

COMPLETED

**Meeting of Owners for Whakapaupakihi 2 held Monday 1st May 2006
at Omarumutu Marae at 10.00am**

Present:

Maori Trust Office Staff: Maui Tangohau, Rose Wharehinga and Te Raumawhitu Kupenga

Rainey Collins: James Johnston

Advisory Trustees: John Hata, Russell Hollis and Len Brown

Owners: 117 Attendees signed Owners Register – refer attached

Meeting opened in karakia from Te Riaki Amoamo at 10.15am with a mihi from John Hata and Maui Tangohau.

Housekeeping received from Maui Tangohau.

Apologies received from:-

John Tupene, Teria Smiler, Lavinia Mark, Jack Taka Edwards, Harriet Paki, Te Wha Ruri, Margaret Louise Widson Smith, Frederick Seymour, Leah Clark, Donald Morehu and Elizabeth Riripera Tairi Whanau Trust, Fiona Cracknell, Kay Kneebone, Mary Winiata, Rebecca Raukura Pomare, John Williams, Gaynor McKay, Janet Bosworth, E W John Stratton, Matiu Jeffery Tai, Dick Te Awariki Pohipi, Ngamoko and Hine Papuni Whanau Trust, Hiwi and Helen Kahurawhiti Ransfield Whanau Trust, Barbara Pauline George, Yvonne Joy Ruihana Hayes, Wiremu Tamatama Waihi, Jessica Andrews, Mary Lilly MacDonald, Ngati Oue Whanau Trust, Kiri Haretuku, Nichola Edwards, Tangiwai Beverley Timoti, Robert Hugh Northover, Maureen Edwards, Te Mini Smiler, Rhoda Haara D'Aubrey, Ruby Thompson, Lucy Tamihere, Mere Tonia Nathan, Akine Tupene, Herewaka Timoti, Shane Reha, Phillip Reha, Clinton Reha, Shaun Reha, Irene Baty, Kaye Reha, Tamara Reha, Yvonne Reha, Ruby Reha, Terrence Reha, Tama Reha, Jeanette Whiti, Christina Eru, Grant Reha Tomiti, Doug Ress, Philip Wilson, Helen Spanhake, Thomas Smiler, Steve Mason, Hine Taurua, Mihi Pehi, Ian Rewiri, Iritana Huntington, Wikitoria Lucre, Mary Faulkner, E G Forbes, Nikora Whanau, Ramari Tibble, Smith Family Trust, Tawhai Johnson, Tamsin Rikihana, Isobel Nepia, Rawiri Herewini, Jim Kelly, Jim Richardson, Graeme Riesterer, John Tamihere, Elizabeth Apanui, Robyn Martin, Moana Irving, David and Te Kani Watson, Charlotte Walker, Lillian Martin, Margaret Taurangi (Hata), Mate Hata, Arihia Tuhoro, George Taranaki, Hemi Karauria, Robert Mua, Jackie Hamilton

Moved by: Tarati Carrington

2nd by: Eddie Matchitt

Apologies received and accepted

Maui Tangohau then presented to the owners in way of aids and the extent of what we are going to talk about in terms of the Agenda and referred to the first item being the Report by the Maori Trustee and advised that the report will be done in two stages. First item will be Update on the Waitangi Tribunal Claim against the Crown relating to the original taking of the Quarry in 1937 and then deal with the Without Prejudice settlement offer received from Fulton Hogan afterwards. Further requested that he would like to complete the presentation up to the Waitangi Tribunal first and then invite questions and move onto the second part of the Without Prejudice Offer from Fulton Hogan.

Agenda

- Report by the Maori Trustee on
 - 'Without Prejudice' settlement offer received from Fulton Hogan for the Trespass District Court Claim, and
 - Update on the Waitangi Tribunal Claim against the Crown relating to the original taking of the Quarry in 1937.
- Receive the owner's views on the settlement offer and the position to be adopted in respect of the two claims.
- Review of the ongoing role of the Maori Trustee as Responsible Trustee
- Financial Report
- General Business

Maui Tangohau further advised for those who cannot see [the power point large screen] then follow from the handout that has been made available.

Typo error of Moutohara Quarry received from Riaki Amoamo. Arohamai from Maui Tangohau.

Maui Tangohau then began the power point presentation:-

- Te Ture Whenua Māori Act 1993 – Māori Freehold Land
- Māori Trustee Appointed Responsible Trustee by MLC Order 22nd February 1963
- 3 Advisory Trustees – John Hata, Len Brown and Russell Hollis
- Location 87kms from Gisborne
- Area: 794.1635 ha.
- 1374 owners out of a total of 3311 notified on 11 April
- Leased to Mullooly Family Partnership x 22 January 1997
- Expires 21 January 2007
- Annual Rental \$5,000 for 1st 5 years
 \$20,000 for remainder
- plus Rates
- Location of Moutohora Quarry

- **Hei Whakamārama Whenua – Moutohora Quarry**
- Quarry handed back 7 April 2001
- Area: 15.3992 ha.
- Lessee Fulton Hogan since 1999
- Expires 31 August 2009
- Rental \$1500 pa plus royalties

There are two issues

- Waitangi Tribunal Claim
- District Court (Fulton Hogan Claim)
- **Waitangi Tribunal Claim – Wai 864**

- Claim against the Crown & other likely parties lodged and confirmed on 26 July 2000
- The legitimacy of the original taking in 1937 under the Public Works Act 1928
- The Claim is broken down as follows
- What extent the Crown obtained title to the metal

- Did the taking give rise to a breach of the Treaty
- Claim now being conducted by the Advisory Trustees as the claimant can only be a person and a Maori person. The Maori Trustee can not be that, hence the reason why the claim has been conducted by the Advisory Trustees.
- Preliminary Stages. The Advisory Trustees have done a lot of work.
- Maori Trustee withdrawing as a party in the claim with the Advisory Trustees driving along with their legal advisors along side of them.

Maui Tangohau advised that is the korero with the Waitangi Tribunal Claim and acknowledged the work completed by all the parties and also the Advisory Trustees in particular. A lot of input into the original claim when it was first lodged, amended and was on their advice. Really crucial to note the role they have taken thus far. The Maori Trustee will be withdrawing.

That is the extent of the Waitangi Tribunal Claim the real issue is that the Maori Trustee will be withdrawing and whilst it is in its preliminary stages, as the Responsible Trustee we are quite clear in that the outcome to the owners must head towards a positive outcome and it is heading in that direction. So that's the Waitangi Tribunal Claim and invite any questions on that now other than that I'll move on to the Settlement.

John Edmonds – Mr Chairman, in my experience the trustees have taken over the negotiations and what not, and there is a heavy co-dependent on legal advice. The costs to the owners kindly and that access, it would have been better leaving it to the Waitangi Tribunal. I heard your statement about the Waitangi Tribunal, but we hear it all the time. This is the best wood, tropical for Solicitors ever created, Waitangi Tribunal.

Maui Tangohau – The Advisory Trustees have engaged legal advice, I'm not going to talk for them. My understanding is that legal aid is an area that covers that.

Muriel Kelly – A point of clarification, prior to the Maori Trustee and then our Advisory Trustees. What is the protection cover for the quarry prior to that? We had a Public Works Act come in here, so what protection did our quarry have prior to the Maori Trustee and then our Advisory Trustees?

John Hata – Nothing.

Maui Tangohau – The Crown. The Crown had taken it as a Public Work. It belonged to the Crown and that's what the framing of the whole thing would be about. Part of it.

Muriel Kelly – The framing of the claim will hinge on that.

Maui Tangohau – As I eluded to, the Crown.

Muriel Kelly – Thank you.

John Edmonds – When the Crown took the land they took it and there was no compensation whatsoever for it.

Robert Edwards – This land, your withdrawal. Can you explain this a bit more. Is it a conflict of interest? Or what, why your withdrawing.

Maui Tangohau – Introduces James Johnston as the Legal Support for the Maori Trustee today and I'll ask him to respond to that.

James Johnston – Kia ora tatou. Just if I can respond to that question as Maui Tangohau explained a claim against the Waitangi Tribunal is a separate piece of litigation, separate argument, separate fight. What's happened is the Advisory Trustees have gained advice from Legal Advisors who are present today who will be giving them advice in terms of the Waitangi Tribunal Claim. It's a very specialist area and the Advisory Trustees have taken specialist advice in relation to that particular claim. Now the difficulty for the Maori Trustee is probably two things. The first is that, the 'law' that relates to bringing a claim is that you have to be Maori, Maori person and the Maori Trustee is an entity not a person. The advisory trustees are taking that in their own right and their own names, for and on behalf of the owners. That's the first thing, secondly is another issue as one that the Maori Trustee needs to keep an eye on is a lot of people view the Maori Trustee as part of the Crown. It seems a bit strange for the Maori Trustee suing the Crown in a Waitangi Tribunal Claim, I suppose it removes all the raruraru. The focus can be on the claim and that is my understanding of the major reason for the withdrawal. Notification has been given to the Lawyers who are now representing the Advisory Trustees in relation to the claim a while ago now, but the Maori Trustee wanted to because we knew this hui was coming up wanted to let you know about it and that they will be withdrawing before that finally occurs. It is hoped that as a result today that will occur very soon.

Robert Selwyn – Can I just ask a few points for clarification. What is the expected outcome and benefits from this claim for the owners and what's the costs benefit analysis.

James Johnston – That's probably a question for the new advisors who will be looking closely at it. Remember the focus of the claim as it was before will be amended now, an amended Statement of Claim in my understanding, has been filed. There will be a need to go through all the evidence, probably get some expert reports, focusing on the Crown, the initial taking. That's a question that is more probably answered by the legal representatives of the Advisory Trustees and what you need to know is that Waitangi Tribunal Claims are very complicated, a lot of research has to be done, you are basically at the whim of the Tribunal when they decide to come in here. I think there may well be some opportunities for that particular claim to be joined on to an enquiry that's going to be running if you're looking at the East Coast enquiry. That's looking at hearings within the next year or two. As I say that will be something for the new lawyers who are looking at taking over the Waitangi Tribunal Claim aspect in terms of the timeframe. In terms of your question the costs benefit analysis – that's a tough one. All I can say about that and I'll leave it to the other advisors as they'll have a better idea on it, but it's a long battle, it's a long haul for those who have been in it and are the results worth it – my own personal view, I'm not sure. It's one of those battles and at the end of the day it will be for you to decide and no doubt the Advisory Trustees will be liaising with you at all times throughout, keep you posted as to what's happening and you go from there.

Annette Sykes - Introduction and mihi given. I feel very privileged for someone who has never been to a marae to come here today. I've been involved in the Claim process for 25 years and I'm getting old and I don't do too many now, I pick and choose. I'm very much an advocate for Maori rights and claims where the Crown have very much destroyed or taken away the mana of our people. I'm not one that's worried about money and I heard the first question that lawyers do this for money. I've done a lot of claims for free, my first claim was for Te Reo Maori Claim. I was the lawyer with Rawiri Rangitauira to actually advocate for the Maori language of our nation to become an official language in 1984. I've been a lawyer in this area for 21 years. When Len Brown who is a very good friend of my father asked me before Christmas to come and have a meeting with him, I came. Len and my pakeha father had farmed together for years in Taneatua and Waimana and he expressed concerns as an Advisory Trustee at that stage, at the way that the Claim was likely to be dealt with if we have someone like the Maori Trustee as claimant. His concern is a very real one and there is a precedent for his concerns. The Maori Trustee sometimes can be an agent of the Crown in the way that their functions are administered and carried out and there is a case precedent for settlement of this kind in Rotorua, in the Horohoro area where the Maori Trustee who failed to do certain matters for and on behalf of the owners was ultimately sued, first in the Waitangi Tribunal but then by way of private settlement for non-compliance with their obligations as trustees for the owners. Those concerns are in the paramount of the minds of the Advisory Trustees that's why they sought independent advice. They didn't get us paid by the Maori Trustee. They've done this all by themselves, out of a sense of concern. We've had three meetings around this and we met with the Maori Trustee as early as January. This is how concerning it was for the trustee and we ask them at the meeting to withdraw as claimant in January. We got a letter and an email saying that they would do that, it is now April and we're still waiting for that. This is part of the concerns of the Advisory Trustees, why does it take so long for simple things to be followed through. I take umbrage at the suggestion they waited for this meeting. We only found out the same day that you did, in your panui that this meeting was going to happen. So I'm again and do not want these misleading statements to be made. We asked in writing, they agreed they would withdraw and we've been waiting for them to withdraw. We've had two meetings with the people here and the Maori Trustee himself about this in Wellington and we're still waiting for them to withdraw. So that's why we're here today. My last comment I'd like to make and it is a very important question raised by the gentleman here - Is this worth it? Whakatohea knows more than anyone how people of the Crown can penalise you, when you think things are wrong and unjust. Well I think it is worth it, cause for your mokopuna's mokopuna, they will read and know that like your tipuna you have fought with justice and you have sent down a documented record of how we have fought for justice. So all the complaints about the Waitangi Tribunal not giving money, yes that's true, but one thing it has delivered is a record of the injustice of the Crown and it's a record that you control in the way that the evidence is put. So yes that's why I am at the ????? that does this, not for money. Yes I agree that sometimes they won't give your land back and yes we know the fiscal envelope is wrong, cause if the fiscal envelopes says the Crown Minerals are owned by the Crown, you know that. So that's the heart of our Claim, we want to say they have the rightful assumption of ownership of taonga and that's what we are going to do. But to win that requires a change of policy, it requires a united effort and it requires enormous research, commitment and time. Those are the things that sometimes takes the energy of our people away, I've seen so many of our old people die, trying hard to get those real matters dealt with. So I don't want to say yes or no, I know that the

questions are being posed go to the real deepest part of why I even stay as a lawyer. Cause I get hoha with those process and I'm thankful for the questions as I think they are absolutely appropriate and I am going to advocate for these three gentlemen. I've known Len and John awhile, I've only met Russell and I think they are working hard for their people and it's not about money, it's about justice. Kia ora.

Rawiri Taiohau – Kia ora. My question is directed at the trustees, Maori Trustee, you've done a lot of work since you've taken over, where's the reports and the feedback for all the work that you have done.

Maui Tangohau – Kia ora. In fairness to the Advisory Trustees, they have only assumed the role in the last two months. The work prior to that was undertaken by the Maori Trustee and the Advisory Trustees collectively. The majority of that work was compiled, the extent of the claim to be lodged in with the Waitangi Tribunal – that has been done. As I said it is really in the preliminary stages, there's a lot more work to do and that is the reason why they, they've got to sit back with their legal advisors to go through all those things, research and believe you me it will be reports on reports.

Maui Tangohau – Thank you Annette. We are going to move on, cause really that part was really to give you a report update on, with regards to the Waitangi Tribunal Claim and you've got to believe it whanau there is a lot of work, there's a lot of work to do and the work is up here, lot of work done from your head. Research, papers and papers, korero, so thank you for that part. I am going to move on now to the next part of it. Lets talk about the District Court Claim with Fulton Hogan. If we go back to your notes in regards to those maps that highlighted the area of the quarry, what we see is a breakdown of that in a bigger version. But this is basically where things began in regards to the claim, from this document. There was korero prior to that, but to firm up and work towards an outcome in regards to the quarry, this is the map. I'll explain a little bit about it. You'll see and I hope you can read it from your notes, the map was done by a Registered Surveyor and his name was Taylor from Survey Gisborne. Concentrate on the dark areas, the boundary of the quarry is those lines there, the black areas are the areas outside of the quarry. Keep focussed on this map because I've got to move on and start talking about the issues relevant to this as it forms the korero based around the claim.

- On 30 March 2001 Meeting of Owners Encroachment issue raised per Survey
- On 7 April 2001 Quarry returned to the owners
- From 2001 to 2002 extensive meetings held with the Advisory Trustees to determine the level of compensation
- In 2002 discussions held with the current lessee Fulton Hogan regarding the claim.

Go back to that map again, keep focussing on that map, because that map formed the basis of some initial discussions with Fulton Hogan regarding that very point of encroachment. There was a number of meetings but this key meeting was about what Fulton Hogan's position was and then they acknowledged the degree of responsibility was 'yes', to what degree that was yet to come

John Edmonds – Had Fulton Hogan, did they occupy the quarry before that time?

Maui Tangohau – I'll answer that question as we go along.

- 23 October 2002 offer received from Fulton Hogan
- The Fulton & Hogan Offer:
 1. Increased royalty to \$1 for chip and 0.50c on all other processed products. Currently 0.30c
 2. \$2,500 scholarship per year
 3. Ongoing regard for environmental standards re: planting of natives
 4. Extension of the lease to 2038
 5. Boundary adjustment to allow access
- Offer declined
- On 18 November 2002 the Māori Trustee agreed with the support of the Advisory Trustees to the appointment of solicitors Egan & Kite to act.
- After a further 10 months of extensive discussions with the Advisory Trustees and others a counter offer was prepared.

Based on that map you see it was identified, the areas and the quantum of metal that had been extracted from those black areas, it was translated to what was deemed to be a counter offer.

- On 3 September 2003 a counter offer was prepared and Egan & Kite instructed to serve.
- The Counter Claim - \$2,700,986.75

	\$
Metal Extract. beyond the boundary	1,796,363
Trespass for access per the above	45,454
Royalties for metal taken per above	13,636
Trespass for access for metal taken within the boundary	116,623
Damages for deposits of quarry tailings	50,909
Compounding Interest	632,999
Legal & Other costs	45,000

This was to be served on Fulton Hogan.

- The Response received 24 May 2004 re:
 - Metal was taken prior to 1991 & Fulton Hogan had the evidence to support, and did not accept liability to all claims except
 - Fulton Hogan accepted liability to the trespass in relation to the use of the access road for metal taken within the boundary. Disagreed to the amount

A lot of hui in Opotiki, in Gisborne trying to work through with the legal people of what was the next step.

- Our counter claim to this had to show that our evidence could stand up in Court re:
 - Survey Maps & Photographs
 - Expert evidence
 - Testimony of those who worked in the Quarry.
 - IN ALL CASES WE COULD NOT GET THE CERTIFIED EVIDENCE

Despite that map being obtained through a Registered Surveyor. The key outcome of this was that the surveyor would not, was not prepared to stand up in a Court of Law and confirm that, that was a true boundary. So that was the issue there, the first thing was that despite the number of times we met with them, we went over the

maps/photographs the key part of this was that he would not stand up in a Court of Law and say, 'that those were true and accurate boundaries'. That was the expert, take note of the Company. The second part is the testimony of those who worked in the Quarry. We have reliable information that workers in the quarry were asked to do things against their will. The key one was one of them had been told to uplift one of the survey pegs and toss it behind his back and carry on working. The problem is we never ever found him. We even went to Mingimangi/Mohaka to try and find key witnesses that could help in resolving this claim. There were others who we had spoken to as well but they weren't in our favour, because whilst, they were employees at the quarry at the time and still are, the information that they gave is that none of this happened with Fulton Hogan's time. Those were the key pieces of evidence that stifled this claim and as I said in all those cases it wasn't necessarily looking at the \$2.7m it was looking at the justice, but we couldn't do it. We didn't have the evidence or in the case of the expert surveyor, no way was he prepared to stand up in a Court of Law and certify that map.

Various comments were received from the owners present regarding wrong surveyor used etc.

Maui Tangohau continued as a result of that, we had some very challenging meetings with the Solicitors, with ourselves about this position. Challenging to the extent that a spade was a spade and in a lot of those korero it was mind boggling that the views of the Advisory Trustees and Trustees were very strong in that. We talked all kinds of things, we got legal advice to say you can't do it even to the extent of locking the gate and I don't know how many times we tried to focus on that, legally we were advised not to. So when the views were known by the legal people in telling us that our claim was to be significantly reduced, that created a lot of disharmony from in and relationships were strained from then, come back again talk. The only thing that was advised to us by the legal people was to file proceedings alleging trespass by Fulton Hogan and if you go back to the map. When we talk about trespass, we're talking about this little area (*then refers to the dotted line on the map*) on the right side is Mangatu on the left side is Whakapaupakihi 2. When we talk about the trespass we are talking about this area here where the road comes here from Mangatu and what happened was they used this area to access and that's the area of trespass in which the claim, the legal advisors were saying the claim could only focus on. This is Mangatu for those of you who have been to the quarry you drive along that road, that is not your block, it is not until you get into the quarry itself that you end up here cause they use this here and there is a road here.

Russell Hollis – That little piece that Maui Tangohau pointed out, the triangle piece. There's a road that actually goes in there and down into the quarry and then out of the quarry and then back into the quarry again. That's how it is situated, this is a map I got back in 1992 from a Registered Surveyor and it shows a printed on road in 1992. So the argument with Fulton Hogan is they said that they weren't trespassing on that road, this is a surveyed map by Grant & Cooke in 1992 and this was sent by a person that use to work there for Eastworks in 1995/96 when Fulton Hogan were in there in 1996 and then they went in there in 1998. So I don't know who's telling who the story of incorrect statements, but we've done 15 years research on this and we are not going to let it go now for incorrect statements that has been made by other parties.

Maui Tangohau – Continued with presentation.

- There were further meetings in 2004 on this with the Advisory Trustees & then Solicitors. Strong views were expressed.

We want to say though that this part of the process between the Maori Trustees and the Advisory Trustees had some challenging hui's, real up front hui's, and whilst we were receiving advice and directions from the legal advisors, digesting it posed a lot of difficulties. We always reflected back in relation to the map, but despite that the legal advisors. The Maori Trustee took the advice and proceeded to file alleging the alleged trespass that was just referred to on the map seeking damages in those two instances.

- On legal advice proceedings were filed
 - Alleging trespass by Fulton Hogan
 - Seeking damages from wrongful use of land
 - Seeking an appropriate Royalty for the wrongful use of land
- By agreement with Advisory Trustees arbitration process entered into
- Experts were appointed and agreed by both parties
- Peter Madden was appointed on the advice of the Advisory Trustees
- The Experts views
 - Both experts agreed that
 - In relation to the access breach that
 - \$20,000 be paid in full and final settlement
 - or \$30,000 if the Māori Trustee agreed to extend the lease to 2014
 - In terms of the royalty that
 - Annual royalty of \$2.00 per m³.
 - All other processed products @ 0.50c per m³ & scalplings @ 0.30c per m³
 - These royalty payments effective from 1.9.2004 *and*
 - Subject to boundary alterations
 - Egan & Kite withdrawal

James Johnston – Egan and Kite who were the lawyers at the time were part of those very strong discussions, they were the ones giving legal advice as to the proceedings and what should happen in the District Court and they also had some strong views about the arbitration process and in their view it was that once the experts had agreed that, that was the outcome. There was a very strong recommendation that the agreement by way of arbitration be accepted.

Maui Tangohau then continued and advised that created a gap in the defence so in October 2005 the Maori Trustee introduced new legal support, we have continued to receive advice. Hence the Maori Trustee in Wellington, John Paki agreed to James Johnston of Rainey Collins to assist him and us in trying to work through this claim. One of the first things he was instructed to do by the Maori Trustee – John Paki was to update the Advisory Trustees and at that meeting on the 21 November 2005 that's what James Johnston provided to us and the outcome of that meeting was a number of things. The first one was that instructions were provided to meet with Bob Fulton, Bob Fulton is Fulton Hogan. Over the last 3 years, Bob Fulton has attempted to meet with the Advisory Trustees and the Maori Trustee but because the process had gone into legal hands the instructions were to not meet with him, but at the meeting held in November last year, instructions were provided to meet with Bob and also instructions to engage an independent expert and his name was George Cunningham. George is a Quarry Expert.

- Oct 2005 New legal support introduced...
- 21 November 2005 meeting held with Advisory Trustees
 - to update Advisory Trustees
 - instructions for meeting with Bob Fulton
 - instructions to engage independent expert (George Cunningham)
- Independent expert engaged (George Cunningham)
- Meeting with Bob Fulton of Fulton Hogan held 7 December 2005 where received 'without prejudice offer' from Fulton Hogan

The Without Prejudice Offer

- \$20,000 in full settlement of all claims between the parties
- \$30,000 if agree to extension for 5 years
- Royalties of \$2 per m³ for PSV Chip,
 - 0.50c per m³ for processed products
 - 0.30c per m³ for unprocessed products
 - Effective from 1 September 2004
- That the existing lease run its term to 31 August 2009 (unless extended)
- Rental to be \$1,500 per year from 1 September 2004
- Minimum Royalty \$5,000 per year
- Indication that Fulton Hogan interested in lease extension until 2038
- If extended to 2038 Scholarships (CPI adjusted) & Employment offered
- If extended to 2038 process for increased Royalty based upon non metallic mineral index offered
- Apprenticeship scheme offered by Fulton Hogan
- Boundaries to be altered to include access elbow / rear face
- Improved relationships requested
- Parties to these proceedings bear their own costs
- Offer put to the Advisory Trustees on 20 December 2005 and rejected

Maui Tangohau – You can see, you've only had the last 30 minutes, ¾ hour to digest what has transpired over the last 3 years. In that time a number of things, huge number of things have taken place in regards to this block and I come back to that map, all based on that. There has been a number of korero, legal people, legal advisors and a lot of korero amongst ourselves. The Maori Trustee after considering, receiving advice, and considering all the issues up to date is in a position that:-

- **The Māori Trustee recommends the following:-**
 - \$20,000 in full settlement of all claims between the parties
 - Royalties of \$2 per m³ for PSV Chip
 - 0.50c per m³ for processed products
 - 0.30c per m³ for unprocessed products
 - Effective from 1 September 2004
 - That the existing lease run its term to 31 August 2009
 - Rental to be \$1,500 per year from 1 September 2004
 - Minimum Royalty \$5,000 per year
 - Apprenticeship scheme offered by Fulton Hogan
 - Boundaries to be altered to include access elbow / rear face
 - Improved relationships requested
 - Broach with Fulton Hogan possibility of scholarships (CPI adjusted) & Employment offered until 31 August 2009
 - Parties to these proceedings bear their own costs

The Maori Trustee says this because:-

- Offer consistent with both Arbitration Expert findings
- Supported by independent expert George Cunningham
- Consistent with strong recommendation from previous legal advisor
- Supported by current legal advisor
- Recommended to the owners by the Māori Trustee

Maui Tangohau – Why? After all these years, last 3 years. Going down the track, korero, korero, hui, straining relationships. Why does the Maori Trustee make this recommendation? It is, because the offer is consistent with both arbitration expert findings. We are not quarry experts, we rely on the experts on quarry, which includes Peter Madden who acted on behalf of the Maori Trustee and Advisory Trustees. It was supported by an independent expert George Cunningham, it remained consistent with what the previous legal advisors was providing to the Maori Trustee and it's supported by the current legal advisors. Hence that is why we are here today.

Maui Tangohau – **Where to from here?**

First to invite the korero from you people as owners.

- Feedback from owners

The second thing is move towards

- Resolution and vote
- If the recommendation of the Māori Trustee is not supported then the Māori Trustee will be considering his future role as Responsible Trustee

We invite korero on this, we will move towards a resolution and secondly we will state our position.

John Hata invites Russell Hollis to give our point of view.

Russell Hollis – First point of view I would like to put across is that we never agreed to this \$20k. We will not agree to it, cause there's certain aspects in here that hasn't come to the floor. There's 4 issues in that \$20k, one is trespass, rent review, royalty and the other is the access of changing the boundary. That's all incorporated into the \$20k. We are adamant of one trespass and that was that plan put up there originally. Fulton Hogan are the second biggest contracting firm in NZ and the amount of money that they are making out of our quarry, your quarry is something astronomical. A yearly output for Fulton Hogan equates to (*I'll give you the figures/we've got the figures, we've done a lot of background work into this*) there figure for years sale by a cubic metre or a tonne works out to \$1.2m a year. You take 30/25% off that and they still have a profit of \$900k and what are they offering us up here, you get money for peanuts its simple. Maori Trustee got a chap, expert on our behalf to do an assessment on that quarry, his name was Tim Gaddum of Quarry Management. Fulton Hogan agreed to his statements and we agreed with his statements that he made pertaining to four different areas of what the charge rate was to take certain products out through an access and that works out and equates to \$2.35 a tonne. You multiply that by what Fulton Hogan is taking out a year, times 8.5% interest, times 6 years they've been carting out, that equates to \$900k. So, if you take this recommendation that they are putting here today. But we do not and will not agree so long as we are standing. There's a whole lot of issues,

background issues. The figures that went up there at \$2.7m, we actually put that together. All the hard work in investigating of the access, the trespasses, the encroachment, we put it together and I'm getting sick and tired of people saying we as a unit put it together. I spent 15 years putting it together, for what, 15 years of my life for \$20k. Like hell to. So this is some of the home truths coming out now that we couldn't put to you before because we had nothing to give you on the table, simple. I wasn't prepared to come to you to offer you \$20k when there is something worthwhile, more. Because they are getting \$1.2m a year. What the hell are we here for? \$20k, it's like getting the quarry back, they gave the quarry back with 2 conditions and the conditions are they still own the minerals – how wrong they are? We've got proof, the documentation says from 3 Crown witnesses/people make the mistake that the minerals never left native ownership. What the hell are we talking about royalties for? Who owns the minerals? They don't, Fulton Hogan doesn't. But they've got a letter from the Crown transferring ownership of the minerals from Fulton Hogan. This sort of rubbish. Where the hell are we? We've got to put up with this sort of stuff. It's up to you people. I'll just rest it there, but that's the facts and figures that we've come up with. So it is entirely up to you people, which way you decide. You either accept their \$20k or we've got our new legal advisors here who I trust 100%. I don't mince my words, I don't care if the Prime Minister is here, I don't mince my words. Kia ora.

Eddie Matchitt – Kia ora tatou. Just a correction at the mihimihi, it was said that some of us are from outside tribes, but I'm sure that we are all here on our Whakapaupakihi side. Though a lot of us are in different tribes, tribal areas, we are here for Whakatohea. In the past I've been a very gallous defender of Whakapaupakihi. If you see the rental that we get from Mullooly is \$20k, we were offered from Mangatu \$12k in 1997 and I think a vote defeated us to take the \$12k, but through some questioning we ended up with the \$20k. Here today is another example of a settlement of \$20k and our Advisory Trustees are saying that, I have to take the side of the Advisory Trustees to pursue the matter a bit longer. It's going to cost some money, we're not going to get it for nothing and they have a Solicitor and I don't believe she should be working for nothing, but if we all didn't want to spend something to get something we can all go home. So, I'm supporting the Advisory Trustees.

Julie Lux – Kia ora of the Te Oitahuna Whanau Trust. Just one question, when you talk about 'he the trustee'. Who is he? The Maori Trustee – Who is he?

Maui Tangohau – Just to answer that question. The Maori Trustee is a Corporation Sole – one person.

Julie Lux – What is his name?

Maui Tangohau – His name is John Paki, I referred to him earlier, that is why I refer to him as he.

Julie Lux – Thank you. I want to acknowledge our 3 uncles over there. I think you are really brave to stand your ground and when I listened to your presentation it's not about money and our Lawyer over there had already said it – it's about justice. I want to be able to tell my mokopuna, 3 generations down that we fought for this land back. How dare they change the goal post on us, how dare they change the boundaries and I say to 'he', the trustee, how dare he bring this recommendation before us. I was going to ask

in the previous presentation about the role of the trustee, now I know who he is and when we've got our Advisory's my point to you was what legal standing have they got. They are Advisory, so I support you 3 and I say 'kia ora' to you and this is not about money, this is about justice. This is about getting back what is rightfully ours, whether it is in the ground, in the air or around the back. Kia ora, I support it fully – Advisory.

Muriel Kelly – I'm here for my fathers whanau trust and I'm very disappointed with the Maori Trustee, what Julie was talking about to have agreed to such low offer and it's not even fully researched yet as Russell has pointed out. As he said, Russell has spent 15 years researching, but still there are layers to uncover and I'm glad to see Annette here. She's such a battler, woman after my own heart. So fight on Annette. This reminds me so much of Raupatu, it hits you in the heart – it's just like foreshore and seabed. The chap again said the Government can give ownership for something that they never had ownership to give and so this is disgusting. But this was something out of my head, it's with regards to that map and regards to the road Russell pointed out appeared. I'm just wondering if geologists couldn't do some work on those particular points where they try to legalise the access, when they actually didn't have it. It's just a little point, so hope you will think about that Annette and I want to thank our trustees. Keep hacking away, they aren't getting any younger so I hope you get some resolution. Kia ora.

Owner from the floor – Kia ora, I hear your resolutions, but to me one solution is why don't we quarry it and sell it to them. Just get a truck and do all that work and based on Fulton Hogans figures, well, what are we doing worrying about trespass, heck the land is ours. We do it and sell it to him, he's got the contracts and everything, well if he doesn't want it then oh well at least we've got the ½ million try. Sick of paying him peanuts for paying us to keep him making millions. Kia ora.

Shane Moore – Kia ora. This is the thing we always talk about the past, and what's happened in the past. Yep, I think trustees are awesome for what's going on in the past. But one thing we have to think about is the future as well, so what I am trying to get, think in my mind is what is going to happen in the future and I think sir what you said is exactly what my thoughts are. The figures that Mr Hollis came up with was the figures of what they are offering and the royalties. I would like to know, how do they prove these royalties. Do we get figures of all the books and all the trucks that go out every day?

Russell Hollis – We've got them, that's what it is based on.

Shane Moore – Exactly, so they give us the figures even before, we've got evidence of all that. So you can accumulate all those trucks that have gone out and how much stones they are offering. What is it worth, how much is it worth? Let them come to us, we've got to offer them what it is worth if they want it. Instead of them coming to us all the time. Kia ora.

Betty Hudson – This is for you Russell. Have you done an estimation of how long the resource is going to last. Resources and have you had a look at the damage on the environment.

Russell Hollis – About another 100 years of mining there. You can actually go down to actual ground level, about another 200 metres down deep, so there's probably another 100 years left.

Tarati Carrington – Kia ora. My advice to the trustees and the Maori Trustee, now I've had dealings with these Advisory Trustees and I always thought they're secretive, they wouldn't tell me anything. Now I know why. Kia ora koutou. I had my doubts about you 3, that's why I made it my duty to come and go over and see those 3. I'll give you a go. Trustee you've done your bit.

Robert Selwyn – Just from this initial claim, it did not happen because you said you didn't have the evidence that could certify, expert evidence and the survey and yet it seems as if Fulton Hogan are aware of encroachments and you're taking the lower option, you're stepping backwards. From your surveyor, he's not prepared to come to court and certify but there must be other surveyors that can still do a similar survey and confirming the encroachment, so I don't think you should necessarily cease in your efforts to pursue that. If the surveys not appropriate for this matter now and encroachment, I'm sure you can soon defer the surveys or have other surveyors confirm that matter, so I wish you well.

James Tai – Kia ora. What I would like to know is what are we being paid currently per cubic metre for metal. This is royalties.

John Hata – That's \$2 per cubic metre.

James Tai – What are we currently being paid by Fulton Hogan?

John Hata – 30 cents.

James Tai – Is that all? I thought this here was it.

Russell Hollis – This here is an offer.

James Tai – Good gracious. When I look at this PSV Chip, that's sealing chip, worth probably \$20 per cube. When I look at these processed products, all these processed products are graded, they're sold in grades. They're like timber, this is no good. Not very good at all.

Bernard Rehe – I just want to know if Fulton Hogan are the only player in this quarry, is there another outfit. I'm an owner, contractor. Also involved in quarry work, a scheme that I've come up with, Maori owned. I'm not happy with Fulton Hogan they're not the only one. Yes, they're the biggest Company in the Country, but there are other contractors who can better them. Like me, I'm a contractor, trucking quarry work.

Maui Tangohau – Quick response to that, the situation with Fulton Hogan is that Fulton Hogan are the current lessee of the quarry and their lease expires August 2009.

An owner from the floor – I would like to recommend that the proposal of counter claim of \$2.7m be looked at again. The offer goes back to Fulton Hogan and if they refuse and at the end of 2009 that's it. At the end of the day if these jokers want to quarry for

another 2038 there must be a lot of \$'s, millions that we can benefit from. Why should we sit back and take peanuts. That's a thought.

Awhea Tai-Aoake & Jack Aoake Whanau Trust – Kia ora koutou. First thing I'd like to say to the trust. I'm in 12 trusts around the district. You name it, I've been there and are in there. I've been here a few times, nearly 500km to come here for these meetings. Long, long way and many, many pounds. It's getting worse, getting worse today with the price of petrol. But I still come, I missed the last one but I came to the one before. This meeting here was discussed when I was here last, you fellows sitting down on something and it's not your backside I don't think. This came up before, but you have done something. I was waiting for you to bring up the cost of what the quarry gets, we've got 2 quarries at my place and they're making bucks and they're paying us bucks. What's wrong here, this is peanuts. We own the land, come on, come on. This is our whenua, and I like the trust. I know what you're doing, I know what you've been through, I've seen the figures here, you're not doing it for nothing. Get cracking, when that lease expires, boot him out. There's another company there, that's very good. We got 2 companies in my area and boy they toe the mark and they're paying big bucks. Why can't you people get big bucks here? I've heard this before, we do nothing. Nothing, gets nothing. The putea she gets, I think my kids do better in burger bars. Kia ora. Company are doing very well on our land, I told you that before, now hold it in here and file it. I've got some land at Papamoa, Hogan and his company, took all the sand next to me, took all the sand and they looked at my area and they said to these fellows. 'Who's that place?' So they got their bulldozer and took ?? in my area and these fellows said 'hey, that's Jacks land there'. When I went and found out from Hogans they'd moved the fence, moved the fence and took the sand. When I got there, 'I looked at them, saw them look and stop and they said they don't know who owns that'. It was me, I've got a claim going into Hogans, Fulton and Hogan and it is going to be big. I told them put the fence back and you know what I got a bill yesterday for \$500. \$500 they've charged me to put the fence back. Those people, they're wicked. If they can get away with it, they're like the Maori Affairs. Another thing, the Maori Trust, don't believe the Maori Trust. Him and I fight together, fight again, fight together. We do all those sort of things, but I don't blame the Maori Trust. I don't believe in them because most of our land we got back from the Maori Trust. We got them all back and you fellows should get your land back too. How come, they're pinpointing you fellows here. I thought the trustees, are they holding your land or do you own the land.

John Hata – We got it all back, but they're still controlling the money.

Awhea Tai-Aoake & Jack Aoake Whanau Trust – They shouldn't do that, they use to do that to us but we got it back. Get all the money back. You trustees, like I said I'm in control and we fight everywhere. We got all our land and all our money back. We own the whole lot, we give the putea to all the whanau where ever they are. We give it all to them, we administrate a block like that. Why can't you do the same? I've been here a few times and I get sick of sitting here listening to you fellows gabble, gabble away. Have a guess how old I am? I'm 79 years old and I'm still fighting you fellows, still fighting. But I appreciate the trustees. Go ahead you fellows, I like the way you talk in showing us what you are doing. Kia ora koutou katoa.

Robert Edwards – For those of you who don't know me, I've been lost in the far north for many years, now I'm at home. First and foremost I'd like to congratulate the Maori Trust members, there are 2 here today for their courage to stand before us and probably be abused too. However, this, they called the meeting today. I think it's a timely meeting, they have made their presentation and they'll be expecting a resolution from the floor today. I think we should give it them and I'm sorry but this is probably the parting of the ways between the trust board and trust that we have got in place, the Maori Trustee and our trustees over there. I suppose we may have to thank them in a way because this process has been going on for many years and they have been beside our trust for all that time. So, we thank you for that. As far as I can see, I think we should carry on with our trustees on the other side. I don't know how they've been surviving all this time, perhaps a lot has been drained out of their own pocket in doing these things for us. I think we should show our appreciation. You are in the right company now.

Awhea Tai-Aoake & Jack Aoake Whanau Trust – Acknowledged Mr Edwards korero and reminded him of their days playing rugby.

Maui Tangohau – Suggested that the resolution provided by the legal advisors be considered by the meeting. In response Annette Sykes commented that the wording for the resolution should be provided by the owners.

Jason Te Pou – One of the Legal Advisors who works for Annette and been working for the Advisory Trustees. Then commented in relation to Russell's comments and the reports prepared by Peter Madden and made reference to having no input from the Advisory Trustees and advised that Peter audited the report received from Fulton Hogan. His report was based on the small amount of trespass shown and advised that was not what Peter had said. Peter did not say that and didn't agree with it, but based his report on what information he had. There's also a legal opinion that was referred to that you couldn't deny access, believes this to be incorrect. You can deny access, you just can't charge that person for it. Allowing access over the land that has been trespassed over isn't included in the lease. They have to honour the lease, you don't have to honour the trespass. The trespass is a lot more than a little elbow, it is the whole access. Before we get into the resolutions, he provided an overall of what took place leading up to the meeting in trying to work with the Maori Trustee and his resources. The Advisory Trustees decided that you needed a Queens Council, with Bill Wilson's name put forward. The legal opinion from someone like a QC would give an indication if you have a case or not. Believes the Maori Trustee could not justify \$20k. The \$20k has not been broken down like the \$2.7m has. What's the \$20k for? The Advisory Trustees have been thinking of ways forward that have been rejected by the Maori Trustee. The Maori Trustee sent the Advisory Trustees a letter saying 'we know you don't agree, but can you sign it off anyway'. The reason I bring up the letter is because it is the same as the resolution that has been given. After all that korero they put in a resolution that everyone has talked against as opposed – the resolution should come from the owners.

Annette Sykes – Commented further with not agreeing with a resolution we don't want like how they've done it. Criticised the Maori Trustee for coming here with another agenda and advised that they have no money and questioned if the Maori Trust does not want to continue subsidising this ?? for justice. Key question to the Maori Trustee 'are

you sick of spending money saving our land and spending money on more profitable lands like Mangatu'. If you don't want to help us then tell us. Risk factor, you don't want us.

Pene Brown – In response to Annette's korero, the Maori Trustee has never propped up Mangatu ever or ever will.

Maui Tangohau – The Maori Trustee is a trust and in this place he is the Responsible Trustee. Today we brought to you everything in regards to the 'take' that was in the letter for you as owners to make the call. This is what today is about, you've spoken, the consensus is widely known. The question if the Maori Trustee spends money to avoid risks, any trustee does that. All I can say is, it is for you people, is what we need to understand is that we are all Maori and let's be proud of it. I'm really going to focus on the resolution from the original mover himself.

Robert Edwards – Before I put a motion to the floor I would like to endorse what our Solicitor has said about perhaps the Maori Trustee standing back and not supporting us financially, I think that is a valid question. However I dear say we have discussed everything and a motion be moved that we go forward with our 3 trustees in pursuing a favourable response in what's ahead of us.

Muriel Kelly – Raised regarding the Public Works Act etc.

Annette Sykes – Amended suggested recommended settlement as received from the Maori Trustee.

Robert Edwards – Amendment to that motion, well represented today and want it noted in the resolution.

Annette Sykes – Refers to power point slide and presentation saying that if the owners did not support the Maori Trustee then the Maori Trustee will be considering his future role as Responsible Trustee. Our trustees need their money, we need their money to help us. When it comes down to our conflict we need them to get a QC, Economic Analyst and Surveyor to do the things we need to prove our case. That is where the conflict is between the Maori Trustee and the Advisory Trustees, we want to go Fulton Hogan for \$2.7m, they say we can't afford to, for it, as advisors have said there is a risk in this and it is going to cost lots of money. Hence the third part of the motion with the Maori Trustee being urged to support the Advisory Trustees with the appropriate resources to enable to prove the claim and if the Maori Trustee don't want that then another motion be moved to the floor that they be removed as the trustee.

Maui Tangohau – Original mover to have original motion reciprocated on his agreement with him agreeing.

Maui Tangohau – Due process, original mover of the first motion has rescinded and the 2nd has agreed. Carried.

Russell Hollis – Then introduced Alan Bright to the owners as helping the Advisory Trustees 100%.

Maui Tangohau – Opened the floor for discussions on the resolutions.

Muriel Kelly – With regards to part II of resolution, include the termination of the lease in 2009.

Discussions held whereby separate issue and deal with separately.

Tuini Nga (Manny) Mokokoko – My question is this, that the legal advisors have advised that the Maori Trustee support the claim, financially. The other thing, if that support has come from the Maori Trustee which is to be discussed shortly, they can only support it, if as Responsible Trustee. That's the question.

Annette Sykes – The problem is there is a conflict in legal advice, we have one lawyer saying settle and we have us saying no. That is why we suggest getting a third opinion of Queens Council, someone like Bill Wilson who comes and views the situation and recommends action and we are confident that if Mr Wilson comes and sits with the Advisory Trustees and the Maori Trustee he will make a recommendation that will see a resolution. We've asked the Maori Trustee to do that but they're frightened that Mr Wilson is going to cost \$20k, which is likely and they'll have to pay the bill. So that is why the resolution is drafted that way. Confident that we will get a Queens Council that will fight for our case, but we have to persuade the Maori Trustee that they can see in that strategy an outcome that is not detrimental to their role as trustee and that is where we differ in advice. I actually think the QC himself will provide the answer.

Tuini Nga (Manny) Mokokoko – Therefore the conclusion is that the status quo as far as the Maori Trustee is concerned, the Responsible Trustee has to remain until the Queen Council has given advice as to the position of the trust and trustees. At this stage and that is my recommendation that the statement remain with the Maori Trustee until that position becomes available. That will be my resolution at this stage.

Maui Tangohau – That will be another resolution. Any more korero to the resolution on the floor?

Julie Lux – With this resolution before us and it was agreed upon in its entirety do you have to go back and see 'he' and get his confirmation.

Maui Tangohau – We always have to report back to 'he'.

Julie Lux – If he says no.

Maui Tangohau – He's the boss. He won't say that without discussion first. We can't pre-empt that.

Annette Sykes – Legally if he says no, we can go to the Maori Land Court and make him say yes.

John Hata – Put as another resolution today is to the floor of owners and beneficiaries. The Maori Trustee have carried the can in more ways than one with the Advisories to the effect where we have the number 5 block of which we are the Responsible Trustees and the Maori Trustee are our administration. They do all the administration for that

block and I want to put here to this meeting today that we would like them to play that role for the number 2 block. They're in this area, they know what happens in the area of Matawai and I'd like to put that as a resolution that the Maori Trustee be our administration for the number 2 block like they are for the number 5 block.

Russell Hollis – Agree, seconds that.

Maui Tangohau – That's another resolution. Let's deal with the first one. Indicators are very strong, invite process. Either show of hands etc.

Patrick Apanui – Looks to Annette Sykes for support and recommendation to the resolution currently on the floor.

Annette Sykes – Recommended resolutions and advised that they wanted to kick the trustees out.

In this respect the following motion was moved:-

1st Resolution

Part I

“That this hui at Omarumutu Marae on 1 May 2006 which is well attended by the owners of Whakapaupakihi 2 unanimously reject the proposal for settlement with Fulton Hogan that has been presented by the Maori Trustee as Responsible Trustee today”.

Part II

“That this hui also unanimously support and endorse the efforts by the Advisory Trustees to seek compensation against Fulton Hogan in terms of the amended Statement of Claim filed in the District Court”.

Part III

“That this hui urges the Maori Trustee as Responsible Trustee to support with resources the efforts and endeavours of the Advisory Trustees to seek compensation against Fulton Hogan.

moved by: Robert Edwards

2nd by: Eddie Matchitt

carried unanimously

Maui Tangohau – Any korero to the motion put to the floor from Tuini Nga (Manny) Mokokoko?

Eddie Matchitt – Amendment, that when the QC gives his opinion that the Maori Trustee pay the bill.

Maui Tangohau – Referred to the question and advised that is all part of the process.

An owner from the floor – Concern that we don't get the QC that was mentioned. This QC is an assumption, concerned that he may not be available.

Annette Sykes – Amendment, 'Bill Wilson QC or such approved other QC as recommended by the Advisory Trustees'. Cause that's their man, the Advisory Trustees

man. Retiring man who has Maori mokopuna for those who don't know. He only does special cases and we've been told that he wants to do their case.

Maui Tangohau – There is an amendment to the resolution and read the resolution with the amendment and invited any more korero to the motion.

2nd Resolution

“That the Maori Trustee remain as Responsible Trustee until Mr Wilson QC or such other QC as approved by the Advisory Trustees has made his opinion and advised the Advisory Trustees.”

moved by: Tuini Nga (Manny) Mokokoko 2nd by: Patrick Apanui
carried unanimously

Maui Tangohau – Invited any more motions.

Muriel Kelly – Referred to her earlier korero and read out her resolution, ‘that this hui unanimously endorse and support the Advisory Trustees in their effort to bring claims regarding Whakapaupakihi before the Waitangi Tribunal in East Coast District Enquiry’. Apart from the quarry.

Discussions held regarding Muriel Kelly’s resolution and if this should include all Whakapaupakihi blocks or number 2 only. Today’s meeting can only include the number 2 block as there are different sets of ownership records.

3rd Resolution

“That this hui unanimously endorse and support the Advisory Trustees in their effort to bring claims regarding Whakapaupakihi 2 before the Waitangi Tribunal in the East Coast District inquiry.”

moved by: Muriel Kelly 2nd by: Apanui Mason

Financial Report

Maui Tangohau then referred to the Financial Report handouts and provided a breakdown of income from rents of Mullooly’s and Royalties, expenses/costs, tax. Costs have involved around lawyers and expert advice received. 2006 tax still to be calculated.

Discussions were held through a question raised from an owner on the valuation of the land. If a valuation has been undertaken for the land? Maui Tangohau advised that Gisborne’s valuations were undertaken last year, completed in December, however we have not viewed this. Gisborne’s land values have gone up significantly like the rest of the country.

John Hata – Questioned the Financials for the number 2 block, not the Quarry. Number 2 block, the farm income was under a special plan. The Quarry was under a separate plan, different identity.

Maui Tangohau – Intention was to produce 2 sets of accounts – one for the quarry and one for the block. Only produced one which was on the advice from our Accountants in

Wellington and we can work through that to provide that. Acting on the set of accounts that have been produced by our Financial Advisors in Wellington.

Annette Sykes – Referred to costs of Capital \$7,337.00 and what it relates to. \$7,337 showing as a deficit and wants to know what the capital is related to.

Maui Tangohau – Any more patae and we can come back to this.

Muriel Kelly – Raised concerns over rushing through the accounts. Should have come back after lunch.

moved by: Eddie Matchitt

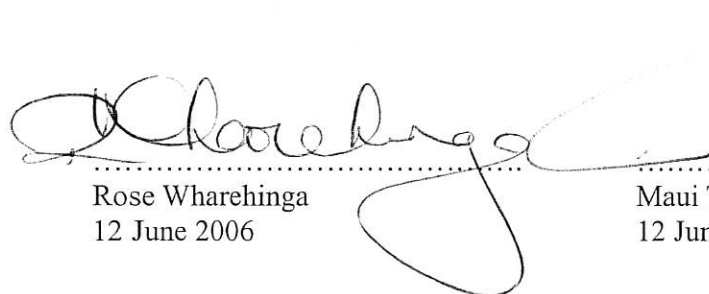
2nd by: Pene Brown

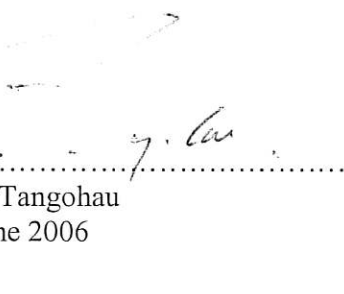
Maui Tangohau – Advised that the lease will be expiring in January 2007. The farming block and the Maori Trustee will be looking at another hui to address that in September 2006. At that point we can come back and address issues raised by John Hata and others. If there is nothing further.

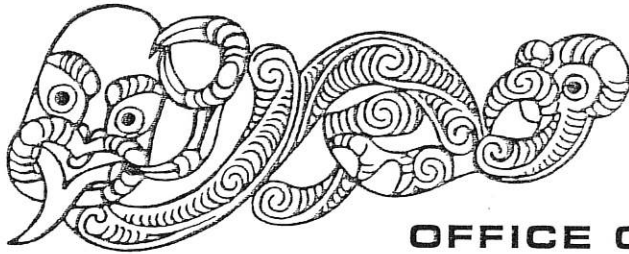
Russell Hollis – Requests a copy of the tape of minutes.

Maui Tangohau – Advised that the minutes are in verbatim and those who are registered here will get a copy of the minutes.

Hui closed in karakia from an owner.


.....
Rose Wharehinga
12 June 2006


.....
Maui Tangohau
12 June 2006



OUR REF

YOUR REF

OFFICE OF THE MĀORI TRUSTEE

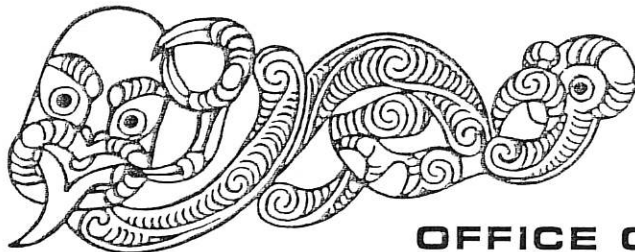
NGĀ WAI E RUA BUILDING
 CNR LOWE STREET & READS QUAY
 PO BOX 140, GISBORNE

TELEPHONE (06) 868-9035
 FACSIMILE (06) 868-0207
 E-Mail: mto.tairāwhiti@tpk.govt.nz

REGISTER - MEETING OF OWNERS
 HELD FOR WHAKAPAUPAKIHI 2
 HELD MONDAY 1 MAY 2006

NAME	ADDRESS	OWNER	
		YES	NO
Te Oitāwhiri Whānau Trust (Julie Lux)	118 Ford St Opatiki	✓	
FRANK MATCHIT NGI MATETE TRUST. HELEN PARIK	2 KOOHAI ST. ROTORUA.	✓	
ANI MATCHIT.	EDGECLIFFE		✓
JOHN HATA	Box 110 OPOTIKI	✓	
Bernard Reha	RD1 Mataura Taihape	✓	
KAWANA Reha Te Mataku	"	✓	
ALAN. Haringa SIB.	97, A. Salisbury Rd Gisborne	✓	
JANET MALONEY - MONI	82 NELSON ST, OPOTIKI	✓	
T HAYES "Verdeno"	MT Mangonui.	✓	
TRAVEN MIRAERE	15 Craver St Waikanae	✓	→
Eddie Tamati	27 High St Opatiki	✓	
Jeanette H. Collier	165 BRIDGE St Opatiki	✓	
ROBERT EDWARDS	149 BRIDGE Street Opatiki	✓	
Manini Wilson	983 S/H 35 RD1 Opatiki	✓	
JAMES TAI	208 HIKURANGI RD OPO	✓	
Hono Reha Hamaki			
Whānau Trust.	20 Kaitaka Drive		
Roena McD-Walker	Mataura RD 2. Turangi	✓	
Lee Ann Martin	RD 1 Wairua Rd Opatiki	✓	
Eileen Brown	RD WAIMANA 3088		✓
Leah Waima.	29 Tenby terrace Harewood.		
Ken Brown	Waimana RD		
WAYNE MARTIN	8 ROMANA PARMOR		

is trustee under w/p.
 copied
 Hau



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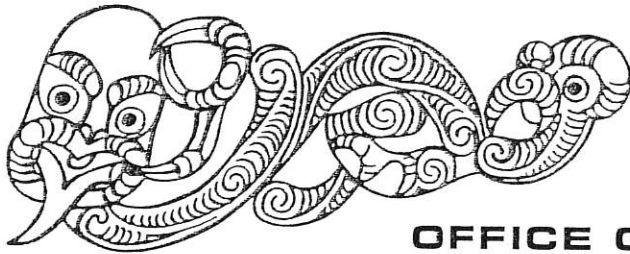
REGISTER - MEETING OF OWNERS

HELD FOR WHAKAPAUPAKIHI 2

HELD MONDAY 1 MAY 2006

NAME	ADDRESS	OWNER	
		YES	NO
Pauline Smaller	4 th Appenzell Dr Whakapapa	✓	
Lacene Smaller	" " " "		✓
Cheryl Kingford	103 Harney Cres Thames	✓	
Tiituhiwa Kopae Whanau Trust	Trust c/o Taraia Cunningham	✓	706
Te Ngāe Rōa	Potorua		
Hehepatahataha T Brown	485 PUMA R.D.	✓	
RANGIATAMĒA KĒWIRI	TE KARAKA - GISBORNE		
	14 WAIRAKA RD WITHK	✓	
HAWATA PAHEWA WHANAU TRUST	4907 RD 3 @POTIKI	✓	
RIRI Whanau Trust	14 Stump Rd @P	✓	
Carol Storey	188 Cambridge Rd Tauranga	✓	
Heavenly Hughes	301 Lead Valley Rd Nelson	✓	
Ann Matau	20 Rugby St Masterton	✓	
JOE MOTO	" " " "		✓
Russell Freeman	3 Tapuacore Flat Rush	✓	
Ruby Fox	116 Trinden St Manurewa		✓
Pukopuke Peanini	80 BALTONS - GIS.	✓	
Yarati Harrington	53 King St	✓	
Karara Schmitt	417 River Rd Kawerau	✓	
Low NEE Apanui	36 Watts Rd Auckland	✓	
Shane Wanaua	8 Bristol Pl. Haxmele	✓	
Shirelle Syke	P.O Box 103 Hastings Rotorua		✓
Kay Martin	96 YORK St Rotorua	✓	
Alison Davis	49 Tongarivo St Hamilton	✓	
Kitengarangi Davis	K	✓	
Edward MATCHH	R.D 3 @POTIKI	✓	

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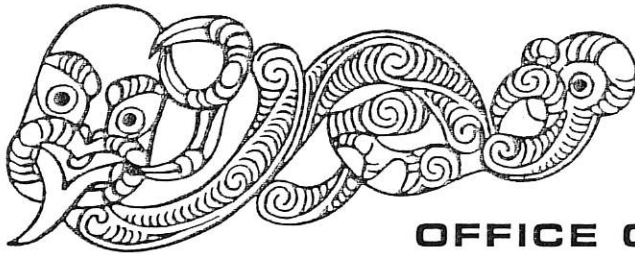
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**REGISTER - MEETING OF OWNERS
HELD FOR WHAKAPAUPAKIHI 2
HELD MONDAY 1 MAY 2006**

NAME	ADDRESS	OWNER	
		YES	NO
JOHN KAATI	616 Te Waiteve Rd + R.D.8 Te Kuiti		✓
Jane Wetere	1338 Ellicott Road Dinsdale, Hamilton	✓	
LES MOORE	R.D.3 TERAHU RD WHAKATANE	✓	
EVA EDWARDS	R.D.I WAINUI RD TORERE	✓	
CLARE TAYLOR	Kawerau	✓	
I TAYLOR	Kawerau		✓
MATIU TAI	208 HIKURANGI RD	✓	
Rangia Wakipua Hata	R.D.1 Rahui Valley Opatiki		
Basil James Tai	85 Hemels Road Kawerau		
TAMAMUTU PATENA	42 TEAWA AVE NAPIER	✓	
Rauiri Tai	40 Cumberland Cres Taumarunui		
Maria Tepana	117 Duke St	✓	
Patricia McMurtry	9 Wellington St	✓	
Christina Rolleston	51 Spring St, Opatiki	✓	
Paku Family Agri	5512 - 20 Oxford St		

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REGISTER - MEETING OF OWNERS

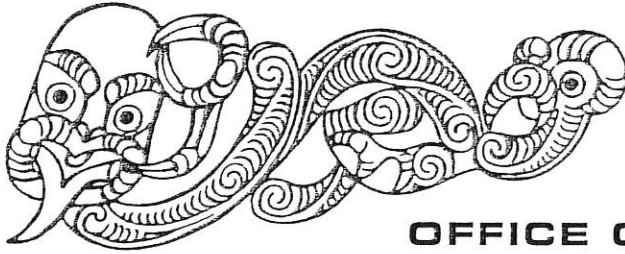
HELD FOR WHAKAPAUPAKIHI 2

HELD MONDAY 1 MAY 2006

4- Te Uwhiraiti huanu WTT,

NAME	ADDRESS	OWNER	
		YES	NO
JIM HAILEY	38 PAKARUA RD GIS	✓	
George Hailey	60 Ipa Rd Gisborne	✓	
Te Riangi Humeano	85 WOODLANDS Rd OPOTIKI	✓	
Gloria Jones	394 Pukehina Pk Rd 9 TE PUKE		
M C W. STEWART	WHANAU TRUST	✓	
Redney Stewart	26 B Hockey Dr Te Puke	✓	
Dotty Hudson	4- Tareatua Superette	✓	
✓ Te Peta Kaka	Katia Oraka Whanau Trust.	✓	
Shanki Smile	176 HARRIS RD. TOPUKI.	✓	
Charles Smile	" " "	✓	
Miriam Elthamham	36 Challen Close Takanini Auck.		
Frances PORTER	69 Devon St, Rotarua	✓	
Ryan Petch	69 Devon St, Rotarua	✓	
Peter Peta	247 Main St Waimana		
R. Ihu	Mangata.	✓	
Tamihana Ranapia	262 Main Street Waimana	✓	
PATRICK APANUI	210 METTRANE RD NUKUHOU NORTH		
HARRY Wilson	61 OHIWA HARBOUR ROAD OPOTIKI		
Muriel Kell	25 Stewart St. OPOTIKI.	✓	
Arini Kaka (KIHIMARA)	2 BIRELL STP	✓	
Te Kiri Peta (Hauaki)	210th Kuraangi Rd.		✓
Vera Kavaavia	208 HIKIWANGI Rd.	✓	
Tamanuhiri Tai Whanau	Trust (Tina Peters)		
	P.O Box 29 Opotiki	✓	
Jero Bow (Mangata)	752 Motawai Gisborne	✓	
MIKE WALKER	10 ALICE ST GISBORNE	✓	

Katia HARAU
WTTVILLE TAB



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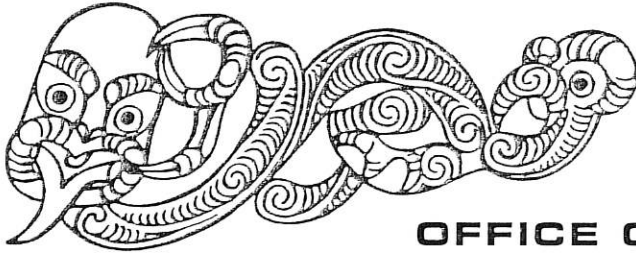
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NAME	ADDRESS	OWNER	
		YES	NO
DAVID SIMPSON	116A FORD ST OPO	✓	
Shane Moore	368 RIVIERE RD KAWERAU	✓	
Frank Muir (Pai)	28 Dunlop Rd Chateaux	✓	
Imare Wairi	14/77 WAIATA ST.	✓	
John Edwards	756 Bryce Rd RDI ROTONUI	✓	
John Shyne	68 Tapan Ave Auckland	✓	
Kyle Edickson	209 TAITARA RD TAURANGA	✓	
Basel Walker	P.O.B. 176 OPOTIKI.		
Janina Faulkner	45 Village Park Ave Tga		
Mary Faulkner	8 Tahere Road RDI WHK	✓	
C. Patena	2 Trinity Cres Napier		
H. Matehaere	57 Waikari Rd Matapahi TGA	✓	
HOWARD MATEHAERE	23 B LYN GROVE Papanoa	✓	
Julie Illman	3 Gurdell Pl.		
Yangi Whangai	Whakatane P.O.	✓	
Kathryn Whangai	Whakatane	✓	
Hate MTO	29 Oranui Rd Opo	-	
John Tai	208 HIKURANGA RD	✓	
Teuhana Pere	63 Kina St, OPOTIKI	✓	
PITA TAI	208 HIKURANGA RD	✓	
MIMI HATA	" "	✓	



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NAME	ADDRESS	OWNER	
		YES	NO
Tairāwhiti Mokonok	201 Opotiki	✓	
Awhetai-Aoake	79 Douglas Rd Matam	✓	
S Moore	302 Te Rukū Rd	✓	
Alby Oakes	Bowen St Kaw	✓	
Paki Edwards	Rd 1 Opotiki		
Mania Jai	268 Hukuranga Rd		
Alison Koroua (Harry)	1324 Ford Street Opotiki		
Robert Selwyn	Box 1605, Taupo	✓	
Kan BRIGANT	15 MOTITI RD Pāpēmaru		✓
Kelina Papa Somwell	67 GORING ST OPOTIKI	✓	
Alison	525 ST PATRICKS HIGHWAY		
Billy Selwyn	525 ST PATRICKS HIGHWAY		

8-