

## Rakiura Maori Land Trust Annual General Meeting September 2009 .

The Chairperson of the Trust called the meeting to order at 1.30PM on the 4<sup>th</sup> October 2009, location Awarua Marea, Bluff

**Karakia:** Phillip Smith 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 Murray Shuttleworth, Seconded Haranui Karatai.

### **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 2009.”** Seconded Dick Ryan. Carried unanimously.

### **Appointment of Scrutineers and Tellers:**

Moved Barbara Whaitiri **“That Mark Tynan be appointed Scrutineer, and that Gwen Neave and Bruce Ford be appointed tellers for the duration of the meeting”** Seconded Rodney Ryan

**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:** **Richard Manning, Stephen Hartevelde, Suzanne Spencer, Leon Fife, Dick Ryan, Theona Heaslip, Phillip Smith, Stephen Symons, Sandra Stiles, Lesley Rewi, Rodney Ryan, Haranui Karetai, Amanda Reti, Thelma Strange, James Gillies, John Gillies, Taini Jamison, Betty Henry, Adrienne Begby, John Nielsen, Sally Bridgman, Mere Pohatu, James White, Lee Fewster, Tui Bragg, Dennison Smith, Susie Phillipson, Eric Bradshaw, Chris Hancock, Tricia Kerr, Jan Ryan, Huia Wixon Fife, Stephanie Mackenzie, Eric Brown, Lana Niha, Mary Kapene Bragg, Michael Ryan, Allan Skerrett, Barbara Whaitiri, Eileen Tuffley, Shirley Palmer, Irene Wybrow, Geoff Young, Elizabeth Williams, Kelly Fewster, Tarryn Black, Tim Smith, Richard Smith, Toni Phillipson, Yvonne Gyde Fife, David Newton, Christian Newton, Jarred Nielsen, Eric Bradshaw, Wendy Nicholas, Keith Bradshaw, Gail McQuarrie, Syd Stronach, Max Stronach, Lyn Spencer Mason, Duncan Ryan, Roslyn Fogg, Earl Shannon, Murray Shuttleworth, Colleen Rewiri, Tiny Metzger, Johnny Whaitiri, Chris Pike, Sharon Shwalger, Sharon Wardrop, Doreen Shelton, Carol Pike, Brett Weir, Mark Tynan, Hemi Thompson, Ron Begby, Frank Steans.**

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### Standing orders:

Moved Murray Shuttleworth “**That the standing orders as covered in schedule 2 of the RMLT Trust Deed be confirmed as the Standing Orders for the RMLT 2009 AGM**” Seconded Michael Ryan. Carried unanimously

### Confirmation of the Agenda:

Moved Haranui Karetai “**That the Meeting Agenda as formally notified to beneficial owners prior to the RMLT AGM for 2009 be confirmed as the Agenda for the meeting.**” *Seconded Tricia Kerr. 2<sup>nd</sup> call, 3<sup>d</sup> call, Carried unanimously*

### Variation of Agenda items:

Moved Syd Stronich “**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 Cheryl Palmer. 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:

**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 your 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 known 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

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**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: 46  
Postal Votes Received: 20  
Proxy Votes: 2  
Alternates Appointed: 2  
Total: 70  
Invalid: 0

**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 Rodney Ryan **“that the apologies that have been received be recorded in the minutes of the meeting”** Seconded Syd Stronich

Judy Tepuna Knoop, Ann Oates, Maree Louise Foster, Glyn Newton, Ariel Thompson, Alison Sutherland, Joan Salisbury, May Forester, Mary Phyllis Smith, John and James Gilles, Alison Mannell, Grace Hurst.

**2008 Meeting Minutes:** The Chair called for support from the meeting to have the minutes from last year's AGM as read.

Moved Mere Pohuta **“that the minutes of the 2008 Annual General Meeting of RMLT that have been circulated and available prior to the meeting be taken as read to the meeting”**, Seconded Stephen Harteveld. Carried unanimously.

The Chair sought approval from the meeting that the minutes for the 2008 AGM are taken as a record of that meeting through the following motion.

Moved Theona Heaslip **“that the minutes of the 2008 RMLT AGM that have been presented to the meeting be taken as a true and proper record of that meeting, exception to record Max Stronich's name under attendees”** Seconded Chris Pike. 2<sup>nd</sup> call, 3<sup>rd</sup> call, Carried unanimously.

### **Matters arising from the minutes for 2008**

**Rodney Ryan** – requested the Chair to work through the minutes page by page. Chair replied this was possible but it would take up valuable time so what were the key areas he wanted to draw attention to.

**Rodney Ryan** – called for full and frank discussions with the Neck owners as to the Trust activities on the Neck.

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**Chair** – explained that this would be covered under the Neck Report later in the agenda but if the meeting wished to hold discussion on this then it was their meeting.

**Rodney Ryan** – questioned the issuing of permits for the Neck.

**Chair** - clarified the only permits the Trust issued related to the hunting blocks on SILNA blocks and any rumours were merely speculation and unfounded. Rumours were surfacing regularly on the Trust activities and owners should ignore the rumours. A thorough process relating to the work the Trust was doing on the Neck had been carried out and an updated report would be provided later in the agenda.

**Dick Ryan** – sought to quash the rumours mill.

**Elizabeth Williams** – asked whether permission was necessary to visit ancestors on Trust land.

**Chair** – explained that the Trust had never resisted owners from visiting urupa any were on Trust land.

**Phillip Smith** – highlighted he knew the Island better than any person and has on many occasions taken descendants to urupa, particularly on the Neck.

**Suzie Phillipson** – said she had been told permission was required to go on the land by trustees.

**Wendy Nicholas** – also stated she had been told approval was required by an individual trustee to go to the Neck. She went further to name the person. That person denied her claims.

**Chair** – reiterated his earlier statement that at no time had the Trust restricted owners from entering the land.

**Haranui Karetai** – asked about regulations, Chair replied no

**Tui Bragg** – raised the issue of 1080 poisoning on the Neck

**Chair** – clarified by explaining the entire process the Trust had gone through in their decision to use 1080 on the Neck. Bait stations were used and advise was taken from professionals, accepting the fact they were suitably qualified.

**Tony Phillipson** – made claims associated to 1080 poisoning the ground

**Leon Fife** – provided a qualified reply about 1080 and gave details of its composition.

**Jan Ryan** – drew attention to the death of stock around the time the poisoning occurred.

**Phillip Smith** – commented he had observed dead stock on many occasions arising from natural causes.

**Haranui Karetai** – spoke of information incorrectly circulating, highlighted the example of the positive outcomes arising from eradication of pests from the Titi Islands.

**Tony Phillipson** – commented about the process of removal and why shooting possums wasn't continued.

**Chair** – explained the process the Trust had gone through again and that a 99.9% kill rate was the outcome. It was highly improbable for stock to access bait stations and the amount of 1080 would be insufficient to harm stock. The issue to consider was what were the stock doing there in the first place.

**Murray Shuttleworth** – spoke in support of the initiative and the positive outcome.

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.

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

Moved Dick Ryan “**that the Chairman of RMLT Stephen Hartevelde be asked to present the report from the Trustees for the 2008-2009 year**”,  
Seconded Theona Heaslip. Carried unanimously.

The Trust Report covered,

- Governance,
- Business Improvement
- Hunting Operation
- Transportation
- Review
- Neck Project
- Land Management,
- Communication,
- Participation
- Future direction of the Trust

Questions from the floor were taken:

**The floor** – why more wasn't being done to finding owners.

**Chair** – while the Trust does help facilitate work in this area the Trust role is not the same as the Maori Land Court. Succession can be effected by Wills etc.

**Rodney Ryan** – made reference to not receiving meeting material.

**(McColgan)**- couldn't more be done for those who were unable to make the bi annual hui on Rakiura by way of a dividend.

**Chair** – highlighted the methods adopted by the Trust in communicating with owners and potential owners ie: website (4000 hits a month), annual news letter and annual report.

**The Floor** – reference to dividends

**Chair** – reason for trying to make more Trust land productive.

**John Nielsen** – could an effort be made to include maps on the website

**Secretary** – drew attention to two succession applications currently before the MLC that would add a further 400 owners to the Trust.

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

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Moved Suzanne Spencer **“that the Trustees report for 2008/2009 as presented by the Chairperson of RMLT Stephen Harteveld, be noted as received by the meeting”**, Seconded Jan Ryan. Carried unanimously

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

Moved Syd Stronich **“that the Audited Financial Statements for the RMLT for 2008/2009 Year be presented to the meeting by Mark Tynan of Ashton Wheelans & Hegan”**. Seconded Theona Heaslip. 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 Elizabeth Williams **“that the Financial Statements for 2008/2009 as presented by Mark Tynan of Ashton Wheelans & Hegan be noted as received by the meeting”**, Seconded Barbara Whitiri. 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 Elizabeth Williams **“that the Auditors Report for RMLT for 2008/2009 be presented to the meeting by Mark Tynan of Ashton Wheelans & Hegan”**, Theona Heaslip. 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 Haranui Karetai **“that the Audit Report for 2008/2009 prepared by Cook Adam Ward Wilson and presented by Mark Tynan of Ashton Wheelans & Hegan be noted as received by the meeting”**. Seconded Chris Hancock, carried unanimously.

**Introduction of General Business:**

**The Neck:** The Chair asked for support to provide a report on the Neck project to Neck owners.

Moved Leslie Rewi **“That the Chairperson of RMLT Stephen Harteveld be asked to present the report from the trustees on the Neck project. Seconded Stephen Symons**

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**Chair** – made the point that the report affected only those sections the Trust administrated over.

Questions from the floor were taken:

**Lee Fewester** – asked where the money come from for the work.

**Chair** – explained the various sources of funds used so far.

**McColgan** – asked about the timeframe for the vision.

**Chair** – wanted it to be fully completed in his life time.

**Tui Bragg** – thanked the Trust for the work on the Urapa.

**Hom Ryan** - that rumour has it, support was being given to benefit an individual trustee to operate a viewing wild life operation.

**Chair** – clarified this by stating that owners should ignore this type of rumour, it was the Trust carrying out the feasibility study for their benefit.

**Leslie Rewi** – rumours mill was running wild, why couldn't other sections which sit outside of RMLT administration be involved.

**Chair** – explained that this is really an issue for those owners within the sections affected to co-ordinate discussion amongst them, not a role RMLT can facilitate.

**Duncan Ryan** – Are the dwellings on the Neck to be demolished.

**Chair** – the Trust is holding discussions with those people and the details of those discussions are not something that should be made public in this forum.

**Suzie Ryan** – commented that she was still awaiting a letter.

**Chair** – clarified that the Trust is made up of voluntaries and to make advancements on critical matters takes time.

**Haranui Karetai** – commented about the houses

**Lee Fewester** – commented about the houses

**Leslie Rewi** – called for an open and transparent process on the future of the dwellings.

**Tui Bragg** – commented in relation to the history of Kevin Ryan's house and that he had sought permission from various owners.

**Sharon Wardrop** –

**Suzie Ryan** – was the Trust fencing all the urapa.

**Chair** – clarified by pointing out two urapa had been completed and a request to enclose the Dawson Urapa had also been received.

**Lee Fewester** – asked about owners rights to take others to view birds.

**Chair** – this remained party to issue surrounding owners rights.

**Tui Bragg** – asked whose land would the likely owners accommodation be located on.

**Chair** – process yet to determine.

**Rodney Ryan** –

**Murray Shuttleworth** – spoke in support of the positive work the Trust had made on the Neck project and owners needed to acknowledge this.

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**Tony Phillipson** – asked about the removal of gorse.

**Chair** – this was part of the restoration work, it acts as a shelter for plantings of native trees.

**Rodney Ryan** – it will take fifteen years.

**Duncan Ryan** – is the Trust joining with DOC in building a predator fence across the Neck.

**Chair** – there has been some initial discussions with DOC but nothing concrete.

**Dick Ryan** –

**Haranui Karetai** – motivated by what work has been achieved such as the removal of stock and fences, owners ort to recognise the responsibility they have to providing for the coming generations.

**Discussion Closed.** The Chair highlighted that if owners were not satisfied with the governance of the trustees then they had the right to seek legal options which were; Maori Land Court, pull the whanau together and vote accordingly, stand as a trustee. These were the options available through the democratic system the Trust operates under.

The Chairperson called for support from the meeting for receipt of the Neck report through the following motion.

Moved Duncan Ryan **that the Neck Report as presented by the Chairperson of RMLT Stephen Hartevelde be noted as received by the meeting.** Seconded Murray Shuttleworth.

**Shift AGM Venue:**

**the Chair introduced the item put forward by Cheryl Mitchell of Christchurch and asked for support for the item to be put before the meeting through the following motion.**

Moved Tui Bragg: **No everyone can afford to travel to Bluff every year it would be more convenient to have the RMLT AGM held in Invercargill and maybe occasionally to Rakiura (Stewart Island).**

The mover withdrew her support for the motion through lack of a seconder.

**Appointment of Auditor:** The Chair requested the meeting to appoint the Auditors of the Trust for 2009/2010 financial year.

Moved Rodney Ryan **that the beneficial owners of the Rakiura Maori land Trust wish to appoint WHK Cook Adam Ward Wilson of Invercargill as the Auditors of the Trust for the 2009/2010 financial year.** Seconder Tricia Kerr

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

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Moved Jan Ryan “**That the meeting confirm Stephen Harteveld and Theona Heaslip as Trustees for RMLT as the only two nominations received for the two vacancies and that these appointments are recommended to the Maori Land Court**” seconded Murray Shuttleworth

Those for: 67, against 0.

**Destroying the Voting Papers:** The Chair requested the meeting to consider the following

Moved Murray Shuttleworth “**that the voting papers used during today’s meeting be destroyed by the Scrutineer**” seconded Syd Stronich.

The Chair thanked everyone for their attendance.

**Karakia: Phillip Smith**

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