T/26/10

# MINUTES

## ORDINARY MEETING OF TRUSTEES

**Date:** **Tuesday, 22 September 2026**
**Time:** **2.33pm**
**Place:** **DV Bryant Trust Boardroom, 131 Alexandra Street, Hamilton**

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**PRESENT:** Trustees West (Chair), Afeaki, Booth, Chew, Silverton & Yamunanathan

**IN ATTENDANCE:** Grants Manager, Grants Advisor, Grants Administrator & Trust Administrator

**APOLOGIES:** Trustee Southgate, Chief Executive Officer & Finance Administrator

**CONFLICT OF INTEREST DECLARATIONS:** Nil (other than those declared in items T/26/10/1.1)

**KARAKIA TIMATANGA:** All

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**AGENDA ITEM**

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**T/26/10/1.0** **DISTRIBUTIONS/IMPACT**

**T/26/10/1.1** **Grants Committee Meeting Held 21 September 2026 - August 2026 Quick Response Round and Convening and Organisational Development Fund** (Ref: 60/10 and 60/65)

A report from the Grants Advisor dated 21 September 2026 was circulated separately. This included a list of recommendations on the August 2026 Quick Response (QR) round application, as well as three Convening and Organisational Development (COD) grant applications. The Grants Advisor conveyed apologies for the lateness of the report which was due to the Grants Committee (GC) meeting being held only the day before to meet expected timeframes. She thanked Trustee Booth for his work on the assessments and input at the GC meeting.

**Disclosure of Interests**

Trustees adhere to the following Trust policy:

Governance Process Policies – Conflicts of Interest (point 7)

*"Trustees who have declared an interest in an organisation who has applied for funding shall not rank, vote or participate in the discussion about that organisation's application at the funding decision-making meeting."*

The following Conflicts of Interest were declared:

Trustee Booth – **Melville Rugby & Sports Club Inc** in that he is a member of the organisation (perceived conflict only)

Trustee Silverton – **Enrich+ Services Trust** in that he serves as an observing member of the Management and Property Trust Boards for the organisation

Trustees were invited to ask questions about any of the GC recommendations. Trustee Booth listed the applications that had warranted more in-depth discussion at the GC meeting and the Grants Advisor noted that there were perhaps a few more declines for this QR round, which reflected the increased number of applications.

**MOVED:** (West/Afeaki) That the following Quick Response grants be approved:

| Appl # | Organisation | Amount |
|---|---|---|
| QR3739 | Marching Waikato Association Inc | $5,000 |
| QR3743 | Waikato Community Broadcasting Charitable Trust | $15,000 |
| QR3744 | Waikato Touch Association Inc | $8,000 |
| QR3745 | Silver Fern Motorsport Charitable Trust | $10,409 |
| QR3748 | North Waikato Transport Trust | $20,000 |
| QR3751 | LOUD Creative | $6,000 |
| QR3752 | Squash Waikato Inc | $10,000 |
| QR3753 | The Little Miracles Trust | $8,000 |
| QR3756 | Hamilton Christmas Charitable Trust | $15,000 |
| QR3758 | Te Akau Community First Response Fund | $4,000 |
| QR3760 | Brain Tumour Support Trust New Zealand | $3,000 |
| QR3762 | Waahi Paa Marae | $15,000 |
| QR3763 | Waikato Regional Council – Kura Waitī ki Kura Waitā | $19,990 |
| QR3764 | Te Whānau Pūtahi Trust | $20,000 |
| QR3765 | Hamilton Toy Box Toy Library | $2,100 |
| QR3766 | Melville Rugby and Sports Club Inc | $14,000 |
| | *Trustee Booth did not participate in discussion of this item* | |
| QR3767 | Epilepsy Association of New Zealand Inc | $4,000 |
| QR3768 | McKenzie Centre Trust | $20,000 |
| QR3769 | English Language Partners New Zealand Trust | $10,088 |
| QR3772 | Big Buddy Mentoring Trust | $10,000 |
| QR3773 | Hamilton Blues Society New Zealand Inc | $2,500 |
| QR3774 | EVolocity Charitable Trust | $8,000 |
| QR3776 | Waikato Poultry and Pigeon Club Inc | $5,000 |
| QR3777 | Hamilton Cricket Association Inc | $8,604 |
| QR3778 | Youthtown Inc | $7,500 |
| QR3781 | Hamilton Aquatics Inc | $5,000 |
| QR3786 | Momentum Charitable Trust | $6,900 |
| QR3787 | Nawton Community Collective | $10,000 |
| QR3789 | Te Araroa Waikato Trust | $10,000 |
| QR3790 | Hamilton Arts Trust | $15,000 |
| QR3792 | Waikato Japanese Community Trust | $5,000 |
| QR3794 | Te Kauwhata Squash Inc | $6,000 |
| QR3796 | Waikato Water Polo Club Inc | $2,500 |
| QR3801 | The Fraser Technical Cricket Club Inc | $7,500 |
| QR3802 | Hohou te Rongo Kahukura – Outing Violence | $10,000 |

| Appl # | Organisation | Amount |
|---|---|---|
| QR3803 | Frankton Athletic and Harrier Club Inc | $9,725 |
| QR3807 | Re-Creators Charitable Trust | $10,000 |
| QR3812 | Te Rūnanga o Ngaati Naho Inc | $12,500 |
| QR3814 | The Anglican Action Mission Trust | $15,000 |
| QR3815 | Muscular Dystrophy Northern Inc | $8,000 |
| QR3816 | Beerescourt Tennis Club Inc | $5,800 |
| QR3817 | Eastlink Cricket Club Inc | $4,000 |
| QR3818 | Tainui o Tainui Charitable Trust | $2,500 |
| QR3819 | Manaaki Rangatahi | $20,000 |
| QR3821 | Hamilton Bengali Association Inc | $6,000 |
| QR3826 | Waikato Ultimate Inc | $4,047 |
| QR3827 | Heart Kids New Zealand Charitable Trust | $10,000 |
| QR3828 | Friends of Hamilton Gardens Inc | $2,500 |
| | | **Total $439,163** |

**CARRIED**

**MOVED:** (West/Yamunanathan) That the following Quick Response grants be declined:

| | |
|---|---|
| QR3740 | St Peter's Anglican Church, Raglan |
| QR3750 | West Hamilton United Football Club Inc |
| QR3757 | Living Theatre Charitable Trust |
| QR3759 | The Boys' Brigade in New Zealand Inc |
| QR3784 | Enrich+ Services Trust |
| | *Trustee Silverton did not participate in discussion of this item* |
| QR3797 | Waikato/Bay of Plenty Cancer Society of New Zealand Inc |
| QR3798 | Waikato Animal Outreach Trust |
| QR3808 | Literacy Aotearoa Charitable Trust |
| QR3809 | The Hearing Association Hamilton and Districts Branch Inc |
| QR3810 | Paws 4 Life Charitable Trust Board |
| QR3830 | Waikato Winter Show Association Inc |

**CARRIED**

The Grants Advisor reminded Trustees that applications to the COD Fund are via invitation. The Grants Manager advised that the Creative Waikato application is for funding towards research into the local theatres to investigate ways they can work more collaboratively and whether the impact of the BNZ Theatre is impacting them.

**MOVED:** (West/Chew) That the following Convening and Organisational Development grants be approved:

| | | |
|---|---|---|
| COD104 | Creative Waikato | $15,000 |
| COD105 | Prison Care Ministries | $15,000 |
| COD107 | Raglan Community Media Inc | $10,000 |
| | | **Total $40,000** |

**CARRIED**

The total grants funding for the August 2026 Community Support grants round was allocated at $439,163 to 48 successful grant applications. Three COD grants were also allocated, totalling $40,000.

**T/26/10/2.0 OTHER REPORTS**

**T/26/10/2.1 Health and Safety at Work Act 2015 – Trustee and Trust Exposure** (Ref: 30/70)

A report from the Chief Executive Officer (CEO) dated 27 August 2026 was circulated.

Trustee West provided some background to the report and gave a brief update with regard to a relevant case before the Courts, the decision for which is currently under appeal. He added that, depending on the outcome, there might be some concerns for Trustees around their liability in relation to the health and safety performance of the Company. He drew attention to the recommendations in the CEO's report.

Trustee Yamunanathan offered some further insight on the risk component for Trustees and suggested that, once the Court's decision was announced the Trust updates their documentation accordingly, particularly around the role of Trustees and how they might be perceived as Officers. Trustee West asked if this relates to whether the Trustees have influence over the Company Directors, to which Trustee Yamunanathan replied in the affirmative, noting they cannot always be removed from responsibility despite their distance from the operations of the Company.

Trustee Chew raised the subject of the Health and Safety at Work Amendment Act 2026 that would come into force on 1 April 2027 and recommended that it be covered in any legal advice sought by the Trust.

Trustee Booth highlighted the two stages in point 9 of the report and there was a brief discussion with regard to their order of completion.

**MOVED:** (West/Silverton) That:

1. Trustees note the Court of Appeal decision in RH & JY Trust versus Worksafe New Zealand (2026) NZCA 12 and its potential implications for trusts and trustees under the Health and Safety at Work Act 2015.
2. Trustees note that the Supreme Court heard an appeal against that decision on 28 July 2026 and that judgement remains pending.
3. Trustees note that the Court of Appeal decision does not, of itself, mean that every trust is a PCBU and that the Trust's position depends upon the nature of the activities it conducts.
4. The Trust obtains legal advice on the application of the Health and Safety at Work Act to the Trust, including the status and potential exposure of Trustees and the distinction between the Trust's shareholder governance responsibilities and the health and safety responsibilities of the Company, its Board and Management.
5. The matter be brought back to the Trust following release of the Supreme Court judgement, together with legal advice and any recommended changes to Trust governance arrangements.

**CARRIED**

**T/26/10/3.0 MANAGEMENT REPORTS**

**T/26/10/3.1 Financial & Budget Report** (Ref: 20/10)

A report from the Finance Administrator for the month of August 2026 was circulated.

In the absence of the Finance Administrator, the Finance, Audit and Risk (FAR) Committee Chair ran through the key questions he had posed at the recent FAR Committee meeting. These related to Trustee remuneration and staff holiday pay. He also relayed his requests for changes to be made to the report going forward, specifically an adjustment to the scale of the Operating Expenses versus Budget graph to make it easier to read, and additional commentary around the Trust's net surplus funds to provide more clarity. It was noted that there had been some gain in the Trust's investment portfolio, and the equity markets were performing quite well.

**MOVED:** (West/Silverton) That the financial and budget report to 31 August 2026 be adopted.

**CARRIED**

**T/26/10/3.2 Fiduciary Calendar** (Ref: 25/30)

The September Fiduciary Calendar was circulated for noting.

Trustee West indicated the Trust activities in progress as per the calendar entries and gave a brief status report on each, relaying that the Trust would need to follow up with the Company about its internal review of Directors that was due towards the end of the calendar year.

**MOVED:** (West/Afeaki) That the updated Fiduciary Calendar be noted.

**CARRIED**

**T/26/10/3.3 Resolution Schedule** (Ref: 15/20/5)

The Resolution Schedule dated 9 September 2026 was circulated for noting.

**MOVED:** (West/Booth) That the Resolution Schedule be noted.

**CARRIED**

**T/26/10/3.4 Trustee Meeting, Workshop and Event Attendance** (Ref: 15/2)

A report from the Trust Administrator dated 9 September 2026 was circulated for noting.

Trustees Booth, Chew, Silverton and West reported on community events recently attended.

**MOVED:** (West/Yamunanathan) That the Trustee Meeting, Workshop and Event Attendance report be noted.

**CARRIED**

**T/26/10/3.5 Ongoing Status Report** (Ref: 15/20/5)

A report from the Grants Manager dated 9 September 2026 was circulated for noting.

**MOVED:** (West/Silverton) That the Ongoing Status Report be noted.

**CARRIED**

**T/26/10/3.6** **Bi-Monthly Review Against Annual Plan** (Ref: 15/20/5)

A report from the Trust Administrator for the month of September 2026 was circulated.

**MOVED:** (West/Chew) That the Bi-Monthly Review Against the Annual Plan be noted.

**CARRIED**

**T/26/10/3.7** **Energy Trusts of New Zealand** (Ref: 5/30/15)

A report from the Trust Administrator for the month of September 2026 was circulated.

Trustee West conveyed that the draft Minutes of the ETNZ Chairs meeting held in August were now accessible in Stellar. He then gave a brief verbal report on the MBIE consultation on Electricity Distribution Businesses (EDB) which is open until the end of September. He advised that he had arranged a meeting with MP Tama Potaka and planned to discuss the following with him:

- The way the public interact with the electricity industry (currently this is primarily through electricity retailers)
- EDB pricing:
  - increasing due to the level of capital investment required
  - if EDBs were to reduce prices, which would mean making a lower rate of return on their capital investments than that prescribed by the Commerce Commission (ComCom), how can consumer trusts ensure the reductions are passed on to the end user?

Trustee Chew expressed the importance of educating consumers as to how their electricity bills are made up.

Trustee West explained that the Company, while not officially regulated, behaves as if it is and must disclose a pricing methodology statement to ComCom every year for review. He advised that a meeting had been held between the ETNZ Chair, ETNZ CEO and Minister Simon Watts, noting that electricity pricing is a high-priority political topic at present.

Trustee Afeaki initiated a brief discussion with regard to communications with Trust beneficiaries about power pricing, particularly over the next few years. Trustee West conveyed that the Company is making a submission on the MBIE discussion document, as is ETNZ on behalf of trust-owned EDBs, and the Trust was in support of this. He noted that a theme of the document included increasing efficiencies, potentially through amalgamation/collaboration between EDBs, but this would not necessarily be feasible because of their varying geographic layout.

**MOVED:** (West/Yamunanathan) That the ETNZ report and verbal report be noted.

**CARRIED**

**T/26/10/3.8** **Industry & Trust Activity Verbal Updates**

The Grants Manager reported briefly on the following:

- September 2026 Community Support grants round
- October 2026 Quick Response grants round
- October/November Vital Impact Collaborative Energy Fund grants round
- Remaining budget for the 2026/27 Financial Year

The Grants Manager noted that there were an increasing number of first-time applicants and national organisations applying for Quick Response funding, which reflected the reduction in Government funding to these groups.

The Grants Advisor provided a progress update on the trial payment process for Company donations from the Group Distribution Pool, noting there are some teething issues for the Trust and Company to work through before this becomes seamless (such as contrasting accounting systems, differing donee status of the recipient organisations, misalignment of timing of Trust decision meetings versus Company Board meetings, etc), all of which are manageable. Trustee West observed that there are significant benefits for the beneficiaries in pursuing this initiative and he said he had spoken with the Chair of the Company about the eventual Board approval process.

**MOVED:** (West/Afeaki) That the verbal reports be received.

**CARRIED**

**T/26/10/3.9** **Confirmation of Minutes** (Ref: 15/20/10)

The Minutes of Ordinary Meeting T26/09 dated 25 August 2026 were circulated.

**MOVED:** (West/Silverton) That the Minutes as circulated be confirmed as a true and correct record.

**CARRIED**

**T/26/10/4.0 EXCLUSION OF PUBLIC**

**MOVED:** (West/Afeaki) That the public be excluded from the following parts of the proceedings of this meeting under Section 48(1) of the Local Government Official Information and Meetings Act 1987, for reasons relating to third party commercial sensitivity, on the following grounds:

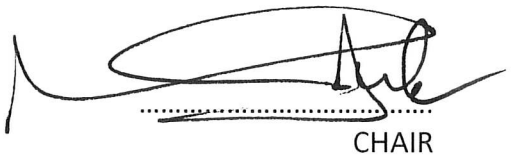
1. To enable the Trust to carry out, without prejudice or disadvantage, negotiations (including commercial or industrial negotiations).
2. To protect information where the making available of the information would be likely unreasonable to prejudice the commercial position of the person/ organisation who supplied or who is the subject of the information.

**CARRIED**

| Agenda Item | General subject matter to be considered | Grounds for passing this resolution |
|---|---|---|
| T/26/10/5.1 | Resolution Schedule | Definitions 1 & 2 above |
| T/26/10/5.2 | Risk Management Report | Definitions 1 & 2 above |
| T/26/10/5.3 | Industry & Trust Activity Verbal Updates | Definitions 1 & 2 above |
| T/26/10/5.4 | Confirmation of Minutes | Definitions 1 & 2 above |

The meeting closed at 3.22pm.

Confirmed at T/26/11 on 27 October 2026 as a true and correct record.



CHAIR