

## Rakiura Maori Land Trust Annual General Meeting September 2007 .

The Chairperson of the Trust called the meeting to order at 12.30PM on the 30<sup>th</sup> September 2007, location Bluff, Venue Rugby Club Rooms.

**Karakia:** The Secretary was asked to open the meeting with a Karakia

**Welcome:** The Chair welcomed owners and invited guests

**Memorials:** The Chair asked that the meeting observe a minutes silence for those owners who had passed away. Moved Rodney Ryan seconded Ron Bull

**Confirmation of Chairperson:** Moved Syd Stronach **“That Stephen Hartevelde, Chairperson of the Rakiura Maori Land Trust, be appointed as meeting Chairperson of the RMLT AGM for 2007.”** Seconded Theona Heaslip. Carried unanimously.

**Appointment of Scrutineers and Tellers:** Moved Rodney Ryan **“That Mark Tynan be appointed Scrutineer, and that Gwen Neave and Bruce Ford be appointed tellers for the duration of the meeting”** Seconded Arthur Williams

**Quorum:** The Chairman asked the secretary to confirm that there was a quorum to hold the meeting. The secretary confirmed there was. The meeting proceeded.

**Attendees:** Carole Ashton, Riki Ashwell, David Bragg, Tui Bragg, Ron Bull, Delma Davis, John Fewster, Ramari Fisher, Huka Whanau Trust (Foggo), Mae Forrester, Tana Goodwillie, Ulva Goodwillie, Theona Heaslip, Anne Herdie, Bessie Hildebrand, G.N Hurst, Nicholas Hurst, Hauangi Kiwha, Alison Mannell, Tania Manning, Lin Mason, Tata Winara Parata, Peter Petersen, Paki West Raumati, Margaret Connie Rewiri, Dick Ryan, Thelma Strange, Stephen Symonds, Ruth Waddell, George Wast, James Williams, Les Bellaney, Rodney Ryan (Phillip Ryan IV Whanau Trust, Wharetutu Whanau Trust. (Syd Stronach), Steve Simmons.

**Standing orders:** Moved David Bragg **“That the standing orders as covered in schedule 2 of the RMLT Trust Deed be confirmed as the Standing Orders for the RMLT 2007 AGM”** Seconded Syd Stronach. Carried unanimously

**Confirmation of the Agenda:** Moved Theona Heaslip **“That the Meeting Agenda as formally notified to beneficial owners prior to the RMLT AGM for 2007 be confirmed as the Agenda for the meeting.”** *Seconded Rodney Ryan. Carried unanimously*

**Variation of Agenda items:** Moved Dick Ryan **“that the Chairperson has the right, in accordance with section 2 “Order of Business within Schedule 2 of the RMLT Trust, to vary the order of the Agenda Items”**, Seconded Alice Mannell. Carried unanimously.

**Meeting Material:** The Chair confirmed with owners that they understood how to use the voting card they have received with their meeting material. This was explained as follows:

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**General:** The trust is made up of a number of different sections and where a matter relates solely to a section or group of sections only those owners with interests in those sections will be able to participate within those discussions and vote on the outcomes. Before each Item of business is opened for discussion by the Chair he will indicate which owners will be able to participate. To assist with this process everyone has been given a set of voting cards when they registered to indicate what discussions they will be able to participate in during today's meeting.

**Voting Cards:** Within you meeting material you will be holding a number of voting cards, which are as follows,

**General voting Card: (Yellow)** everyone who is an owner within any section or section within the Trust holds this card. This is the default card and covers all business that relates to the entire Trust.

**Non-Lords River: (Pink)** this relates to those owners who have an interest in land that is not included in the sections of land known as the Lords River Blocks. While you have a card for these other lands there is currently no specific business relating only to these sections so it is not anticipated that these cards will be used at this meeting.

**Lords River: (Blue)** this relates to those owners who have an interest in the land know as the Lords River blocks. There is business today that does relate only to these sections so you will be advised prior to the commencement of these discussions.

**Proxy Voting Card: (White)** for those people who have proxy votes allocated to them, the proxy voting card will indicate the number of votes that will be included in the tally when the person holding the proxy casts their personal vote. The proxy votes are cast in the same direction as the holder

**Speaking at the meeting:** The Chair reminded the meeting to clearly state your name prior to starting to speak so the minute secretary can record this. Please wait until this has been confirmed before continuing to speak.

**Voting Numbers:** The Chair asked for the voting numbers to be confirmed by the secretary.

Present at the meeting: 33  
Postal Votes Received: 42  
Proxy Votes: 11  
Alternates Appointed: 2  
Total: 88  
Invalid: 2

**Double voting:** The Chair informed the meeting of the rules regarding double voting.

Moved David Bragg “**that if an owner has voted by postal, proxy, or appointed an alternate and is present at the meeting then only the vote they cast at the meeting shall be valid, and where an owner has voted by more than one means using postal, proxy, or appointed an alternate and they are not present at the meeting then their votes shall be declared invalid as covered on the voting papers**” Seconded Ron Bull. Carried unanimously

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**Apologies:** The Chair explained apologies are just the people who have contacted the office to have an apology placed in the minutes not a list of people who haven't turned up. The Secretary read out those apologies received:

Moved Dick Ryan **“that the apologies that have been received be recorded in the minutes of the meeting”** Seconded Bessie Hildebrand

Alma Chappell (Cockburn), Ariel Thompson, Arthur R. Miller, Elizabeth Robens, Iris Van Asperen, Joan Salisbury, Marie Foster, Morehu Henare, Neville Hinton, Peter Dawson, Pukio Whanau Trust (Luke Richards-Otaki), Thalia Harteveld, Valerie Alexander, Fredergil Charles Galland, Tina Nixon, Lesley Ann Oats, Huirapa Manning.

**2006 Meeting Minutes:** The Chair called for support from the meeting to have the minutes from last year's AGM as read.

Moved Rodney Ryan **“that the minutes of the 2006 Annual General Meeting of RMLT that have been circulated and available prior to the meeting be taken as read to the meeting”**, Seconded Arthur Williams. Carried unanimously.

The Chair sought approval from the meeting that the minutes for the 2006 AGM are taken as a record of that meeting through the following motion.

Moved Syd Stronach **“that the minutes of the 2006 RMLT AGM that have been presented to the meeting be taken as a true and proper record of that meeting”** Seconded Theona Heaslip. Carried unanimously.

### **Matters arising from the minutes for 2006**

The Chair called for matters arising from the above minutes that are not covered by a specific agenda item. The Chair called three times, no matters arose.

**Trustees Report:** The Chair asked the meeting for the right to present the report from the Trustees.

Moved Steve Simmon **“that the Chairman of RMLT Stephen Harteveld be asked to present the report from the Trustees for the 2006-2007 year”**, Seconded Alison Mannell. Carried unanimously.

Questions were taken on the report:

Rodney Ryan asked whether it was the intention of the Trust to phase out charter operators.

Ulva Goodwillie asked to know more about FoMA (Federation of Maori Authority).

**Receiving the Trustees Report:** The Chair sought support from the meeting for receipt of the Trustees Report by the Chairperson through the following motion.

Moved Arthur Williams **“that the Trustees report for 2006/2007 as presented by the Chairperson of RMLT Stephen Harteveld, be noted as received by the meeting”**, Seconded George Wast. Carried unanimously

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**Financial Statement:** The Chair sought support from the meeting for the presentation of the Financial Statements by Mark Tynan through the following motion.

Moved Dick Ryan “**that the Audited Financial Statements for the RMLT for 2006/2007 Year be presented to the meeting by Mark Tynan of Ashton Wheelans & Hegan**”. Seconded Alison Mannell. Carried unanimously.

Mark Tynan presented the financial statements.

**Receive Financial Statements:** The Chair called for support from the meeting for receipt of the Financial Statements by Mark Tynan through the following motion.

Moved Syd Stronach “**that the Financial Statements for 2006/2007 as presented by Mark Tynan of Ashton Wheelans & Hegan be noted as received by the meeting**”, Seconded Theona Heaslip. Carried unanimously.

**Auditors Report:** The Chair sought support from the meeting for the presentation of the Auditors Report by Mark Tynan through the following motion.

Moved Alison Mannel “**that the Auditors Report for RMLT for 2006/2007 be presented to the meeting by Mark Tynan of Ashton Wheelans & Hegan**”, Seconded George West. Carried unanimously.

Mark Tynan presented the Auditor’s report.

**Receive Auditors Report:** The Chair called for support from the meeting for receipt of the Auditors Report by Mark Tynan through the following motion.

Moved Arthur William “**that the Audit Report for 2006/2007 prepared by Cook Adam Ward Wilson and presented by Mark Tynan of Ashton Wheelans & Hegan be noted as received by the meeting**”. Seconded Theona Heaslip. Carried unanimously.

### **Introduction of General Business:**

**The Neck:** The Chair introduced the items put forward by the Trust for consideration by the Neck owners through the following motion.

Moved Theona Heaslip That the following Vision for the Neck is endorsed by the beneficial owners of The Neck sections in RMLT and be used to develop a Management Strategy to govern the future development of the area to achieve the Vision” Seconded David Bragg

- To proactively manage The Neck for the benefit of all beneficial owners in accordance with the requirements of the Trust Deed.
- To preserve, respect, and protect the historical sites of The Neck placing special importance on our Urupa

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- To put the lands where possible into productive use to fund the vision and generate benefits in an equitable way to all owners through sustainable and eco-friendly business developments.
- To remove animal pests and progress The Neck closer to pre-settlement condition to promote the survival and development of the native flora, fauna and landscape.
- Where possible and appropriate provide occupancy that is eco-friendly in presentation and use to the surrounding environment.

The Chair provided the meeting the opportunity to speak on the motion.

Alison Mannell questioned the point of what was meant by productive. The Chair clarified this by giving a comparison of the land generating money in an ecological way i.e. Blue Penguin viewing etc

Rodney Ryan has heard rumours of one trustee putting chalets on The Neck, this was reputed.

Arthur Williams spoke whether the Trust should be mailing more owners to gain greater input. The Chair clarified that a thorough effort had been made to inform owners and consult with them.

Carol Ashton raised the question about erecting buildings. This was clarified by emphasizing the process had only just begun and that the Neck Plan would cover such matters as this by establishing criteria and locations.

The Chair called three times that the motion before the meeting was understood. The Secunder was given the opportunity to speak to the motion. David Bragg spoke of the importance of addressing the shocking state of the Urapas' and to generate income to put towards improving the habitation of the Neck.

The motion was passed 26 votes in favour, 2 votes against.

**Rule Change Objects:** The Chair introduced the item put forward by the Trust for consideration by all owners, this related to rule changes through the following motion.

Moved Richard Manning “**to amend the Rakiura Maori Land Trust Deed section 2 Objects by replacing the existing section 2 Objects with the following new section 2 Oobjects**” seconded Dick Ryan.

The Chair invited Cran Bull (Legal representative) to read through the amendments and explain why they have been proposed.

The Chair asked the meeting for questions from the floor.

The motion was put three times to the meeting.

The motion was passed, 61 votes in favour, 15 votes against.

**Rule Changes Powers:** The Chair introduced the item put forward by the Trust for consideration by all owners relating to rule changes through the following motion

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Moved Richard Manning “ **To amend the Rakiura Maori Lands Trust Deed Section 3 powers in the following way,**

- **replace the existing clause 3(a) General with new clause 3(a) General as listed below**
- **replace the existing clause 3 (b) with the new clause 3 (b) (i), as listed below**
- **to renumber existing clause 3. (b) (xiii) To utilise income from unclaimed dividends to new clause number clause 3. (b) (xvii) To utilise income from unclaimed dividends,**
- **to renumber existing clause 3 (b) (xviii) Common expenses, and to add new clause 3. (b) (xiii), 3 (b) (xiv), 3 (b) (xv), 3 (b) (xvi), 3 (c) as listed below”.**

Seconded Dick Ryan

Cran Bull was asked to read out the changes and explain the background to proposed changes

The Chair put the offer of further discussion three times before confirming discussion closed.

The motion was past 52 votes in favour, 20 votes against. Those wanting their names recorded against this motion were Tui Spencer and Rodney Ryan.

**Rule Change Trustees:** The Chair introduced the item put forward by the Trust for consideration by all owners relating to rule changes through the following motion.

Moved Richard Manning “ **to amend the Rakiura Maori Land Trust Deed section 6 Trustees by replacing the existing section 6 Trustees with the following new section 6 Trustees**”. Seconded Alison Mannel.

Cran Bull was asked to read out the amendment  
Clause (c) typing error 2007 not 2008.

Moved Rodney Ryan that an amendment is made by changing clause c & d around. The motion failed through the lack of a seconder. Questions were sought form the meeting. The point of public liability was raised and clarified by Cran Bull.

The motion was passed, 62 votes in favour, and 14 votes against.

**Lords River Dividend:** The Chair introduced the item requested by Graham Lloyd who put forward the following motion for consideration.

Moved George Wast “**that a dividend payment of no less than \$75.00 per share be made to the beneficial owners of the Lords River settlement section Lords River Blocks 9 sections 1 to 17 and Lords River Blocks 10 section 1 to 14**”, seconded Lee Fewster

The Trust position on this motion was put to the floor for discussion. The right was given to the Seconder and Mover of the motion the right of reply, neither accepted.

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The motion failed, Against 44, For

The Chair invited Phillip Roth of Polson & Higgs to make a presentation of the RMLT provisions (Capital Reserves) and the implication on the reserves on the Trusts finances. The matter of potential distribution was also explained. The Trusts position was conveyed clearly to the meeting.

The right of the Secunder and Mover to reply was extended neither accepted.

The motion was lost, 44 votes against, 34 votes in favour.

**Presentation on database costs:** The Chair asked the meeting for the right to present the report from the Trustees on the Database costs as result of a request for an Agenda item by Janine Karetai.

Moved Dick Ryan “**That the database report as presented by Richard Manning be noted as received by the meeting**” seconded Theona Heaslip

**Receipt of database report:** The Chair asked the meeting to confirm the receipt of the report from the trustees on the database costs through the following motion.

Moved Dick Ryan “**that the database report as presented by Richard Manning be noted as received by the meeting**” seconded Theona Heaslip

**Appointment of Auditors:** The Chair requested the meeting to appoint the Auditors of the Trust for the 2007/2008 Financial Year

Moved Dick Ryan “**That the Beneficial Owners of the Rakiura Maori Land Trust wish to appoint Cook Adam Ward Wilson Business Advisers of Invercargill as the Auditors of the Trust for the 2007/2008 financial year.**” Seconded Theona Heaslip. Carried unanimously

**Appointment of Trustees:** The Chair requested the meeting to confirm the continuation of the existing trustees for another three years.

Moved Theona Heaslip “**That the meeting confirm Dick Ryan and Leon Fife as Trustees for RMLT as the only two nominations received for the two vacancies and that this result be recommended to the Maori Land Court**” seconded Bessie Hilderbrad

The Chair thanked David Bragg for his service to the Trust.

**Karakia:** Richard Manning

The Chairman thanked the meeting.

Dick Ryan on behalf of the trustees and owners thanked the Chair for his efforts in chairing another positive meeting.

The meeting was declared closed at 4.15PM