

# MINUTES FOR KAIO ESTATE MEETING

Sunday 26th October 2014

Held at – Cudgegong Rd

Ruse Sydney Australia

Commenced at approx. 10.30am

**Chairperson:** Marija Bayliss

**Minutes by:** Maxeen Lee

**Opening Prayer:** Mark Rewi

**Closing Prayer:** Lawrence Petricevich

## **Attendees:**

Aunty Sue, Aunty Putu, Aunty Awhina, Aunty Margery, Mark Rewi, Susan Rewi, Robert-James Rewi, John-Dean Smith, Clem Smith, Wilma Lee, Teri Lee, Maxeen Lee, Dwane Lee, Lawrence Petricevich, Andrew Petricevich, Janine Petricevich, Darryn Petricevich, Marija Bayliss, Ian-Wayne Grant, Francine Grant, Raana Munro, Vaea Kingi, Sakura Mason, Te Paea Mason

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Apologies: Kura, Marama, Raukawa, Lula, Darren, Jessica, Bubz, Angela, Debbie and Vernice.

## Presentation

Ian-Wayne presented Aunty Awhina with a beautiful Patu Paraoa (whale bone club) from the whanau. Ian-Wayne gave the name of the patu "Te Ringakaha o Ngati Hinewaka" "The Strong hand of Ngati Hinewaka" because Aunty Awhina is always working her butt off and works harder than people half her age. She was a brilliant sports person who managed to play hockey with her daughter and mokopuna.

She is an inspiration to us all and hence the title of the patu, which acknowledges yet another descendant of our sub-tribe, Ngati Hinewaka, like our grandmother, Nana Duck, as a hard worker and a good host, which is all about feeding everyone and taking care of their guest.

He then gave a PowerPoint presentation on how we all came to the lands we have today. Hopefully he will be able to put that together into a email attachment so that everyone can have it. It was asked again that we fill out the questionnaire for our book to be completed. Marija will email out the questionnaire again. Ian-Wayne asked that you please take the time to fill out. Everyone is getting old and the memories are fading.



The reading of the minutes from the last meeting, Oct 2013

Marija made a motion that the minutes be passed, Susan seconded and all were in favour

## 12 Victoria Street

Marija raised an issue Auntie Awhina had bought up earlier in the year. The selling of Victoria St. A robust discussion ensued about the pros and cons.

The biggest issue surrounded the maintenance of the property. That the place was in a state of disrepair and general untidiness that Auntie Awhina, Maxeen and others were getting tired of going back and cleaning.

Lawrence asked how much it was worth. Marija said that council valuation had it at 180K but looking in the real estates it was more around the 330K mark.

A motion was put forward by Marija to not sell the house, it was seconded by Susan.  
Unanimous vote in favour of keeping it

Mark asked what the future of the house was.

Marija said we had some options when it came to the future of the house.

- A. Place another care taker into the house.
- B. Rent out full time
- C. Renovate and have as a holiday home.

### The pros

- A. Family will be in the house, maintenance will be constant.
- B. Money will be a lot more than present rental
- C. Family will be able to stay when they want, rental returns would be more than present

### The cons

- A. This won't be revisited again, once the caretaker is in it will be their home for their lifetime (unless extenuating circumstances arise)
- B. Family won't be able to stay at the house
- C. The cost of renovating to a standard that would be required.

Marija put forward a motion asking for those to vote on what option they want done in the future  
Auntie sue and Mark seconded the motion

A – 10  
B – 0  
C – 6

JD asked if everything was set in stone and Marija assured the meeting that everything can be revisited and nothing was set in stone. Voting on motions was so the administrators can move on issues with the backing of the family. If something arises during the year and things are put on the back burner for whatever reason then the issue may need to be revisited at the next meeting.

## 12 Victoria Street continued

Marija put forward that for now we are still attached to the house and that maybe the sale of it be revisited for the next generation and those who were attached emotionally to the house from the next generation to be given first consideration when it comes to buying the house.

Marija asked that we make some decisions in regards to who will take care of the house after A.Margie passes.

A.Awhina had suggested that she would like to see Angela Kaio go into the house as she currently lives in Carterton and does the lawns and gardens as best as she can, with the help of Bubz. A.Awhina and Maxeen had already spoken with Angela about this possibility and she was very grateful and honoured to be thought of.

The family was in favour of Angela moving in.

Teri expressed some fears about still being able to go to the home like we do now. It was agreed that the housing arrangement be the same as if the aunty's were living there.

Marija will speak to Angela

Marija gave a short spiel on the roof and wanted to thank the parties that gave us the loan to do it, without them there would have been no roof. Cheering for the donors

As Marija was doing the tax this year because we did not have the funds to pay the accountants she wanted to state to the family that from this point onward we would not be doing cash jobs as it didn't help toward our tax deductions and at the end of the day the savings we made in paying cash we will have to pay in taxes if not more. She put her hand up to making this mistake, too excited that we could have a roof on and the ability to get that money.

Those in attendance agreed.

Insulation was put into the house via a government initiative for free.

Teri purchased some black plastic to place over the back garage for a temporary fix as that roof is leaking along the spine. JD said it was an easy fix and he will tend to it when he goes home.

The trust will reimburse Teri the cost of the plastic.

Teri also broached the subject of Cohen still being in the house. He was not happy with all the kids who are still going to the house and drinking there. A.Margie said that he didn't live there anymore but that was refuted by Marija as false. Marija excused herself and said that this could be sorted out without her as in her opinion all that could be done has been done / not done. The end result was that Cohen was A. Margie's responsibility and as long as it doesn't affect family visiting then the onus will be on A.Margie.

A whipper snipper was bought for use on the house as well as the urupa

## House Insurance and Building / Renovation issues:

Short discussion on the house insurance:

Electrician gave the wrong certificate that stated the house wiring was all good (small stuff needed) We actually needed to have a quote on what it would cost to change all wiring from the old copper wiring to new wiring. Susan said that when we do change over to make sure that the copper is kept as that is worth some money. A plumber changed and fixed the old hot water tank (previously on the roof) to inside the roof.

We now only need 2 of 3 things needed to be compliant with our insurance.

1. Piling checked and a master builder to certify as being ok. The washhouse floors to be checked.
2. Plumbing. Still have some issues with blocking in the toilets when there is a lot of people there.
3. Scrimming removed and replaced.

## House Insurance and Building / Renovation issues continued

Discussion on the scrimming. It was discussed about having the fireplace taken out when the scrimming would be done in Uncle Kara's room. To make more room and make it easy when the walls needed to be done. Some were happy, some were not. When the roof was done the actual chimney was blocked so it cannot be used as a fireplace again. JD said you can keep the fireplace to be put elsewhere if we wanted to at a later date.

Marija made the motion that we vote on whether or not to keep the fireplace or not, Maxeen seconded it  
Those in favour – 10  
Those against – 8  
Motion passed that the fireplace be removed

The crooked car / wood shed has become a danger and it was agreed upon by all that it needs to go. A new wood shed to be placed further back.

JD bought up the painting of the house and wanted it agreed upon that the colour scheme be left up to his trained eye. He would be doing the house as soon as he is able to and the trust would pay for all he needs to paint the house. Teri asked if he needed help and he said he preferred to do it at his leisure by himself but was thankful for the thought.

Maxeen motioned that JD be given Carte Blanc with the colour scheme, Ian-Wayne seconded it  
Those in favour – 100 (yes I know that is not the number, nobody did a count)  
Those not in favour – 1 Marija was being belligerent and dropped her lip and wanted Rose in the colour scheme!  
Motion passed that JD have carte blanc with colour scheme

## Whareama

Historically this land didn't make us any money. Marija started to investigate this land.

Marija arranged a meeting with the owners in March this year to find out what we need to do to correct this situation. It was a great turn out with representatives from each family. This meeting was to gather extra information from any of the whanau and if they knew anything about this land. At the end of the meeting we had ascertained that we all knew the same amount of nothing.

After a few phone calls to the Maori Land Courts (MLC) a request came from a Judge Harvey to have a judicial conference about the land. He suggested that we have some legal representative to help us find out what happened to this land. Contact was made with a Dr Bryan Gilling and arrangements to meet with him prior to the judicial meeting would be welcomed.

A few owners could make it to the meeting with Dr Gilling and the judicial conference. Maxeen represented our family and took notes.

Marija arranged to meet with Dr Gilling in Wellington. He caught her up with what he has been doing and his suggestions to the owners.

## Short background story:

Granny Fanny and her Brother exchanged Tutaihaehae with this block of land Whareama through the MLC in 1917. The land title was noted and registered with the MLC but NOT with the NZ land registry office. This was partially done 5 years after the application had been addressed in the court 1922. It was done when the then owner Frederick Tatham was overseas at war. It appears that it was a court error on the part that a poor job was done by the court clerk. When it was brought to the attention of a court clerk only one land was registered. The Tatham's. So Tutaihaehae was registered into the Tatham's name at the land registry office and Whareama was not, which left it in the Tatham's name (being the original owners) however it was registered at the MLC which is how it came to be listed as our land.

## Whareama continued

The strange thing is that the MLC has succeeded us and others to this land after Granny Fanny and her brother passed. This could not have been done because we have never held the land titles to this land. So basically those clerks did a really poor job as well as the sitting Judge at the time.

### Dr Gillings

We (all the owners) have to be on the same page and that page is that we are NOT nor have ever been the owners of Whareama. We need to work together to seek compensation from the Crown for having no land because of poor administration. The compensation he will be seeking is the current value of Whareama as well as back pay for loss of rents for nearly 100 years'

While the land is seen as Maori Land then all his legal costs will be covered by the MLC.

He is researching and making an airtight argument for the Crown, so that when the appeal for compensation goes through it will be a yes you have a case for compensation and be paid or no you do not have sufficient evidence to support the claim that the Crown is at fault. He is trying to get us to the point where the Crown cannot say no. Once it goes to the appeal court with the Crown it will no longer be seen as Maori land but rather General land, which means we will be up for all legal costs from that point onward. He and Judge Harvey are trying to make it so we won't have to pay much. But we will still be up for those costs when they come up. We will keep you posted. Marija arranged another meeting with the Whareama owners while she was in town to keep them all updated after her meeting with Dr Gillings. Only one turned up Basil Brown, Auntie Edna (from Nanny Hine, Nana Ducks sister) However not to be discouraged. Marija stated that the meetings that she arranged were for the benefit of all the other owners if they wanted to know. The Kaio Estate is the priority and the only party for whom we are concerned about. We are sharers that is all.

## Waikakeeno

Marija will check into this once Whareama is settled

## Ngapuketuru

During the year Marija negotiated a new renewal lease with George Tatham, the farmer of our block. It was accepted and our rentals have increased in line with the rental inflation of NZ. We did have an anomaly with the amount of rent we were being paid from the previous lease and that too was fixed and back paid. WCM (former solicitors) really screwed us over with their poor shoddy work.

Marija arranged a meeting with our farmers so we could meet and introduce ourselves. They were really welcoming and showed us around our land as well as giving us some more history on the place. It was a pleasure.

George had the new lease for signing, after some initial tweaks that needed to be done, Marija managed to accept and have the papers signed and placed back at the Logan, Walsh and Gold reception. It still needs some more signatures but that is now up to the other owners.

This gives us another 5 year breather....yay.

## Pukaroro

Maxeen attended a meeting about this land while she was in New Zealand. It was an AGM and was to vote in the administrators for this trust. Our squatter (Riddiford) has been using the land inappropriately ...again. Haami Te Whaiti is a Trustee for this land and was given a grant to "find" the current owners. We haven't been found yet. Once we have all been found we can take on Riddiford ...again. The land owners want access to the land that Riddiford has and a fair deal given (aka rent) and not have him (Riddiford) taking financial advantage of this land.

## Pahaoa

Marija changed over the payment from our former solicitors WCM to direct payment from the Te Ture Maori Trust. Also a few of the family met with Jeannie, Katie and Angus Cameron whilst back in NZ. It was nice to reconnect and also get some more history about the land.

## Te Unu Unu

The only payment to be made to us through WCM as they are the solicitors for the McGuiness's (the farmers)

## Wairarapa Moana Incorporated

Marija gave an overview of what has been happening with Wairarapa Moana Incorporation and her experience of Mangakino and the committee that oversees it. Long story short there have been disappointing outcomes from WMI and how it has been managed. Marija sought a meeting with other disgruntled shareholders and has started the ball rolling with them. This will be ongoing haul and not a short term fix but hopefully the future will be a bit brighter for all Maori, shareholders and non-shareholders alike. This land and investments is a multimillion dollar shareholding. It should be doing more for the Maori people and not just a select few. Marija will keep everyone in the loop as to how this pans out.

On a bright note this shareholding is financially getting better, could it be better than what it is, yes ...but it is still more than the \$1000 payout every now and then.

This year's dividend payout is \$2 million. So we should get at least \$5000.

## Moiki Urupa

JD expressed his ideas at making Moiki Urupa more self-maintaining / low maintenance and will keep us posted on what he is going to do. Marija suggested giving a heads up to the other Moiki whanau before doing their graves or their surrounds.

Teri gave his ideas on having a cremation wall with gabled seating where the monument at the top of the urupa is....he will incorporate the monument into the design.

It was also suggested by Teri that we have a storage shed in the Urupa for tools. Wilma said that it would be cool to incorporate the seat as a storage place for tools.

All agreed with the suggestion of a shed or storage for tools at a later date.

A.Putu asked if the fence at the urupa can be painted. JD said he would do it while he is back.

Costs to the maintenance and the cremation wall to be done by the trust.

Thanks went out to Karen Kershaw for keeping it in such a good condition for us. She is currently being paid by Grey Carter (some may remember him from A.Bubby as Ata Grey) we are unsure as to why.

## Moiki

A discussion was raised about rent being paid for Moiki. An explanation by Marija was given as to why rent or top up rent has not been asked of A.Putu. The solicitors had brought the loss of rental to Marija's attention when she became an administrator. The sisters had been aware of this as well, for the years that she had been living at Moiki, Marija decided that she didn't need to interfere with what was in place by her mother and aunts. But had informed the Smith Family previously that once aunty had passed whoever lived in the home would be asked to pay rent.

JD asked A.Putu what was the story behind not paying rent. A.Putu said that she was given the land by her mother. JD discussed that it wasn't her land and that there was proof and that like everyone else in the world she had to pay as well.

Maxeen brought up how A.Bubby and A.Margie paid rent to the trust and that it wasn't fair for A.Putu not to pay rent as well.

JD asked how much was the top up that was lost. Marija said the amount was approximately \$300 - \$500 a year, she wasn't sure because at the moment they were (due to a lease anomaly) getting the same amount as the other owners.

JD said that was a pittance and should be paying more. A.Putu said she wasn't going to pay rent as it was her land.

Marija stated that there was a difference between A.Putu and the other Aunties paying rent and that was the cost A.Putu and U.Mete paid out to build their home and that should be a consideration.

A.Putu was not happy and said she wasn't going to pay anything. Marija asked JD if he would like to talk to his family and we could discuss this with the administrators after the meeting. JD and Clem were good with that.

## General Business

### Papawai No5

Marija investigated this land and found that it was not our land. Nana Duck was an administrator for Papawai and somehow they had the land vested into their names when they weren't the owners and just the trustees for the land. The names were taken off as owners and that is why the name Papawai No5 dropped off our ownership titles.

### Papawai donations

At the last meeting it was discussed and agreed upon that a donation of \$500 be given to Papawai Marae. As we didn't have the funds at the time and the roof funds that were needed and sourced put that on the back burner. After the Wairarapa Moana Meetings and the amount of grants given to the Maraes Marija put forward that we no longer needed to donate money as the Incorporation and local council had given more than enough.

### Priorities for Payments

Marija stated that our donors for the roof were the first priority for payment and then the house insurance issues followed by other smaller issues.

### Health and Wills

Maxeen gave a short reminder to all the whanau about making sure you take care of yourselves and get regular check-ups. Also she said to remember to have a will prepared and that funerals aren't cheap and to ensure you make arrangements for your departure from this plane so they are what you want.

Final speech by JD giving compliments to Marija for a job well done.

**END OF MEETING APPROX 3.05PM**