for the Trust.

A hapū member suggested that a responsibility of the Trust should be to source alternative funding for projects. The question was raised that while sourcing funding has generally been accepted as something the Trust should do, should it necessarily form a part of the charter? The roopu discussed the risk that the Trust could be targeted ie for not identifying an alternative source, not seen to be doing as much as is considered possible, and that a lack of funding might be due to a variety of things such as a lack of resources, knowledge, funding experience and not necessarily negligence or fiscal irresponsibility.

A hapu member suggested that a “Funding Committee” be created as a way for those in the hapū to assist the Trust. This would mean that those familiar with funding could be called on for assistance in any situation where it was deemed additional funding would be required. As this item was not put forward as a motion, the opportunity to turn it into a decision was missed.

9. SLIDE 16 – HAPŪ MANDATE TO THE TRUST

The hapu questioned whether parameters could be set for what the Trust is able to do without first coming to the hapū for guidance. It was suggested that instead of placing a cap on funds to be used without hapū consultation, the Trust would inform the hapu of the plans for the implementation of an upgrade/improvement, the costs, the method of funding, and a timeframe within which the implementation is to take place. This process would allow the hapu an opportunity to provide feedback/assistance/raise concerns with the Trust.

A hapū member raised the matter of transparency with the expectation that the Trust act with integrity, and honesty in all of their dealings with the hapū. A request was put forward that the Trust make available to the hapū, a schedule of monthly meetings that the hapū may attend for the purposes of either observing the korero, or participating in the discussion. The question was raised as to whether non-trustees were able to participate in the consultation and vote, and the response was that whilst participation in the consultation would be appreciated, there was no ability to vote. It was further explained that the inability to vote was more as a protection as only the Trustees could be held accountable for any decision made by the Trust.

A hapū member shared that a previous trust had experienced difficulty getting a quorum for their meetings, and it was only realised how many meetings were being missed when records of missing quorum started to be kept. She suggested that by allowing hapū members to attend, it would create further self-expectations of accountability within the trusteeship, making it less attractive to simply not attend a meeting without good reason, and that hapū members would potentially raise concerns at the AGM about performance of individual trustees who didn't bother to show up for Trust meetings, or were simply “coasting” through their term as Trustee.

MOTION 4

That the Trust be left to determine the number of meetings, and that the hapu is notified of the schedule of meetings, and that the hapū members are able to participate in the meetings, but not vote.

Moved: Willow Davison

Seconded: Sarah-Jane Nataria Cuthers

Objections: Nil

Motion CARRIED.

A hapu member questioned whether the formation of a marae committee to take care of items such as Ringawera, the Pae had been finalised. It was shared that while plans had been started by the previous Trust to have a marae committee, this had not yet been actioned. Further discussion was had around the need for the marae committee to fall in line with the Trust and would need their own budget. It was decided that while this is something that could be looked into further, it was not a priority for today.

The roopu then discussed the issue of quorum, and ensuring that Trust decisions were made with the necessary amount of consideration and discussion. It was shared that there had been some situations within Trust hui that had resulted in a tie vote, and that currently, the Chair had utilised their “tie-breaker” vote. Concerns were raised as to whether this might result in many decisions effectively being made by a single person as opposed to the entirety of the Trust. A hapu member requested that the number of tied votes could be recorded and reported at the AGM as a percentage of votes made throughout the year to see just how often a decision goes to a Chair vote. It was suggested that this type of reporting would fall under the heading of transparency of the Trust body.

MOTION 5

(For the draft charter) That a majority vote must be reached before a decision can be made.

Moved: Kahurangi Davison Seconded: Marie Gage.

Objections: Nil

Motion CARRIED.

10. MEETING CLOSE

Karauria closed the hui with a karakia at 3.40pm.

Next Hui-a-hapu: Charter Development – Sunday 5th February 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 hapu 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) 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 & Mihimihi 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 Puru 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 Warspie 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, Harepe, 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>WAKA KOTAHI NZ TRANSPORT AGENCY</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.poukumararae.co.nz for further information.</p>		

Reference 2

TUPUNA KŌRERO - THEIR INTENTIONS – Slide 1

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.

Reference 3

Maori Reservations Regulations 1994








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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.

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

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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 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.
 - 3.1.1 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.
 - 3.1.2 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.
- 3.2 Any persons not connected to the original land owners by way of whakapapa may be granted, following robust discussion and agreement by a meeting of beneficiaries by whakapapa, beneficiary status as per the following:
 - 3.2.1 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.
 - 3.2.2 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.
 - 3.2.3 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.
- 3.3 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/Rangatiratanga: | Acknowledge our connection to other Iwi/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 4 acres of the Marae Reservation,
 - 5.1.2 to facilitate the use of marae facilities without discrimination,
 - 5.1.3 to maintain a register of all beneficiaries for the purpose of communicating any matter pertaining to Poukura Pa Reservation,
 - 5.1.4 to actively identify the growing needs of the marae reservation and engage the Hapū in conversations around creating solutions and making decisions around developments, specifically with regard to:
 - 5.1.4.1 Identified improvements projects, benefit to the marae/hapū, their associated costs, funding status, and the expected timeframe for start/completion.
 - 5.1.5 to call an annual general meeting every year for the purpose of presenting:
 - 5.1.5.1 *a general report and a financial report for all activities, income and expenditure for the prior year,*
 - 5.1.5.2 *a roadmap outlining goals and expected outcomes for the following year.*
 - 5.1.6 to act as representatives of Ngāti Parekaawa for any matter pertaining to the Marae Reservation and act in the best collective interests of the Hapū.
- 5.2 A list of current trustees is appended (Appendix 1)
- 5.3 Selecting Marae Trustees:

5.3.1 Nominations of Trustees should be representative across 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;

5.3.1.6 1A6: Materita Kerei;

5.3.1.7 1A7: Rerehau Kahotea.

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 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 Meetings must meet the quorum of the trust.
 - 7.1.2 ALL decisions, without exception, must be made by majority vote to ensure that the trust reaches a decision collectively following robust consultation.
 - 7.1.3 Minutes, records and accounts being accessible to the beneficiaries at a trustee meeting, provided that:
 - 7.1.3.1 *The request received is not frivolous or vexatious; and*
 - 7.1.3.2 *Is received in writing and fully outlines the reasons for the request; and*
 - 7.1.3.3 *The records in question do not contain material that must be*

handled in a confidential manner; and

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

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

- 7.1.4 A Chairperson's Report is to be tabled at each AGM outlining the activities of the trustees for the previous 12 months;
- 7.1.5 A full and complete Treasurers report is to be tabled at each AGM, outlining all income and expenditure for the previous 12 months;
- 7.1.6 The financial accounts are to be audited triennially at the end of each term and the auditor appointed at the AGM.
- 7.1.7 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
DRAFT