

**MINUTES OF THE BI-ENNIAL GENERAL MEETING OF TATARAAKINA C TRUST HELD  
AT THE TARADALE CLUB, 55 WHARERANGI ROAD, TARADALE, NAPIER ON  
26 NOVEMBER 2011 AT 10.00AM**

**Present:** **Trustees Present**  
John Wano (Chairman) Tania HuataKupa (Deputy Chair)  
Ivy Kahukiwa Smith Yvonne Mary TePoheHeke  
Horo Edwards George Sullivan

**Owners as per the attendance register**

**Attending:** Paul Sheeran – Maori Land Court  
Shona Jones – ManaWhenua Project  
Ewan Gardiner – Gardiner Knobloch  
Matthew Lawson – Lawson Robinson Limited  
Harna King – Lawson Robinson Limited  
Tracy Lawson – Lawson Robinson Limited  
Amy Duncan – Lawson Robinson Limited  
Julie Jensen – Lawson Robinson Limited

**Mihi/Karakia:** John Wano (Chairman)

**Apologies:** Peter TeAhuru, Katy Kumeroa, Martin Kumeroa, Doreen McCorkindale,  
Hilda Haerewa, Everett Matara Browne, ParoreHanara (nee Rahui)

**Moved: Tony Gray/Joe Young**

**1 Housekeeping**

The meeting began with some housekeeping, including giving each speaker respect and allowing him/her to have their word.

Invited guests Paul Sheeran, Maori Land Court and Shona Jones, ManaWhenua Project were introduced.

It was noted that proxies closed on Thursday, 24 November. One late proxy had been received, however there was a procedure in place.

The two proxies received were checked, Lyn NiiParataPuna not in attendance. Hannah Puna is to vote on her behalf. Bubs Heremaia not in attendance, David Puna is to vote on her behalf.

The process was addressed, noting that if five owners requested voting by poll then voting would proceed in that manner in accordance with the Trust Order. Discussions were had around show of hands versus vote by poll. Five owners from the floor requested vote by poll:

Janice Kahukiwa

Memory Puna  
Robert Watene  
Yvonne Broughton  
Joyce Eparaima

Extensive discussions were then had about the option for postal voting in the future. In accordance with the Trust Order, for postal voting to be accepted it is to be passed by resolution at a prior meeting.

A call for show of hands for postal voting at the next shareholders meeting was put:

In favour (18 cards counted)  
Against (in excess of 25 cards)

Motion not passed.

## **2 Confirmation of Previous Minutes**

***Resolution: Hohepa Sullivan/Joe Young***

*"That the minutes of the Tātaraakina C Trust Biennial General meeting held 5 December 2009 be received and confirmed as read"*

**CARRIED**

## **3 Chairman's Report – John Wano**

John reported that the Trustees had worked long and hard throughout the past two years, with lots to deal with. At times it had not been easy, but he thanked his fellow trustees for their time and commitment.

A brief update was provided on forestry, hunting, Kordia, Honey and farming, noting that the trustees would be bringing a more extensive update under Trust Business.

John again thanked everyone who the Trust had worked with, what had been achieved and looking forward to the future.

John also noted last minute apologies from Taine Randell who was to present an update on ETS for Tātaraakina, but was unable to attend due to family commitments.

***Resolution: Janice Kahukiwa/Joe Young***

*"That the Chairman's Report be received and accepted"*

**CARRIED**

## **4 Financial Report – Ewan Gardiner**

Ewan presented the financial report to 30 June 2010 which was tabled that morning. The financials were a summary of the draft 2010 financials, as the audited accounts had only been signed off the day prior.

Most of the income for this period was down from 2009, with the total income down

approximately \$165,000.00. This compared with expenses left a deficiency of \$65,000 compared with a surplus of \$99,000 in 2009.

Total assets valued approximately \$5,000,000.00 and it was noted that the current rateable valuations were at 1996, and would need to be updated next year.

It was queried from the floor whether it was good to have \$2,000,000.00 in term deposit, and also a query around the tax. Ewan responded that interest that the Trust receives is subject to resident withholding tax. It is an asset until the tax return is done, and this was overpaid last year. In relation to the term deposit, Ewan commented that it was better to have money sitting in a bank than a risky investment fund.

Questions and discussions from the floor:

Nigel Baker – why had it taken so long for the financials to be received, and why were the funds invested with the lawyer?

John Wano – The funds are sitting in an investment pending decisions to be made.

HenareRatima – In relation to the farm consultant, he understood that the Trust decided not to return to farming.

John Wano – the Trust is working through the process.

Yvonne – when do we find out about what Nigel has queried?

Janice Kahukiwa – the Court business is not yet finished, and cannot be commented on until it has finished. Go to Court on 7<sup>th</sup> December.

HenareRatima – commented the expenses were high, considering we did not have the same amount of income.

Ewan Gardiner – noted it was fairly consistent throughout and it can depend on the type of year and requirements for meetings, wages etc. It in fact showed only \$10,000 less than in the previous year.

Janice Kahukiwa – noted that the Trust is running a large operation with inflation and costs rising.

John Wano – commented that the forecast for the next year is based on the financials, and now that they had been completed the Trustees could look to that. There is a strategic plan and business plan that also needs to be taken into account.

HenareRatima – queried around the NgaWhenuaRahui fund

John Wano – noted that the funding given out and is for Trust usage for costs incurred, and is shown in the income.

Ewan Gardiner – commented that interest rates had gone down dramatically and therefore it of course reduced interest received.

**Resolution: Janice Kahukiwa/Tony Gray**  
*“That Financial Reports be received”.*

**CARRIED**

## 5 Trustee Reports

### Waipunga Bridge - Tania HuataKupa

Tania gave a brief overview of the Bridge and noted that it was a major issue for the Trust, with decisions unfortunately being put on hold due to the current Court process. It is desirable that the new bridge, once completed will be able to take fully loaded trucks. The cost of the rebuild had currently been estimated at \$1,300,000.00. The Trustees are looking to tender out for a design and build option. It had also been identified that there are potentially four main stakeholders to share the burden of the cost on a percentage of usage basis.

Questions & Discussions from the floor:

Henare Ratima – the bridge built in 1970 was built by Kordia. It was noted that it is good to share the cost.

Tania - commented that the Trustees are currently in negotiations.

Floor – is the next bridge to carry light loads?

Tania – The bridge will be constructed and designed for the purpose of carrying our logs out.

Nigel Baker – Queried if the Trustees were familiar with the Kordia lease and the fact that it expires in three years. Kordia is a principal user, and thought they would have been the first door to knock on.

Tania – The Trustees are currently negotiating with stakeholders, however the Court process is holding up progress.

***Resolution: Janice Kahukiwa / WaiTahau***

**CARRIED**

### Emissions Trading Scheme – Matthew Lawson

Matthew noted that he only heard this morning that Taine was not going to be in attendance, and was asked to present the update.

Matthew advised that the Trustees had been to two seminars through MAF and also met with Taine Randell in relation to ETS.

Matthew gave an overview on with the Emissions Trading Scheme is and how it works. Taine Randell was engaged by the Trust to map the pre 1990 forest, and this has now been attended to and lodged to meet the deadline of 30 November 2011. It was noted that there is ongoing opportunity with ETS, along with a one off allocation/bulk allocation of carbon credits for forest as at 31 December 1989. These credits can either be banked or sold. Units per carbon is approximately \$13.00, but had been up around the \$20 mark. The Trustees will be seeking expert advice on the best option regarding carbon credits.

There is also the potential for claims for post 1989 forest, but is subject to forest rotation and harvesting. The ETS gives the Trust opportunity to have income

each year, in the form of carbon credits which can be sold, banked or a mixture of both. Once trees are cut, then carbon credits are used, resulting in payment having to be made. All these decisions make up the planning process of planting, with one recommendation being a staggered plant and harvest programme.

Questions and discussion from floor:

Floor – Indication from Taine on the return for the Trust.

Matthew – Initial indication was a lump sum payment in the vicinity of \$700,000.00 at \$20 per unit. There would be additional income for post 1989.

Floor – does this mean that the Trust is moving away from farming?

Matthew – The Trustees are looking at all options.

Henare Ratima – does ETS only apply to pine?

Matthew – It applies to any forestry, however native is not included. Regeneration of native is however, e.g. manuka and kanuka. Matthew also noted that if the forest burns down then payment for carbons would have to be made, and that would be a matter for insurance.

Nigel Baker – questioned how far along the Trustees were in deciding to sell or retain carbon credits.

Matthew – Commented that all Trustees had been to two hui with MAF to learn and get advice. Matthew noted that due to the fluctuating price of carbon credits it is hard to predict. All markets are down at the moment and in 1 – 2 years it could be a different story.

Matthew also noted that the deadline of 30 November had been met. Taine's ETS business is subsidised and funded through TePuniKokiri and is a free service offered to Maori Land owners. It was noted that George Sullivan was very keen to engage the services of Taine Randell and it had been a good decision.

### **Tataraakina C Trust Website – Horo Edwards**

Horo introduced the latest initiative of the Trust and gave a live demonstration of the Trust's website – [www.tataraakina.co.nz](http://www.tataraakina.co.nz)

The website has been online for approximately 1 week. The website allows owners to register with the Trust, ask questions and bring information to the whenua. The cost to set the website up was approximately \$1,000 and this included the building of the website, ongoing support and the domain name. Other website developer costs were in the vicinity of \$1,200 - \$5,000.

### **Forestry – Ivy Kahukiwa Smith**

Ivy noted that the forestry reports were sent out in the meeting packs, with the Te Kooti block having been handed back and the Tataraakina Block still being leased. The Trustees started the process in March on what should be done when the forest was handed back. Expressions of interest were advertised and called for in relation to options of Forestry Consultant, Joint Ventures and Forestry

Rights/Leases. Ivy showed the list of expressions of interest received, asked for an indication from the floor as to which option was preferred.

Discussions:

Floor – need further information to make a decision

Floor – under the options, who owns the trees?

Henare Ratima – the Trustees need to look at the returns so far and the lease position. Need to look at costs and possibilities from past and current ventures, and what is best going forward.

Ivy – thought that Henare might have the figures in his head. The Trust made a decision to plant by the house with 100% return to the Trust. The Trust at the time of harvest chose to lease out the cutting rights.

Floor – Trustees should go and get information for all options and make the best decision for the owners.

Nigel Baker – supports what is being said. The main income for the Trust is from forest. Over the last 50 years all the native resources have been cut and the Trust got nothing out of it. Since 1971 all exotic forest has been planted.

Ivy – what was your intention with the expression of interest? A lease to Nigel or suggestion that the Trust does it themselves?

Floor – Trustees should get as much information as possible and make the best decision. Information can be put up on the website.

Ivy – is the information to come back to a hui with meeting costs involved, or are the Trustees to decide?

Floor – Move that Trustees get information on all options and rather than accumulate cost a hui, send out all information and seek votes by website or postal.

#### **Resolution Marg Joe/Tony Gray**

*“Trustees are to get all information to shareholders by mail, email, website and vote by postal or website, and then Trustees are to make a decision on that finding, however the Trustees are to take into consideration the owners vote”*

**In Favour?**

**Against?** 3 people

**CARRIED**

It was also noted that in future, any decisions to be put to the owners, need to be sent out prior to the hui.

### **Poronui – Yvonne Mary**

Yvonne Mary advised that three trustees had been up to Poronui recently and met with management to review their latest report. Poronui is a beautiful set up, and there is a good strong relationship between Poronui and Tataaraakina C Trust.

Poronui work 3 rivers on Tataaraakina, and they continually review the rivers, operating under a catch and release programme. Their fishing is of course hindered by the weather. Once the new bridge has been completed, the access will be a lot better. Poronui wish to continue their relationship with the Trust even though the weather has made fishing difficult over the past 12 months. Poronui is a financial support for the Trust.

From floor:

Fiona Sullivan – does Poronui have a process for didymo?

Yvonne – They do. They have a maintenance programme and check levels contentiously. Unable to quote strategy, but noted that Poronui meet with the Trust each year. Poronui have a good relationship with the Property Manager.

The Trust is to put the report on the website.

Floor – noted that there is high pollution levels in the Mohaka, and the Regional Council is looking at sorting it out. The Trustees should be involved in the Council report.

John Wano – advised that the Trustees are aware of it.

### **Court Proceedings – Yvonne Mary**

Yvonne advised that there is a Court hearing set down for 7 December, 10am at the Maori Land Court in Hastings. Owners were invited to come along, and hopefully everything could be settled and laid to rest that day.

Jim Gray has written a report on the Trust, he had met with the Trustees.

Tataaraakina C Trust has a history in Court which incurs unnecessary time and cost, with Court issues taking up much of the Trustees meeting time.

Floor – the intention is to apply to have the Trustees removed due to damming accusations made on 6 October. I am glad the Trust is going back to Court on 7 December.

### **Trust Logo – John Wano/ Ivy Kahukiwa Smith**

John presented the current Trust logo which was shown on the powerpoint. This logo was presented to the Trust by Linda O'Donnell.

The Trustees have two logos to present, the first being an updated version of the current one, and the second put together by a group of recent Trustees.

Ivy advised that the second logo was designed about five years ago by Dane Young and was presented to the Trust, however it had never been presented to the owners. The colours depict the symbols and unite past, present

and future.

Floor – suggested getting an indication back from kaumatua/kuia.

Fiona Sullivan – suggested a completion from within the owners. Options could be put on the website and commented on by the owners.

John clarified that one reason for an updated logo was that the Trust vehicle did not have a logo on it, and wanted to put the options out there to see what people thought.

George Sullivan – commented that he is confident there are artists amongst the shareholders who could develop something more appropriate.

Janice Kahukiwa – think the website is a great idea. Options can be viewed and suggestions made.

Motion – Janice Kahukiwa. A competition is to be called for, where people can submit options within two months. Options can then be voted on by owners, and also posted out to owners.

It was noted that owners children can submit drawings, however only owners could vote.

#### **All in favour**

The meeting then broke for lunch at 12.40pm and resumed at 1.40pm

John announced a change to the agenda, and that the election of trustees would now take place. As John was standing for re-election, he vacated the Chair. He also apologised as he was required to go to work at 2pm. The Chair was handed to Tania Huata-Kupa, Deputy Chair.

Paul Sheeran presented the voting process and confirmed the details already handed to registered owners. The scrutineers were also elected with nominations from the floor, with it decided that Paul Sheeran and Shona Jones were to be the scrutineers.

#### **Resolution: HenareRatima/Janice Kahukiwa**

#### **All in favour**

The resolution for vote by poll had been passed.

Tania requested each person nominated as Trustee give a short korero, prior to the voting.

Order of presentation:

John Wano (Restanding)  
Ivy Kahukiwa Smith (Restanding)  
HenareRatima – apologised for not submitting a CV  
Peter Eden  
Robert Watene  
Rangi Spooner



Marire Baker  
Anthony Gray

Anthony Gray had been at the meeting, but had to return to Rotorua unexpectedly. Discussions were had around whether or not he was eligible to stand for election. Paul Sheeran confirmed the decision that Anthony should be eligible as he was present earlier, but had to leave due to unforeseen circumstances.

The meeting broke for 5 minutes for voting to take place.

Tania HuataKupa from role as Deputy Chair then referred to the Strategic Plan and Business Plan included in the meeting packets and asked for adoption of the plans by the beneficial owners.

**Resolution: Janice Kahukiwa / Renata**  
**No one against**

From the floor:

Nigel Baker stated that he had been through the plan, but queried why there was no strategy to establish a putea. Nigel's point was noted.

## **6 Property Manager's Report - David Puna**

David advised that he had been working on the block for 8 years. David identified some weaknesses in the Trust and also clarified a few points in relation to access, the easement and the bridge.

David advised that hunting included deer, sheep and pigs. The recreational hunting was only making around half of its financial potential.

David expressed that he had been hearing requests for putea. David seeks putea for Tataaraakina, to manage it. To progress for the future. David stated that the land first needs the putea to make it go ahead.

David's challenge for himself is to be Maori block of the year. The neighbouring farm, Tarawera, was named farm of the year. David wants that for Tataaraakina.

Questions from floor:

HenareRatima – part of the business plan?

David – first time he has seen the strategic plan. Wants to see figures.

Floor – Poronui exclusive rights to 3 rivers.

David – I make sure that Poronui manage their programme.

John Byles – This is my first meeting, and only decent speech is from David. We should be listening to the man on the land.

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Floor – In the financial statements, what part of expenses pertained to position as manager and resources?

David – about half of expenditure. The Trust is trying not to spend money, trying to spend wisely. To make a plan work, we need to spend money.

George Sullivan – previous question from the floor querying why there was spraying along the Ngatapa boundary.

David – It is along the Ngatapa boundary. Ngatapa want an easement with the area cleared from the fences.

Henare Ratima – on our land?

David – yes

Ivy Kahukiwa Smith – Ngatapa approached the Trust in relation to the boundary. The arrangement was that they would pay, and Tataaakina would get the benefits.

Various discussions continued – Tania HuataKupa called the meeting to order.

Nigel Baker – is there potential for the farm to be developed?

David – Yes, but also need to look at ETS and growing of trees.

Nigel Baker – There is expenditure on farm reports recently, why is money being spent for an advisor when farming is being shut down.

David – the report was not just the farm, all ventures were covered.

## **7 General Business**

Tania opened general business with a need to record a request from beneficiary Martin Kumeroa requesting occupation of his share of the land at the Tataaakina C block. The Trustees had invited Mr Kumeroa to the meeting, but he was unable to attend.

Fiona Sullivan (from floor) questioned the diesel spill from the neighbours land. What was the Trust's reasoning to allow the diesel to be put on the land? Why was it permitted?

The discussions were turned back to Mr Kumeroa's request.

Nigel Baker – Occupation orders were applied for about 12 years ago. Owners called to return to family partition. The applications were turned down in Court. If the beneficiaries are not getting any income, then perhaps the Trust needs to look at an alternative to move back on the land.

Tania HuataKupa – point noted.

Floor – do not think that a decision can be made without the owner present. Mr Kumeroa should attend a general meeting to put his request forward.

Fiona Sullivan – queried the diesel spill.

Discussions ensued and Tania called the meeting to order. Tania stated that the Trust was not aware of the diesel spill at the time it occurred and referred Fiona to the Court hearing set down for December.

Janice Kahukiwa – voiced her opinion in regard to Mr Jim Gray's report on the Trust. He is calling the trustee and Maori's names.

Ivy Kahukiwa Smith – advised that Janice should make her submissions to the Court.

Floor – in relation to the occupation order, is it a request to use quota of shares? If it is good for one person, then it has to be good for everybody.

Floor – I went up on the block with David. Beautiful location – paradise. I agree with David, the land needs to be built up and we should be providing the resources to enable David.

Tania requested any further business from the floor. There was no further business.

Tania read a panuifrom TeWhanganui A Orotu inviting our Kaumatua and Kuia for a Christmas lunch.

## 8 Election Results

Paul Sheeran returned to the hui to present the election results.

- John Wano
- Ivy Kahukiwa Smith
- Peter Eden

Tania congratulated the trustees, and put in Peter's apologies as he could not wait around, he had another hui.

The meeting closed at 3.45pm

Closing Karakia–Whetu

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**Minutes confirmed as a true and accurate record of proceedings.**

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Signed

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Date

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Name/Designation