

## Secretary@ourmapua.org

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**From:** MDCA chair <chairperson@ourmapua.org>  
**Sent:** Wednesday, 10 July 2024 4:00 pm  
**To:** Neville and Helen; Henk Vermeer; Fiona Bibby-Smith; Marion Satherley; Bruno Lemke; Aileen Connell; Paul McIntosh; MDCA Secretary  
**Subject:** Fwd: Motion passed at MDCA meeting

Kia ora tatou

Below is a couple of emails further to the motion passed at the General meeting on membership of beneficiaries of Trusts

We will need to discuss the implications of Sonja's questions at the July Exec meeting

Thanks for your consideration

Jim

----- Forwarded message -----

**From:** Sonja Lani <[sonjalani@outlook.com](mailto:sonjalani@outlook.com)>  
**Date:** Wed, Jul 10, 2024 at 2:43 PM  
**Subject:** Re: Motion passed at MDCA meeting  
**To:** MDCA chair <[chairperson@ourmapua.org](mailto:chairperson@ourmapua.org)>

Kia ora Jim

Thanks very much for your response - I appreciate it.  
I also appreciate the MDCA looking further into this issue.

I look forward to hearing the executive's response after 28 July.

Ngā mihi nui, Sonja 😊

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**From:** MDCA chair <[chairperson@ourmapua.org](mailto:chairperson@ourmapua.org)>  
**Sent:** Wednesday, July 10, 2024 1:57 PM  
**To:** Sonja Lani <[sonjalani@outlook.com](mailto:sonjalani@outlook.com)>  
**Subject:** Re: Motion passed at MDCA meeting

Thanks Sonja

I will present your questions to the executive for discussion at our next executive meeting on 28 July. In the interim, I can give some of the background that will give you an idea of the considerations

- How does the MDCA know that trustees and beneficiaries of a Trust that owns land in Māpua aren't also ratepayers?

We had advice from a lawyer member of the MDCA who had read of the decision as per the correspondence for the general meeting and iterated the need to differentiate trustees from beneficiaries, for the trustees are the "front" for the trust and thus would be regarded as ratepayers while beneficiaries are such and are not regarded as the ratepayer UNLESS they were also trustees. Thus the matter arose at the meeting from the agenda section covering matters arising from the correspondence.

- What if trustees and Trust beneficiaries are contributing towards a Trust's rates? Are we then eligible to be members of MDCA? as above
- Does MDCA intend to be going around and checking whether all Trustees and Trust beneficiaries of Trust-owned land in Māpua are or are not contributing to rates?

An important issue, including whether beneficiaries are also trustees. Proof of such would require a copy of the trust deed. When you applied I had considered this very issue and foresaw that this scenario may occur. The executive will need to consider the implications of this and how to resolve the matter.

- Does MDCA recognise contributions by residents, owners, trustees and Trust beneficiaries of Trust-owned land in Māpua that aren't solely financial?

An important issue that should be considered for the new constitution as per the new incorporated societies act.

- Does MDCA include mana whenua iwi? How?

Another important issue. I have contacted the TDC iwi liaison unfortunately that has not gone any further. I have also discussed with iwi reps (from two of the Te Tau Ihu tasman based iwi) such matters but they are stretched thinly on the ground in terms of time, something that has been a historical problem as far back as my own role on the Maori Development organisation Poumonawa Oronga. In considering this issue, a wider engagement with tangata whenua from outside of the rohe should be considered, but this is just my personal view. There is nothing in the MDCA current or proposed constitution that addresses this.

Thank you for for input. It highlights matters that need consideration

naku na

Jim Vause  
Chairperson  
MDCA

On Wed, Jul 10, 2024 at 11:31 AM Sonja Lani <[sonjalani@outlook.com](mailto:sonjalani@outlook.com)> wrote:  
Kia ora Jim

I appreciate you letting me know the group's collective decision, thank you.

It does, however, seem a surprisingly narrow definition of who forms part of the Māpua community.

I have a few questions I would appreciate MDCA responses to, if possible (no hurry if it requires discussion at the next MDCA hui):

- How does the MDCA know that trustees and beneficiaries of a Trust that owns land in Māpua aren't also ratepayers?
- What if trustees and Trust beneficiaries are contributing towards a Trust's rates? Are we then eligible to be members of MDCA?
- Does MDCA intend to be going around and checking whether all Trustees and Trust beneficiaries of Trust-owned land in Māpua are or are not contributing to rates?
- Does MDCA recognise contributions by residents, owners, trustees and Trust beneficiaries of Trust-owned land in Māpua that aren't solely financial?
- Does MDCA include mana whenua iwi? How?

I'm a bit surprised that the hui agenda didn't seem to explicitly list this issue as something that would be discussed and voted on at this meeting - would you mind please letting me know what agenda item this matter came up under? Discussions about something so fundamental as who can and can't be members of MDCA surely should be clearly flagged beforehand so that those most affected, including those of us who don't live permanently in Māpua, have the opportunity to know this major topic was going to be discussed and can make the necessary arrangements to attend or otherwise participate.

I understand Marion Satherly put forward the motion to exclude Trust beneficiaries from the MDCA. Ms Satherly has been a vocal supporter of the Māpua Boat Ramp. I have publicly stated my opposition to the boat ramp along with that of other members of Friends of Māpua Waterfront and tried to draw people's attention to issues of misinformation by the Boat Ramp Trust and its supporters - including in the [July Coastal News article](#). I hope that politics relating to a particular local issue hasn't played a part in MDCA receiving and adopting an overly narrow definition of who is and who isn't part of the Māpua community. Inclusion, diversity, open discussion and informed debate are cornerstones of any strong community.

I would value answers to the bulleted questions above. After receiving and considering those, I would really appreciate a fair opportunity for people who don't live permanently in Māpua, but who are land-owners or Trustees or beneficiaries of land in Māpua, to make our case to the MDCA as to why we seek to be included.

With thanks for to you and the rest of the MDCA for your time and consideration.

Ngā mihi nui, nā Sonja

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**From:** MDCA chair <[chairperson@ourmapua.org](mailto:chairperson@ourmapua.org)>

**Sent:** Tuesday, July 9, 2024 9:03 PM

**To:** Sonja Lani <[sonjalani@outlook.com](mailto:sonjalani@outlook.com)>

**Subject:** Motion passed at MDCA meeting

Kia ora Sonja

At last night's MDCA monthly general meeting the following motion was passed

"Motion proposed by Marion/Lynley that  
a beneficiary is not a ratepayer or resident so cannot be a member of MDCA  
Passed with 2 opposed"

Thus I regret to inform you that the executive of the MDCA will be bound by this motion and will have to consider what steps it may take to effect this, in particular concerning your recently accepted membership.

In doing so, we will consider any further information you may wish to furnish that may have a bearing on any action the executive may take.

na mihi

Jim Vause  
Chairperson MDCA  
ph 021301649