

63/170-179/3/1

# MAORI LAND COURT

WAIARIKI

DISTRICT

Date of Receipt: 5-4-88

Land: POMMERORO 2 3 4 5A and OTHERS File No. 32007-OPD

Applicant: DEPUTY REGISTRAR - ROTORUA

Subject: SEC 438(3)(B)/53 -

## MEMORANDA

Ordered/Dismissed

To be heard at Rautokohu 6-4-88

MB

58

- 3 MAY 1988

Adjourned July

86

11 JUL 1988

63 MB OPO 162.3

MB

Ordered

63 OPOTIKI 177 of 11.7.88

ADANUI WAHIA

8 CLIFKARD AVENUE

ROTORUA

M.A. 172

WP 1245C Disk 76C 24. 8.87 (400)

Telegraphic Address: MAORIFAIRS

Fax 073 05019



Our reference: Appln.....

Your reference:.....

# MAORI LAND COURT WAIARIKI DISTRICT

Government Buildings  
Arawa Street  
Telephone: 82 189

Private Bag,  
ROTORUA.

.19

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear Sir/Madam

\_\_\_\_\_  
Please find attached for your information a copy of the following  
Order(s) made at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ 19

Yours faithfully

for Registrar

Encl

63 Opotiki MB 177

ORDER VESTING MAORI FREEHOLD LAND

The Maori Affairs Act 1953, Section 438(3)(a)  
and Section 34(10)

In the Maori Land Court  
of New Zealand  
Waiariki District

IN THE MATTER of the Maori freehold  
lands as described in  
the Schedule hereto



AT a sitting of the Court held at Opotiki on the 11th day of July 1988  
before Heta Kenneth Hingston, Esquire, Judge.

WHEREAS on the 3rd day of July 1984 the Court did vest the Maori freehold  
lands as described in the Schedule hereto in Trustees pursuant to the  
provisions of Section 438 of the Maori Affairs Act 1953:

AND WHEREAS an application has been made by the Deputy Registrar for an  
Order pursuant to Section 438(3)(b) of the said Act and whereas the Court  
deemed it expedient to invoke Section 438(3)(a) to reduce the number of  
Trustees less Edward Callaghan and John Nyman:

NOW THEREFORE upon reading the said application AND UPON HEARING all the  
evidence adduced in support thereof and being satisfied on all matters  
upon which it is required to be so satisfied THE COURT DOETH HEREBY ORDER  
pursuant to Section 438(3)(a) of the said Act and with their consent that  
the said land be and the same is hereby vested in:

Perenu Callaghan  
Kennard Stirling  
Joseph Phares  
Hone Hiki Waititi  
Joseph Rua  
Harold Helmbright  
Len Te Moana

AND IT IS FURTHER ORDERED pursuant to Section 34(10) of the Maori Affairs  
Act 1953 that this Order do issue IMMEDIATELY from the office of the  
Court:

AS witness the hand of the Judge and the Seal of the Court



SCHEDULE

- Pohueroro No 2
- Pohueroro 3
- Pohueroro No 4
- Pohueroro No 5A
- Pohueroro 5B
- Pohueroro 6A
- Pohueroro 6B
- Te Waiti No 1
- Te Waiti No 2A



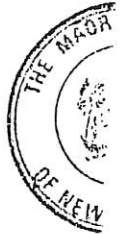
63 Opotiki MB 177

NEW TRUST ORDER

The Maori Affairs Act 1953, Sections 438(5) and 438(3)(b)  
and Section 34(10)

In the Maori Land Court  
of New Zealand  
Waiariki District

IN THE MATTER of the Maori freehold  
lands as described in  
the Schedule hereto



AT a sitting of the Court held at Opotiki on the 11th day of July 1988  
before Heta Kenneth Hingston, Esquire, Judge.

WHEREAS the Court did vest the Maori freehold lands as described in the  
Schedule hereto in Trustees pursuant to Section 438 of the Maori Affairs  
Act 1953 AND did declare the trusts upon which the said Trustees shall  
hold the said land:

AND WHEREAS an application has been made by the Deputy Registrar to vary  
the Terms of Trust:

NOW THEREFORE upon hearing all the evidence adduced and being satisfied  
on all things upon which it is required to be so satisfied THE COURT DOETH  
HEREBY VARY the terms of the said trust by making a new Trust Order under  
Section 438(5) of the said Act in substitution for the existing Trust  
Order to the effect that the Trustees shall now and henceforth until  
further or other Order of the Court hold the said land upon the trusts  
subscribed hereto:

AND IT IS FURTHER ORDERED pursuant to Section 34(10) of the Maori Affairs  
Act 1953 that this Order do issue IMMEDIATELY from the office of the  
Court:

AS witness the hand of the Judge and the Seal of the Court



SCHEDULE

- Pohueroro No 2
- Pohueroro 3
- Pohueroro No 4
- Pohueroro No 5A
- Pohueroro 5B
- Pohueroro 6A
- Pohueroro 6B
- Te Waiti No 1
- Te Waiti No 2A



1 Title

This Trust shall apply to the Maori freehold lands known as POHJERORO NO 2, POHJERORO NO 3, POHJERORO NO 4, POHJERORO NO 5A, POHJERORO NO 5B, POHJERORO NO 6A, POHJERORO NO 6B, TE WAITI NO 1 and TE WAITI NO 2A.

2 Objects

Except as hereinafter may be limited the objects of the Trust shall be to provide for the use management and alienation of the land to best advantage of the beneficial owners or the better habitation or use by beneficial owners, to ensure the retention of the land for the present Maori beneficial owners and their successors, to make provision for any special needs of the owners as a family group or groups, and to represent the beneficial owners on all matters relating to the land and to the use and enjoyment of the facilities associated therewith.

3 Powers

The Trustees are empowered:

a General

In furtherance of the objects of the Trust and except as hereinafter may be limited to do all or any of the things which they would be entitled to do if they were the absolute owners of the land PROVIDED HOWEVER that the Trustees shall not alienate the whole or any part of the fee simple by gift or sale other than by way of exchange on the basis of land for land value for value and then effected by Court Order or in settlement of a proposed acquisition pursuant to the Public Works Act or similar statutory authority or by partition as hereinafter provided.

b Specific

Without limiting the generality of the foregoing but by way of emphasis and clarification as well to extend the powers of the Trustees it is declared that the Trustees are empowered:

i To buy

To acquire any land or interest in land whether by way of lease purchase exchange or otherwise PROVIDED HOWEVER that no purchase or exchange shall be effected except through the agency of the Maori Trustee or by such other means as shall ensure that the land so acquired can be vested in the appropriate beneficiaries as Maori freehold land and be made subject to the trusts hereof.

ii To subdivide

To subdivide the land in any manner permitted by law into such subdivisions or parts as may seem expedient to them, and to bring applications before the Court for partition orders to allocate such allotments amongst the owners in accordance with their entitlement.

iii To improve

To develop and improve the Trust lands and to erect thereon such buildings fences yards and other constructions or erections of whatsoever nature as may seem necessary or desirable.

iv To employ

To engage employ and dismiss managers secretaries servants agents workmen solicitors accountants consultants surveyors engineers valuers and other professional advisers required to carry out the powers of the Trustees and to fix their remuneration.

v To borrow

To borrow money for the purpose of the furtherance of any of the trusts or powers herein contained whether or not with security over all or any real or personal property of the Trust.

vi To set aside cash reserves

To accumulate income and to set aside such reserves as the Trustees in their discretion shall think fit for contingencies or for capital expenditure or to meet the cost of any investigation or in giving effect to any proposal as referred to in the immediately preceding subclause and so to retain in an accumulated profit account any portion of the profits which the Trustees think it prudent not to distribute to the beneficial owners.

vii To lend

To lend all or any of the money coming into their hands upon any securities in which Trust funds may be invested by Trustees in accordance with the Trustee Act 1956 or in accordance with any other statutory authority upon first or second mortgage or contributory mortgage approved by a resolution of the beneficial owners at a properly constituted meeting.

viii To pay own costs

From the revenues derived from the operation of the Trust to pay all costs expenses and disbursements incurred by them including the costs of any person employed by them in the administration of the Trust and of any Advisory Trustees or in the furtherance of any of the objects of the Trust and, if approved by the Court, including also the reasonable fees cost and travelling expenses of the Trustees in attending the meetings of the Trust or in respect of any Trust business.



ix To promote title improvement projects

At their discretion to bring and prosecute in the Maori Land Court on behalf of the beneficial owners any applications for amalgamation of titles, aggregation of owners, the inclusion of any further lands in this Trust order, the exclusion of any lands from this Trust order, the variation of this Trust order to increase reduce or otherwise vary the powers hereby given to the Trustees or to bring any other application for orders within the jurisdiction of the Court that might facilitate the operation of the Trust AND where appropriate as a matter of priority arrange all necessary surveys and effect registration of the Partition or other orders constituting title to the lands under the Trust in the Land Transfer Office.

x To distribute

Subject to their being satisfied that proper provision has been made for reserves as referred to in clause 3 (b) (vi) hereof to distribute to the beneficial owners in accordance with their shares the whole or such part of the net proceeds as the Trustees shall at their sole discretion from time to time determine with power to pay moneys to the Maori Trustee for the purpose of effecting a distribution to the beneficial owners.

xi To permit occupation and enjoyment by the owners

At their discretion to reserve in any lease or licence or otherwise provide for any one or more of the beneficial owners to personally occupy use or otherwise enjoy such defined part or parts of the land as the Trustees shall determine having regard to the comparative shareholdings and if any such right is reserved licensed or otherwise provided for but to one or some only of the beneficial owners then the Trustees will determine the extent to which participation in rentals and profits are to abate for the purposes of receiving the benefit of such reservations licences or provisions or otherwise be adjusted.

xii To make other special provisions for beneficiaries

At their discretion to alienate by way of lease or licence to any beneficial owner or to any blood relative of a beneficial owner at a reduced rent or otherwise upon terms more favourable to the lessee than those obtainable on the open market for so long as that person or his executor or administrator remains in possession of the land PROVIDED THAT such proposal has first been approved by the resolution of a meeting of beneficial owners called by the Trustees.

xiii To lease

To lease the whole or any part or parts of the said lands from year to year and for any term of years at such rent and upon such covenants and conditions as the Trustees shall think reasonable and to any person, corporate body and/or Her Majesty the Queen and to accept surrenders of and vary the leases thereof.

xiv To take over existing leases

To assume all the rights duties powers and obligations heretofore held by the lessors under any lease having force or effect of any of the lands or of any part or parts thereof and to assume and to have all the rights duties powers and obligations that may have accrued to the former Trustees of any of the lands the trusts in respect of which have been cancelled on the making of this Trust order with power to enter into variations of any such lease and/or to negotiate and accept a surrender of any such lease whether in whole or in part and to obtain and enforce any judgment decision or ruling or to effect any settlement or compromise with regard thereto.

xv To farm

To farm and develop the land themselves with power to appoint farm managers and other persons for that purpose, subject to a majority consent of Trustees.

xvi To represent owners

To prosecute from time to time in the appropriate tribunal such objection to zoning or proposed zoning such application for re-zoning of the said land, such application for specified departure from such zoning and such application for conditional use in any current zoning or otherwise howsoever the Trustees in their absolute discretion may determine, AND to represent the beneficial owners on any negotiations or questions of compensation for lands taken under the Public Works Act or other statutory authority with the Government or any local authority.

4 Personal Interest of Trustees

Notwithstanding any general rule of law to the contrary no person shall be disqualified from being appointed or from holding office as a Trustee or as a representative of the Trust by reason of his employment as a servant or officer of the Trust or by his being interested or concerned in any contract made by the Trustees PROVIDED THAT he shall not vote or take part in the discussion on any matter that directly or indirectly affects his remuneration or the terms of his employment as a servant or officer of the Trust or that directly or indirectly affects any contract in which he may be interested or

concerned PROVIDED FURTHER THAT if a Trustee is employed by the Trust in any capacity whatsoever he shall not be paid any fees, costs, remunerations or other emolument whatsoever until same has been approved by the Court.

5 Protection of Trustees

In any case where any Trustee is of the opinion that any direction determination or resolution of a meeting of the Trustees or general meeting of beneficial owners conflicts or is likely to cause conflict with the terms of this Trust or with any rule of law or otherwise to expose it to any personal liability or is otherwise objectionable then, and in reliance upon section 30 (1)(e) of the Maori Affairs Act 1953 and of the Trustee Act 1956 he may apply to the Court for directions in the matter PROVIDED HOWEVER that nothing herein shall make it necessary for him to apply to the Court for any such directions.

6 Protection of Minorities

In any case where any Trustee or beneficial owner feels aggrieved by any direction determination or resolution of a meeting of the Trustees or of any act or omission of the Trustees he may:

- i give to the Trustees notice of his intention to have the matter complained of referred to the beneficial owners and then PROVIDED THAT within 14 days thereafter he is able to file a requisition supporting that notice executed by not fewer than 10 beneficial owners then the Trustees shall fix a time and place and convene a general meeting accordingly in manner hereinafter provided; PROVIDED FURTHER that if the Trustees fail to convene a general meeting within a reasonable time or he is dissatisfied with the resolution of this matter by the general meeting he may:
  - ii give to the Trustees notice of intention to have the matter complained of referred to the Maori Land Court PROVIDED THAT he shall within 14 days thereafter file an application pursuant to section 30 (1)(e) of the Maori Affairs Act 1953 and section 68 of the Trustee Act 1956 requesting the Court review any such act or omission of the Trustees and/or give directions as to any contemplated act or omission of the Trustees arising from the resolution of the general meeting of beneficial owners or any other reason; OR pursuant to paragraph (b) of subsection 3 of section 438 of the Maori Affairs Act 1953 for the variation of this Trust order to make particular provision for the matter in dispute and in either case serve a copy thereof upon the Trustees AND upon and following receipt of a notice of intention as aforesaid and for as long as the matter remains unresolved, but then PROVIDED the further particulars are filed within 14 days, and except as may be necessary for the avoidance of an action by any third party affected or as may be directed by a Court on application for injunction, directions or the like, the Trustees shall take no steps or no further steps as the case may be to implement or otherwise give effect to or enable the continuance of the matter complained of.

7 Obligationsa General meetings

- i The Trustees shall call a general meeting of the beneficial owners within 12 months of the establishment of this Trust and then from time to time and at least once every 3 years and a general meeting shall be called by the Trustees upon service of a notice of a requisition in writing signed by not less than 10 beneficial owners stating the purpose for which the meeting is required.
- ii At general meetings of the beneficial owners and where a vote has become necessary or desirable the matter shall be determined by a show of hands.
- iii No general meeting shall be deemed to be constituted unless at least 10 beneficial owners are present in person throughout the meeting.

b To Report to the Court

Any Trustee at any time, upon being required to by the Court, shall file in the Court a written report and make himself available to the Court for questioning on the report or any matter relating to the administration of the Trust or to the performance of his duties as a Trustee.

c Reports and Accounts

- i The Trustees shall cause to be prepared Annual Reports and audited proper accounts of the assets and liabilities and of the income and expenditure for each year ending on the 31st day of March or such annual Balance date as the Trustees may from time to time fix upon and shall file a copy of such report and accounts with the Registrar of the Court within 6 months of the said Balance date.
- ii At each general meeting the Trustees shall produce reports and accounts for each year in respect of which they have not earlier presented reports and accounts to a general meeting.
- iii The Trustees shall not be obliged to comply with (i) and (ii) herein unless and until the annual income of the Trust is in excess of \$3,000.00.

d Review of the Trust

- i The Trustee shall in the fifth year after the constitution of this Trust apply to the Court for a review of the Trust.
- ii On any such review the Court may by order give such directions to the Trustees as it thinks fit, confirm the Trust order without variation, vary the terms of the Trust order in such manner as it thinks fit or make an order determining the Trust.

e Replacement of Trustee

Upon the death, resignation or removal by the Court of a Trustee the surviving Trustees shall:

- i where the number of Trustees is less than 5 ensure that the next general meeting of beneficial owners considers a possible replacement, AND then make application to the Court for an order replacing such Trustee;
- ii where the number of Trustees is not less than 5 and the Court has not otherwise directed, forthwith make application to the Court for an order reducing the number of Trustees.

8 Removal of Trustees

- a The Court, for sufficient cause, may at any time remove a Trustee from office.
- b In addition to the grounds upon which a Trustee might be removed by the Court, it shall be sufficient cause for removal that:
  - i a Trustee has not complied with the provisions of clause 7 (b) and 7 (c)(i) hereinbefore;
  - ii a Trustee has failed to carry out the duties of his office satisfactorily;
  - iii a Trustee has absented himself from 3 consecutive, properly convened meetings of the Trust without reasonable excuse;
  - iv because of physical or mental infirmity or prolonged absence a Trustee is or will be incapable of carrying out his duties satisfactorily;
  - v a Trustee has become a bankrupt;
  - vi a Trustee is convicted of any offence whereby he is sentenced to prison and is still serving such sentence.

9 To establish a putea account

- a Upon all or any distribution to beneficial owners the Trustees upon first being authorized by a resolution of the owners passed at a Special or General meeting of the owners may:
  - i set a minimum distribution figure (being not more than the sum of \$10) and pay to an account to be known as a putea account the share of any person to receive less than the minimum distribution figure; and in that event the Trustees shall further deduct from the share of all persons entitled to more than the distribution figure an amount equal to the minimum distribution figure or the amount to which they are entitled, whichever is the lesser, and pay the same to the said putea account; and

- ii pay to the said putea account the shares of those persons for whom the Trustees are not holding a current address or who are deceased or in respect of whom distributions are returned unclaimed.
- b Moneys in the putea account may be invested in any manner in which the Trustees may effect investments by this Trust order and the whole or any part of the funds in the putea account may at any time be applied:
- i in the furtherance of any of the objects of this Trust or in advancing any of the powers vested in the Trustees;
  - ii to the assistance of elderly or needy beneficial owners or elderly or needy persons who in the opinion of the Trustees are descendant from any beneficial owner;
  - iii to assistance with the tangi expenses of any beneficial owner or any person who in the opinion of the Trustees is descendant from any beneficial owner;
  - iv to the educational advancement of any beneficial owner or of any person who in the opinion of the Trustees is descendant from any beneficial owner or to enable any owner or descendant as aforesaid to follow some form of artistic or cultural pursuit;
  - v to assistance with marae or tribal project where in the opinion of the Trustees there is a sufficient connection between the beneficial owners or any section of them and the particular marae or tribal project.
- c The Trustees may establish a Council of Elders or Whanau Representatives to express a view on the application of any moneys for any of the aforesaid purposes.
- d The Trustees may recover from the putea account if and when sufficient moneys have accrued to it the share that any person would have received had that person's address been known at the time of the distribution or had a succession then been completed, and may make payment (without interest) to the person or persons then entitled upon that person's address being supplied or upon an appropriate succession having been completed.

M.A. 172 WP 1050C Disk 72C 5.12.85 (500)

Telegraphic Address: MAORIFAIRS



Our reference: 32007

Your reference:

MAORI LAND COURT  
WAIARIKI DISTRICT

Government Buildings  
Arawa Street  
Telephone: 82 189

Private Bag,  
ROTORUA.

25.7.1988

Minutes to Perenu Callaghan and 6 other  
trustees.

Attention:

Dear

APPLICATION: PEHERORO 2,3,4,5A & OTHERS

Herewith is a copy of the Court's minute dated 11.7.1988  
( OPOTIKI MB 63 1177 ) in respect of the  
above matter.

Would you please note:

Yours faithfully

R. Waiapu.  
for Registrar

Encl.

63 OPOTIKI MINUTE BOOK 177

At Opotiki - Mon 11 July 1988

Present - H K Hingston, Judge  
R Waiapu, Clerk

86 POHUERORO 2, 3, 4 5A AND OTHERS - s 438(3)(b)/53

Mr P R Hunt, Deputy Registrar -

Application was adjourned from previous Court (63 Opo MB 162-163).  
Notice of hearing sent to Trustees for meeting on 24 June 1988 -  
these Trustees have just had meeting - John Waititi,  
Perenu Callaghan and Joseph Rua.

Mr Perenu Callaghan:

Apologises, only some of Trustees present. We have discussed  
situation. We have decided that Trust should contain wide powers  
Trust Order but 3 yearly general meetings. We hope it will be  
revenue producing - there is possibility land could become  
s 439/53.

As to resignations I withdraw my request - my uncle Edward  
wants to retire.

As to report Mr Waititi wishes to remain as a Trustee.

Other two Trustees have requested meeting of Trustees - I will  
organize.

One Trustee John Nyman in Australia, been there for two years.

Ask for orders vesting in present Trustees less  
Edward Callaghan and John Nyman - also wide powers Trust.

Court:

I am prepared to allow Mr Edward Callaghan to retire at his request -  
as to John Nyman I will leave him out because he is in Australia.  
If he returns to reside in New Zealand Court will re-instate  
if he wishes.

Therefore, Order s 438(3)(a)/53 vesting land in present Trustees  
less Edward Callaghan and John Nyman.

As to Trust Order - wide powers with general meetings required  
every three years - accountancy and audit provisions suspended  
if income of Trust less than \$3,000 per annum.

Order s 438(3)(b)/53 substituting current Waiariki wide powers  
as amended above for present Trust Order.

Order s 34(10)/53 for immediate release.  
Copy minute to Trustees.

  
Judge



4

OPO

86 Police 1000 2 3 4 5A  
513 6A 6B

to that D/T  
applied on ad  
162-163 (163 OPO)

Notice 1 hour  
for meeting on 24<sup>th</sup> of  
1988 - same time  
line just had

John W. Callaghan  
Joseph

Mr. P. Callaghan

apologies only  
of T-0. we had  
situation - we  
have decided that  
T-0 should continue  
with power T-0. - that  
3 yearly period  
meeting - we hope  
it will be revenue  
produce - I hope is  
particularly last could  
be 5039 153

As to requirements I  
 will draw my leave and  
 my uncle Edward  
 want to retire  
 As to report in  
 want to with to remain  
 on a Turkey.  
 One two Turkey,  
 have requested weekly  
 of Turkey. I will  
 organize.

One Turkey John  
 Nyman in Australia  
 has been here for two  
 years.

Ask for orders  
 Vicky to

Rank Turkey Ken  
 Edward Callahan  
 John Nyman - also  
 work from Tur.

CI order I am  
 prepared to allow  
 the Edward Callahan  
 to retire at his  
 request - as to  
 John Nyman

I will leave his  
out because he is  
in Australia - I  
the return to read  
in N-Z - card  
and he - under the  
the under. (f)

Very good only 5438 (3) (1) / 157  
Trusts has a pass  
calling on John Nyan.

It is to T.O. who  
power will G.M.  
reaching every time  
year - accordingly  
e assist  
suspended of persons  
↑ Trust has been  
\$3000 per year

and 5438 (3) (1) / 157  
subjecting cards  
warrants work  
pass for pass  
T.O.

power as amended  
above for pass  
T.O.

copy 34 (10) 157 can be  
to Trustees.

No calling -  
4pm Thurs.

M.A. 172

WP 999C Disk 54C 30. 8.85 (300)  
Telegraphic Address: MAORIFAIRS



Our reference: Apph 32007

Your reference: .....

**MAORI LAND COURT**  
WAIARIKI DISTRICT

Government Buildings  
Arawa Street  
Telephone: 82 189

Private Bag,  
ROTORUA.

24. 6. 1988

Mr John Waititi  
ct. 27 Glanville Tee  
Parnell  
Auckland

Attention:

Dear

Pohueroro 2 and others

Enclosed as requested is/are:

- 1 List of owners and addresses
- 2 Search of interests
- 3 MA.838 Particulars of Title
- 4 Application form(s)

Copies of:

- 5 Minutes
- 6 Order(s)
- 7 Plan
- 8 Memorial schedule

Please forward our fee of \$

Yours faithfully

Deputy Registrar  
Encls

*John Waititi Phoned  
24/6/88 and advised  
that the trustees  
would be meeting  
prior to the court hearing  
and would then  
present a report to  
the court*

*JW  
24/6/88*

63 OPOTIKI MINUTE BOOK 162

At Raukokore - Tues 3 May 1988

Present - H K Hingston, Judge  
M R Johnston, Clerk

58 POHUERORO 2, 3, 4, 5A, 5B, 6A, 6B & ors  
s 438(3)(b)/53

Mr P R Hunt, Deputy Registrar -

This application because of Court's review of Waiariki Trusts and also because of a letter received from Mr Perenu Callaghan on 4.2.88 pointing out that Trustees had not met since 3 July 1984 - Clause 7 a i of Trust Order states that Trustees obliged to call general meeting within 12 months of establishment of Trust - no meeting called though some attempts made. Notice sent 19.4.88 to 9 Trustees advising them of the review application - copy notice attached to application.

Notice asked Trustees to write if they are unable to attend today. I produce letter from Len Te Moana; report from John Waititi; John Nyman one of Trustees in Australia - otherwise with two who have written in all Trustees present.

Perenu Callaghan:

My intention was to make wide powers Trust - initially only investigatory - Trustees have not carried out duties.

My brief was to look at possible Maori Reservation - Trustees should discuss then go back to owners. Also bed of the Raukokore River half of which is access to this block.

I would also like to resign as Trustee.

Mr Joe Phares:

This notice is a bit of a surprise. I looked at question of forestry with Tasman, Government policy makes this hard now - I produce copy of report - I would have preferred to get together with other Trustees before going to Court.

Harold Helmbright: I am Secretary - I was upset to get the notice - no one has asked me for a meeting - none of us asked to convene a meeting of any sort.

At first meeting we were told Callaghans were grazing land - land was in debt no money to have a meeting.

I present Trust file for perusal - ask that it be returned.

Edward Callaghan: I wish to resign from Trust.

Kennard Stirling: I was going to take photographs on helicopter but because my neighbour who was helicopter pilot was killed I didn't want to go on helicopter again.



Continued folio 163 -

Joseph Rua:

I agree with Perenu Callaghan - Trustees should have a meeting and decide what to do - then back to owners.  
No leadership - not my duty - it is chairman's obligation to do this.  
I think matter should be referred to Trustees to sort themselves out.

Court:

I believe Trust should meet - at this stage will not accept resignations of both Mr Callaghans.

Adjourned to next Opotiki (July) - will expect a written report of progress.

64 RAEKAHU 22B SEC 2 (PART) - s 439/53

Mr P R HUNT, Deputy Registrar:

There was meeting of owners of block called by Wairuru Marae Trustees on 24.4.88 - I was present at meeting at request of Marae Trustees to explain the proposal to add the severance to the Marae - land between Raekahu 22A (Marae) and Wairuru Stream being part Waikahu 22B Sec 2 - the Dining Hall encroaches onto this block - this 2780m<sup>2</sup> has been used as part of Marae for many years.

The owners' decision is that the 2780m<sup>2</sup> be added to the Marae - by way of s 439/53 recommendation that it be set apart as Marae for use and benefit of Te Whanau a Maru Hapu. There was one objector at meeting Joe Rua for his brother Marama (Bishop) Paraone II - 63.0304 shares out of 533.333.

Notice sent to both Joe Rua and Marama Paraone and all owners that we have addresses for on 20 April - 46 out of 65 owners - I produce copy of notice.

I have received no written or oral objections - one notice returned "Unclaimed".

Ask for order.

Eddie Matchitt: Bishop Brown was shown by me at Easter what was proposed - he indicated his approval.

Court: Recommendation s 439/53 as requested.

Mr Hunt: Trustees after gazettal same as for Marae.

Court: Consequent upon gazettal to me for appointment of Trustees.

Mr P Callaghan: Wahawaha Allison now deceased.

  
Judge

58 438 (3)(b) / 53 Poluevoro 2  
3 4 54 e ater

P/R Huld - Thus

applicant became  
curator review of  
Wairariki Trust e also  
became a letter  
received from Mr Peran  
Callaghan on 4/2/88  
pounding and had started  
land and used since  
3 July 1984 - class  
7 a.m. of T.O. starts had  
Tardun obliged to call  
9 a.m. within 12 months  
I established of Trust  
I no way called  
through some attempt  
would notice send  
19/4/88 to 9 Trustees advising  
Plan of to review  
applicant - copy notice which  
to applicant - Notice  
to Trustee to write  
Reg are unable to  
about today.  
of purchase link - per  
ten Te moana - per  
Rapa per JOHN Weertx,

2/  
JOHN NYRMAN on 7  
Tues in the middle  
of the week will two  
who have worked in  
all Turkey parts

### Personnel Catalogue

My intention was to  
make wide <sup>investigatory</sup> ~~wide~~ ~~power~~  
Initially only <sup>investigatory</sup> ~~wide~~ ~~power~~  
- Turkey have not  
carried out duties  
my brief was to  
look at possible <sup>investigatory</sup> ~~wide~~ ~~power~~  
reservations - Turkey  
should discuss the  
go back to our  
Also had 9 1/2  
Punkte for review & 1/2  
of which is accn to  
this block.  
I would also  
like to resign as  
Turkey.

Mr Joe Phares - The  
notice is a bit of a surprise  
I looked at guide  
I'm not sure if  
good policy under the



m

hard now - I probably  
could I input - I  
would show them  
to get regard full  
and interest before  
you to see

HAROLD HELM (1941) -  
I am secretary - I  
was upset to get a  
notice - no one  
has asked me for  
a meeting - now I  
was asked to convene  
a meeting of my son -  
At first meeting we  
were told Callaghan  
was grazing land -  
land was in debt  
no money to have a  
meeting.

I spent - Tom's job  
in period - after that  
it be better

Edward Callaghan

I would to resign  
from the -

Harold Stirling I  
was going to take photographs  
a helicopter we were very

4

neighbor who was helicopter pilot was hurtley  
I did a run to go on helicopter again

JOSEPH RUA

with Pesean Cullough I agree  
Turkey should have a meeting and decide  
what to do - ten  
back to own

No leadership - not my  
duty it is chairman's

obligation to do it  
I think make should  
be reported to Turkey  
to send Counselor out

CI

I believe Turin  
should meet at 1445  
stop well not accept  
resignation of host  
by Cullough

and Adjutant (to  
next Op's (July)  
will expect  
with info of  
program

ly

Handwritten signature and initials at the top of the page.

Pohueroro 2,3,4,5A,5B,6A,6B, & Te Waiti & 2A.

Waihau Bay  
30/4/88.

The Deputy Registrar,  
Wairiki Maori Land Court District.

Dear Sir,

With regard my involvement with the above Blocks as one of the Trustees, I write this letter to give an account of my stewardship. Firstly, due to the result of a meeting held at Kutarere Marae on the 28/4/88 I now find I will be away in Wellington on Tuesday 3/5/88 to support a deputation from the Mataatua area with regards to the Kohanga Reo Movement in this area. The deputation is to meet the Kohanga Reo Trust at Wellington on 4/5/88. I therefore tender my apologies. As I, with some of the other Trustees who live here are aware of, there is no future Development at all that may benefit these Blocks at the moment. When we became Trustees in 1984 I approached P.F.Olsen & Co Forestry Managers for the Orete & Matangareka Blocks about the possibility of Forestry Development on these Blocks. They flew over the Blocks and also viewed them from the Matangareka Forest. Their decision was "no go" and this of course became more apparent with the change of Government Policy towards Forestry Development support. Since then I have kept my ear to the ground and I can only reiterate now what I mentioned earlier. A very recent Development has been a request from an Maori Access module requesting permission to run their module up there. However, because of the appearance of the Court notice in the Gazette and the nature of their request, my own advice to them was to wait until all this is over.

With regards to your comments about Mr Perenu Callaghan's letter I as a Trustee was not personally approached by him on this matter. I am quite aware of what's in the Trust Order but due to the reasons I have just mentioned I could not see any reason to justify calling a meeting, not only because of the time and cost that would be incurred but also because there is nothing to report.

Finally, I was concerned recently about the activities of a couple of people mustering wild cattle on the Blocks. However it became evident that they were there to assist Perenu and Rangitahi to carry out this activity. I as a Trustee was not notified about this and after consulting the majority of the other Trustees it then became evident that none of the other Trustees knew about this too. I feel that he should have tried to call a meeting of Trustees then before carrying out this activity. I doubt very much if the neighboring farmers were notified of this too. Furthermore I am aware of the Wild Animal Control Act and it's definition of a Wild Animal and Ownership etc.. of such animals.

I would say that Perenu and his brother were well rewarded from this activity that perhaps the owners of these Blocks through the Trustees missed out on. My own summing up of Perenu's letter to you reflects a feeling of 'sour grapes' on his part because this activity they were carrying out illegally was stopped through the intervention of our Chairman Mr John Waititi. I support the Chairman wholeheartedly.

Yours faithfully,

Renata Ruha ( Len ) Te Moana.

*Renata Ruha*

Ex 2

REPORT ON THE PARIPARI BLOCKS

No. 2 - 3 - 4 - 5A - 5B - 6A - 6B

Wa Waiti No. 1 - 2A.

By the chairman:

John Waititi

*[Handwritten signature]*  
28/5/5

I apologise for not being able to be present at the meeting of the sitting of the Court at Wairuru Marae this day 3rd May 1953. Up until last night my arrangements were to be at this meeting but a member of my family has taken ill and prevents me from attending.

Prospects of Forestry:

Contact was made with Forestry Companies namely Pasman and Saxton and they both were not interested in developing any new areas of land. It then became obvious that very little if anything could be done to utilize the land to give owners some revenue. It was also obvious that to call a meeting of the Trust was of no purpose and would cost money, of which the Trust had no means to depend on.

The blocks continued to be an area for pig-hunting for the public, and grazing of cattle from the river-bed.

Recently there was some activity in this area although some not connected directly with these blocks, but could possibly be in the near future.

There are Access Schemes in progress which could involve the above blocks. There was a organised wild-cattle muster in progress involving the above blocks.

A detailed report from the Paripari Trust is expected on a project that could involve the above blocks, though perhaps short term but could develop into possibilities for utilisation.

Concern was shown by a committee of an adjoining block of land who are also owners of the Pohueroro blocks at the lack of notification of the muster to concerned people and the entry into the Pohueroro blocks for the purpose of removing unmarked cattle with no consideration to the owners.

An attempt to stop any further mustering was made by writing a letter to Mr Bangi Callaghan who is the known farmer involved in the operation. This letter I enclose.

A reply was received stating that they refuse to cease operations and also stating other facts and thoughts that concerned them. This letter I do not enclose. However if the writer wishes to present the letter or reply there is no objection.

The reason for calling a halt to the mustering was to give Trustees time to decide on arrangements to allow people to enter the property and whether to participate in the muster and who should share in the revenue.

As there was an absolute refusal to cease operations the urgency of a meeting of Trustees was less demanding. My recommendations to the Court is;

That I Hone Miki Waititi being responsible for organising and administering this Trustee committee and having failed to comply with the Trust Order, be removed from being a Trustee to the above blocks. That this Trust be given the wide powers of a 438 Trust as applied for by the Deputy Registrar.

Signed \_\_\_\_\_

c/- 27 Glanville Terrace,  
Parnell, AUCKLAND.

26 January 1988

To The Trustees,  
Poheuroro Blocks  
No.2 - 3 - 4 - 5A - 5B - 6A - 6B,  
Te Waiti No.1 - Te Waiti No.2A.

Due to complaints laid to me by owners of the above blocks of land, I deemed it my duty as chairperson of the Poheuroro Land Trust to notify Mr Rangi Callaghan that entry on to these blocks of land by himself or persons employed by him or any persons at all would cease until the above Trust has held a meeting or some arrangement made for permission for people to enter these properties.

The arrangements will give consideration to the following matters pertaining to the Blocks:

1. Entry for monetary gain.
2. Entry for retrieving stock or articles of proven ownership.
3. Entry for nature study.
4. Entry for pleasure walks by the public.
5. Conservation.

After a telephone conversation on 19th January 1988 with Mr Rangi Callaghan, owner of cattle in the Raukokore river, I find it necessary that certain time will be needed by him to retrieve cattle with his ear-mark and any calves running at foot.

Therefore, I have already given to Mr Callaghan permission to muster his cattle on the above mentioned blocks up until the 7th February 1988.

Because of the nature of this request, it also compels me immediately to nominate Mr Len Te Moana to be Custodian of the above Blocks with powers to co-opt whomever he wishes to assist him to carry out this duty. His duty will be to:

1. Give permission to people to enter these properties for obvious reasons to him.
2. To police entry onto the Block wherever possible.
3. To prevent the removal of any article or creature from the Blocks without the proper written permission.

2.

4. To see that the properties and bush are not abused in any shape or form.

Yours sincerely,

John Waititi  
Chairperson  
Pohueoro Land Trust

c.c. Mr Len Te Moana  
P.O.  
Waihau Bay.

Mr R. Callaghan,  
P.B.12,  
Opotiki.





establish 3

1/11

3/3/85

Tasman Forestry Limited

Coastal District  
P.O. Box 51, Taneatua,  
Bay of Plenty, New Zealand,  
16 Morrison Avenue, Taneatua,  
Telephone (076) 29-262.

Our Ref: L10-0142  
Your Ref:

18 February 1985

Pohueroro Trust  
C/- Mr J. Phares  
C/- Post Office  
TE KAHA

Dear Sir,

POHUERORO, TE WAITI, AND MARAEHAKO BLOCKS

I believe your Trust requires an indication from Tasman Forestry of the suitability of these blocks for afforestation.

I inspected the blocks from a distance with Frank Akurangi last week and I have studied maps and a report of the area. I would have the following comments to make:

POHUERORO BLOCK Total area 789.1370 hectares

This block is steep and broken mountain land with a heavy cover of native bush. It runs south-west from the Raukokere River and is remote from existing roads. Roading to and over this block would be extremely expensive and difficult and probably impractical.

For the reasons quoted this block is not suitable for afforestation.

TE WAITI BLOCK Total area 793.3861 hectares

This block is similar to the Pohueroro Block but it does have some easier country which may be planted. Access would be through neighbouring country, either the Maraehako block or via a legal roadline which runs to the northern boundary of this block.

Further work is required to identify the areas which can be afforested.

MARAEHAKO BLOCK Total area 698.4368 hectares

The front country on this block is farmed and further back there is hill country covered in mainly second growth native hardwoods including tea tree. This country, either all of it or just the scrubland, would be suitable for afforestation.

The southern one third of this block is similar to the Pohueroro block and not suitable for afforestation.

Further work is required to identify the areas which can be afforested. At this stage some 400 ha approximately may be suitable, including the area that is grazed. If the grazed area is excluded, some 200 - 300 ha may be suitable and available for afforestation.

At this stage I will do nothing further until I hear from you. We would be pleased to undertake further work and prepare a proposal for you if you wish to look at afforestation on the Maraehako and Te Waiti blocks.

Yours faithfully



M. Colley  
COASTAL DISTRICT MANAGER

MINUTE SHEET

Subject

Department: .....

Section: .....

File No. ....

Date: .....

To-

POHU 2020 No. 2 & Other Blocks

TUESDAY 3 MAY 00

Name

ADDRESS

Paora Oliver Swinton

Uma Basil Peter Richardson

Eloie Matchitt

Private Bag 44 OPOTIKI

Joe Ruan

Bag 65 OPOTIKI

Thomas Duttler

Bag 29 opotiki

Rickson Brown

P.O. Box 60 TEKAHA

Tawai Hati

et-Warhau Tsey Post Office

M. Green

et- P.O. Warhau Bay

Mark Calcott

P. Bag 35 Opotiki

Harold Akmbright

R.D. 3 Kutareve

KENNETH WILLIAM STOKING

129 BRIDGE ST OPOTIKI

Joe Phares

P.O. Box 19 Te Kaha PH. 52820

Sevema Gange

19 Mautiri Road, Rotoma

M.A. 172

Telegraphic Address: MAORIFAIRS



Our reference: 45/640

Your reference:

# MAORI LAND COURT WAIARIKI DISTRICT

Government Buildings  
Arawa Street  
Telephone: 82 189

Private Bag,  
ROTORUA.

*Copy of Appn & Notice sent to:-*

19 April 1988

*Perenu Callaghan  
Kennard Stirling  
Joseph Phares  
John Waititi  
Edward Callaghan  
Joseph Rua  
Harold Helmbright  
Len Te Moana  
John Nyman*

*[Signature]*  
25/4/88.

Dear Sir/Madam

POHUERORO 2, 3, 4, 5A, 5B, 6A, 6B, AND TE WAITI 1 & 2A

Please take notice that the Deputy Registrar has, as the result of receiving a letter from Mr Perenu Kaingakau Callaghan one of the Trustees of the above blocks, lodged an application to have the Trust reviewed.

This Trust was set up on 3 July 1984. In terms of Clause 7 (a) (i) of the Trust Order the Trustees were obliged to call a general meeting of the owners within 12 months of the establishment of the Trust but have failed to do so. Mr Callaghan also alleges in his letter that the Trustees have not met once since the inception of the Trust in spite of efforts by himself and other Trustees to convene a meeting.

The Trustees are therefore clearly in breach of the Trust Order and are therefore directed by the Court to present themselves at the Court sitting at:

Time: 11 am

Date: Tuesday 3 May 1988

Venue: Wairuru Marae Raukokore

To give an account of their stewardship. Failure to attend could result in:

- a You being removed as a Trustee.
- b The Trust being cancelled and the land revested in the owners.
- c All or some of the present Trustees being replaced.

It is therefore important that you make yourself available for that sitting but if through circumstances you are unable to attend would you please forward a written explanation to the Registrar, Maori Land Court, Private Bag, Rotorua before 29 April 1988.

Yours faithfully

  
P R Hunt  
Deputy Registrar

*Part 1*

APPLICATION FOR AN ORDER TO VARY TERMS OF TRUST

The Maori Affairs Act 1953, section 438 (3) (b)

In the Maori Land Court  
of New Zealand  
Waiariki District

IN THE MATTER of the land/s known as  
*Pohueroro 2.3 4 5A, 5B, 6A & 6B*  
*and Te Waiti 1 & 2A.*

APPLICATION is hereby made in terms of section 438 of the Maori Affairs Act 1953 for an order varying the terms of Trust created by an order of the Maori Land Court dated 19 October 1981 by substituting a new Trust order being the current wide powers Trust order for the Waiariki Maori Land Court district UPON THE GROUNDS that it is proper the order be varied.

This application is made by Peter Roy Hunt, Deputy Registrar, whose address for service is the Maori Land Court, Government Buildings, Haupapa Street, Rotorua.

Signed

*Peter Roy Hunt*

At Rotorua this *30th* day of *MARCH* 19*88*

Panui or Appln No: 32007

Block: POHUERORO 2, 3, 4, 5 A and others

s 438(3)(B)/53. Applicant: Dep. Registrar

has been

1 <sup>^</sup> Set down for hearing at next Raukokere sitting at 11.00am 3.5.88

2 The applicant(s) to serve all trustees ~~solicitor to serve all owners whose addresses he/she knows and whose address can be ascertained from a search of Maori Trustee and Court records,~~ with copy of application,

with copy affidavit and date of hearing.

3 ~~Applicant to file affidavit of service covering (2) above at or before hearing.~~

4 ~~Applicant to be advised that failure to comply with these directions will result in application being adjourned.~~

5 Other directions

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

H K Hingston  
Judge

*[Signature]*  
3 .19 88

TRUST ORDER  
OPO. MB. 60/342

Opotiki MB 60/342

TRUST ORDER

The Maori Affairs Act 1953, Section 438 (5)

In the Maori Land Court  
of New Zealand  
Waiariki District

IN THE MATTER of the Maori freehold  
lands described in the  
Schedule hereto

AT a sitting of the Court held at Te Kaha on the 3rd day of July 1984  
before Norman Francis Smith, Esquire, Judge.

WHEREAS the Court has this day vested the Maori freehold lands described  
in the schedule hereto in trustees pursuant to section 438 of the Maori  
Affairs Act 1953:

NOW THEREFORE THE COURT DOTH HEREBY ORDER AND DECLARE the trusts  
subscribed hereto upon which the said trustees shall now and henceforth  
hold the said land until further or other order of the Court.

AS witness the hand of the Judge and the Seal of the Court.



*[Handwritten signature]*





1 Title

This Trust shall apply to the Maori freehold lands known as POHUEORORO NO.2, POHUEORORO NO.3, POHUEORORO NO.4, POHUEORORO NO.5A, POHUEORORO NO.5B, POHUEORORO NO.6A, POHUEORORO NO.6B, TE WAITI NO.1, TE WAITI NO.2A.

2 Objects

Except as hereinafter may be limited the objects of the Trust shall be to provide for the use management and alienation of the land to best advantage of the beneficial owners or the better habitation or use by beneficial owners, to ensure the retention of the land for the present Maori beneficial owners and their successors, to make provision for any special needs of the owners as a family group or groups, and to represent the beneficial owners on all matters relating to the land and to the use and enjoyment of the facilities associated therewith.

3 Powers

The Trustees are empowered:

a General


- i In furtherance of the objects of the trust and except as hereinafter may be limited to do all or any of the things which they would be entitled to do if they were the absolute owners of the land PROVIDED HOWEVER that the Trustees shall not alienate the whole or any part of the fee simple by gift or sale other than by way of exchange on the basis of land for land value for value and then effected by Court Order or in settlement of a proposed acquisition pursuant to the Public Works Act or similar statutory authority.
- ii The Trustees shall act personally or jointly PROVIDED THAT in the event of a division amongst the Trustees the decision of the majority of the Trustees shall be deemed to be given by all of them and be binding on the minority, PROVIDED FURTHER that the minority may if they so wish avail themselves of the provisions of paragraphs 5 and 6 hereof.

b Specific

Without limiting the generality of the foregoing but by way of emphasis and clarification as well to extend the powers of the Trustees it is declared that the Trustees are empowered:

i To buy

To acquire any land or interest in land whether by way of lease purchase exchange or otherwise PROVIDED HOWEVER that no purchase or exchange shall be effected unless they are satisfied that the land so acquired can be vested in the appropriate beneficiaries as Maori freehold land.

- ii To subdivide  
To subdivide the land in any manner permitted by law into such subdivisions or parts as may seem expedient to them.
- iii To improve  
To develop and improve the trust lands and to erect thereon such buildings fences yards and other constructions or erections of whatsoever nature as may seem necessary or desirable.
- iv To employ  
To engage employ and dismiss managers secretaries servants agents workmen solicitors accountants consultants surveyors engineers valuers and other professional advisers required to carry out the powers of the Trustees and to fix their remuneration.
- v To borrow  
To borrow money for the purpose of the furtherance of any of the trusts or powers herein contained whether or not with security over all or any real or personal property of the trust.
- vi To set aside cash reserves  
To accumulate income and to set aside such reserves as the Trustees in their discretion shall think fit for contingencies or for capital expenditure or to meet the cost of any investigation or in giving effect to any proposal as referred to in the immediately preceding subclause and so to retain in an accumulated profit account any portion of the profits which the Trustees think it prudent not to distribute to the beneficial owners.
- vii To lend  
To lend all or any of the money coming into their hands upon any securities in which trust funds may be invested by Trustees in accordance with the Trustee Act 1956 or in accordance with any other statutory authority upon first or second mortgage or contributory mortgage or to lend money through any solicitor's nominee company.
- viii To pay own costs  
From the revenues derived from the operation of the trust to pay all costs expenses and disbursements incurred by them including the costs of any person employed by them in the administration of the trust and of any Advisory Trustees or in the furtherance of any of the objects of the trust.
- 

12 / 2024 / 21

ix To promote title improvement projects

At their discretion to bring and prosecute in the Maori Land Court on behalf of the beneficial owners any applications for amalgamation of titles, aggregation of owners, the inclusion of any further lands in this trust order, the exclusion of any lands from this trust order, the variation of this trust order to increase reduce or otherwise vary the powers hereby given to the Trustees or to bring any other application for orders within the jurisdiction of the Court that might facilitate the operation of the trust AND where appropriate as a matter of priority arrange all necessary surveys and effect registration of the Partition or other orders constituting title to the lands under the trust in the Land Transfer Office.

x To distribute


Subject to their being satisfied that proper provision has been made for reserves as referred to in clause 3 (b) (vi) hereof to distribute to the beneficial owners in accordance with their shares the whole or such part of the net proceeds as the Trustees shall at their sole discretion from time to time determine with power to pay moneys to the Maori Trustee for the purpose of effecting a distribution to the beneficial owners.

xi To permit occupation and enjoyment by the owners

At their discretion to reserve in any lease or licence or otherwise provide for any one or more of the beneficial owners to personally occupy use or otherwise enjoy such defined part or parts of the land as the Trustees shall determine having regard to the comparative shareholdings and if any such right is reserved licensed or otherwise provided for but to one or some only of the beneficial owners then the Trustees will determine the extent to which participation in rentals and profits are to abate for the purposes of receiving the benefit of such reservations licences or provisions or otherwise be adjusted.

xii To make other special provisions for beneficiaries

At their discretion to alienate by way of lease or licence to any beneficial owner or to any blood relative of a beneficial owner at a reduced rent or otherwise upon terms more favourable to the lessee than those obtainable on the open market PROVIDED THAT such proposal has first been approved by the resolution of a meeting of beneficial owners called by the Trustees.



xiii To lease

To lease the whole or any part or parts of the said lands from year to year and for any term of years at such rent and upon such covenants and conditions as the Trustees shall think reasonable and to any person, corporate body and/or Her Majesty the Queen and to accept surrenders of the leases thereof.

xiv To take over existing leases

To assume all the rights duties powers and obligations heretofore held by the lessors under any lease having force or effect of any of the lands or of any part or parts thereof and to assume and to have all the rights duties powers and obligations that may have accrued to the former Trustees of any of the lands the trusts in respect of which have been cancelled on the making of this trust order with power to enter into variations of any such lease and/or to negotiate and accept a surrender of any such lease whether in whole or in part and to obtain and enforce any judgment decision or ruling or to effect any settlement or compromise with regard thereto.

xv To farm


To farm and develop the land themselves with power to appoint farm managers and other persons for that purpose, subject to a majority consent of Trustees.

xvi To represent owners

To prosecute from time to time in the appropriate tribunal such objection to zoning or proposed zoning such application for re-zoning of the said land, such application for specified departure from such zoning and such application for conditional use in any current zoning or otherwise howsoever the Trustees in their absolute discretion may determine, AND to represent the beneficial owners on any negotiations or questions of compensation for lands taken under the Public Works Act or other statutory authority with the Government or any local authority.

xvii To make General Welfare payments

By direction of majority consent of the Trustees and in such manner as they shall determine to apply funds for the maintenance support and development of communal facilities upon or near the land (including Pa and Marae) or communal scheme (including Marae enterprises and cottage industries) or for general welfare matters (including assistance with tangi and tribal hui) where in their opinion such facilities schemes or matters have some direct or indirect connection or association with the beneficial owners or any group thereof.



4 Personal Interest of Trustees

Notwithstanding any general rule of law to the contrary no person shall be disqualified from being appointed or from holding office as a Trustee or as a representative of the trust by reason of his employment as a servant or officer of the trust or by his being interested or concerned in any contract made by the Trustees PROVIDED THAT he shall not vote or take part in the discussion on any matter that directly or indirectly affects his remuneration or the terms of his employment as a servant or officer of the trust or that directly or indirectly affects any contract in which he may be interested or concerned.

5 Protection of Trustees

In any case where any Trustee is of the opinion that any direction determination or resolution of a meeting of the Trustees or general meeting of beneficial owners conflicts or is likely to cause conflict with the terms of this trust or with any rule of law or otherwise to expose it to any personal liability or is otherwise objectionable then, and in reliance upon the effect of the provisions of subsection 2A of section 438 and of paragraph (e) of subsection 1 of section 30 of the Maori Affairs Act 1953 and of section 49 of the Trustee Act 1956 he may apply to the Maori Land Court for directions in the matter PROVIDED HOWEVER that nothing herein shall make it necessary for him to apply to the Court for any such directions.

6 Protection of Minorities


In any case where any Trustee or beneficial owner feels aggrieved by any direction determination or resolution of a meeting of the Trustees or of any action of the Trustees he may either:

- i give to the Trustees notice of his intention to have the matter complained of referred to the beneficial owners and then PROVIDED THAT within 14 days thereafter he is able to file a requisition supporting that notice executed by not fewer than 10 beneficial owners then the Trustees shall fix a time and place and convene a general meeting accordingly in manner hereinafter provided or
- ii give to the Trustees notice of intention to have the matter complained of referred to the Maori Land Court PROVIDED THAT he shall within 14 days thereafter file an application pursuant to paragraph (b) of subsection 3 of section 438 of the Maori Affairs Act 1953 for the variation of this trust order to make particular provision for the matter in dispute and serve a copy thereof upon the Trustees AND upon and following receipt of a notice of intention as aforesaid and for as long as the matter remains unresolved, but then PROVIDED the further particulars are filed within 14 days, and except as may be necessary for the avoidance of an action by any third party affected or as may be directed by a Court on application for injunction, directions or the like, the Trustees shall take no steps or no further steps as the case may be to implement or otherwise give effect to or enable the continuance of the matter complained of.

7 Obligationsa General meetings

- i. The Trustees shall call a general meeting of the beneficial owners within 12 months of the establishment of this trust and then from time to time and at least once every year and a general meeting shall be called by the Trustees upon service of a notice of a requisition in writing signed by not less than 10 beneficial owners stating the purpose for which the meeting is required.
- ii. At general meetings of the beneficial owners and where a vote has become necessary or desirable the matter shall be determined by a show of hands.
- iii. No general meeting shall be deemed to be constituted unless at least 10 beneficial owners are present in person throughout the meeting.
- iv. Proxies  
Any beneficial owner may attend and vote at any meeting of beneficial owners either personally or by proxy appointed to him in writing. A proxy shall be appointed by an instrument of like effect as that for a meeting of owners under Part XXIII of the Maori Affairs Act 1953.
- v. In addition to the grounds upon which Trustees might be removed or appointed as Trustees by the Maori Land Court, it shall be a ground for removal or appointment that an individual was elected or failed to be re-elected as the case may be PROVIDED HOWEVER that the Court shall not be bound to appoint or remove upon that ground.
- vi. At each such general meeting the Trustees shall produce reports and accounts for each year in respect of which they have not earlier presented reports and accounts to a general meeting.

b Reports and Accounts

- i. The Trustees shall cause to be prepared Annual Reports and audited proper accounts of the assets and liabilities and of the income and expenditure for each year ending on the 31st day of March or such annual Balance date as the Trustees may from time to time fix upon and shall file a copy of such report and accounts with the Registrar of the Court within 6 months of the said Balance date.
  - ii. The Trustees shall, for the purposes of fixing the value of the interests of individual beneficial owners, cause to be made annually with the accounts, an "equity valuation" of a single share in the trust and shall affix the same to the accounts produced to the Court.
- 

8 To establish a putea account

- a Upon all or any distribution to beneficial owners the Trustees upon first being authorized by a resolution of the owners passed at a Special or General meeting of the owners may:
- i set a minimum distribution figure (being not more than the sum of \$5) and pay to an account to be known as a putea account the share of any person to receive less than the minimum distribution figure; and in that event the Trustees shall further deduct from the share of all persons entitled to more than the distribution figure an amount equal to the minimum distribution figure or the amount to which they are entitled, whichever is the lesser, and pay the same to the said putea account; and
  - ii pay to the said putea account the shares of those persons for whom the Trustees are not holding a current address or who are deceased or in respect of whom distributions are returned unclaimed.
- b Moneys in the putea account may be invested in any manner in which the Trustees may effect investments by this trust order and the whole or any part of the funds in the putea account may at any time be applied:
- i in the furtherance of any of the objects of this trust or in advancing any of the powers vested in the Trustees;
  - ii to the assistance of elderly or needy beneficial owners or elderly or needy persons who in the opinion of the Trustees are descendant from any beneficial owner;
  - iii to assistance with the tangi expenses of any beneficial owner or any person who in the opinion of the Trustees is descendant from any beneficial owner;
  - iv to the educational advancement of any beneficial owner or of any person who in the opinion of the Trustees is descendant from any beneficial owner or to enable any owner or descendant as aforesaid to follow some form of artistic or cultural pursuit;
  - v to assistance with marae or tribal project where in the opinion of the Trustees there is a sufficient connection between the beneficial owners or any section of them and the particular marae or tribal project.
- c The Trustees may establish a Council of Elders or Whanau Representatives to express a view on the application of any moneys for any of the aforesaid purposes.
- d The Trustees may recover from the putea account if and when sufficient moneys have accrued to it the share that any person would have received had that person's address been known at the time of the distribution or had a succession then been completed, and may make payment (without interest) to the person or persons then entitled upon that person's address being supplied or upon an appropriate succession having been completed.
- A



Pohueroro 2

Maori Land Court **WAIARIKI** District

**PARTICULARS OF TITLE TO LAND**

Name and description of land: Pohueroro No 2  
Nature and date of Court Order: Partition Order 21.11.13  
Area: 1408 7 Ka (3481 Ac:)  
Block and survey district: VII TeKaha e VIII, IX, XII Whangapoua SD  
Number of owners: 230 Approx

Names and shares, minors' ages, and trustees, where not more than 10 owners:  
(Where more than 10 owners, number of owners to be stated.)

- (a) .....
- (b) .....
- (c) .....
- (d) .....
- (e) .....
- (f) .....
- (g) .....
- (h) .....
- (i) .....
- (j) .....

Whether land surveyed: ML 11554 P.R. 147/16

What parent block is last surveyed: -

Survey charges due: NIL

Rate charging orders: NIL

Succession duty due: NIL

Court fees due: NIL

Whether partition orders have gone through to District Land Registrar: 19.6.20 L.T. Ref: Vol. .... Fol. ....

Any former existing Land Transfer Title: -

Alienations completed or pending: -

Where leased, name of lessee, term of lease, date from which lease runs, annual rental, whether right of renewal or to compensation for improvements, and whether any purchasing clause:  
-

Sinking Fund at / / N/A

Whether further applications pending in respect of land (partitions, appeals, exchanges, etc):  
-

Whether incorporated (give date) or subject to provisions of particular part of Maori Affairs Act 1953 and whether for sale or lease:  
Sec 438 Trust Opo 60/342

Whether subject to any restrictions: NIL

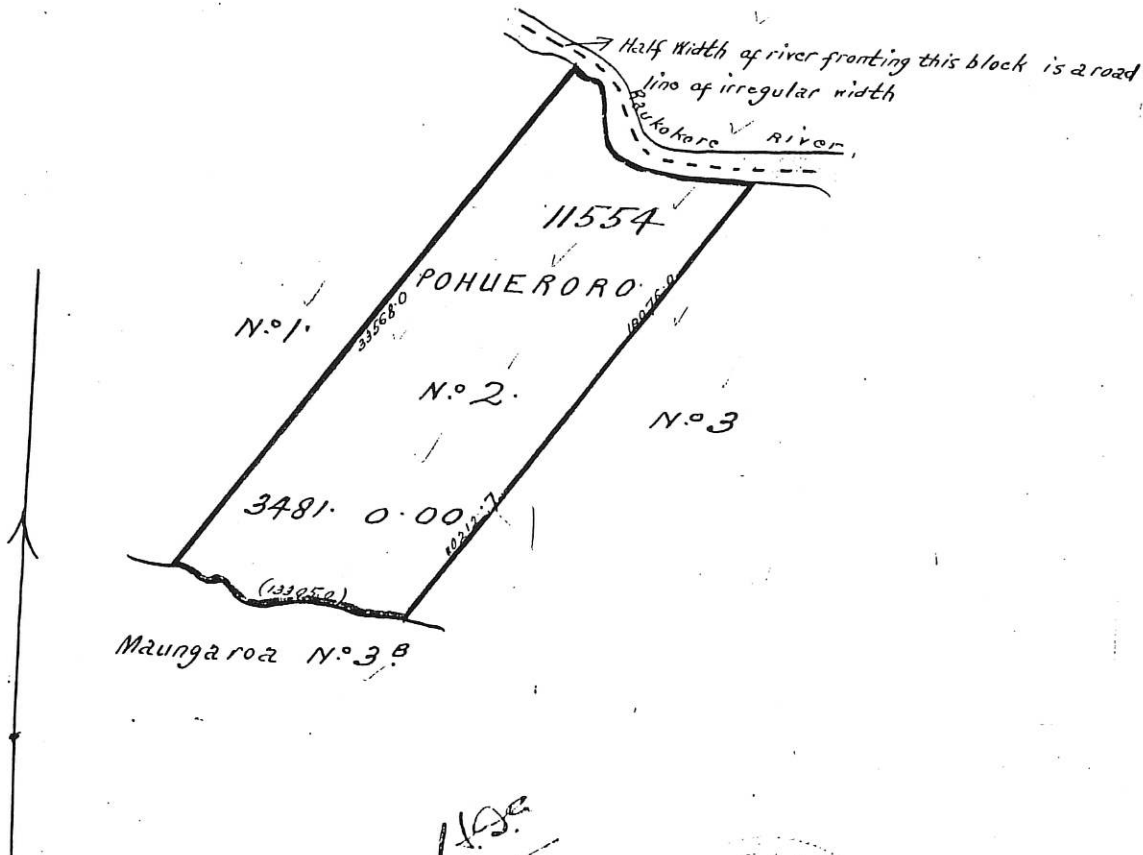
Existing Government valuation: C.V. 95,000 L.V. 95,000 Imp.: - Date: 1.7.86  
(N.B. Does not include timber)

Prepared by	<u>ROD</u>
Checked by	





VII. TE KAHA & VIII. IX. XII. WHANGAPAROA S. D.S.



Scale 80 Chains to an Inch  
 H. M. SKEET Chief Surveyor  
 C. M. Reardon Surveyor  
 B. Knight Draftsman

Pohueroro 3

Maori Land Court WAIARARUA District

**PARTICULARS OF TITLE TO LAND**

Name and description of land: POHUEORORO 3

Nature and date of Court Order: Partition Order 21.11.1913

Area: 789.1370 Ha (1950 Ac)

Block and survey district: VII · IX · XII · XIII WHANGAPAROA S.D. County: OPOTIKI

Number of owners: 144 Approx

Names and shares, minors' ages, and trustees, where not more than 10 owners:  
(Where more than 10 owners, number of owners to be stated.)

- (a) .....
- (b) .....
- (c) .....
- (d) .....
- (e) .....
- (f) .....
- (g) .....
- (h) .....
- (i) .....
- (j) .....

Whether land surveyed: ML 11554 PR. 147/17.

What parent block is last surveyed: -

Survey charges due: NIL

Rate charging orders: NIL

Succession duty due: NIL

Court fees due: NIL

Whether partition orders have gone through to District Land Registrar 19 June 1920 L.T. Ref: Vol. .... Fol. ....

Any former existing Land Transfer Title: NIL

Alienations completed or pending: -

Where leased, name of lessee, term of lease, date from which lease runs, annual rental, whether right of renewal or to compensation for improvements, and whether any purchasing clause:  
-

Sinking Fund at / / N/A

Whether further applications pending in respect of land (partitions, appeals, exchanges, etc):  
NIL

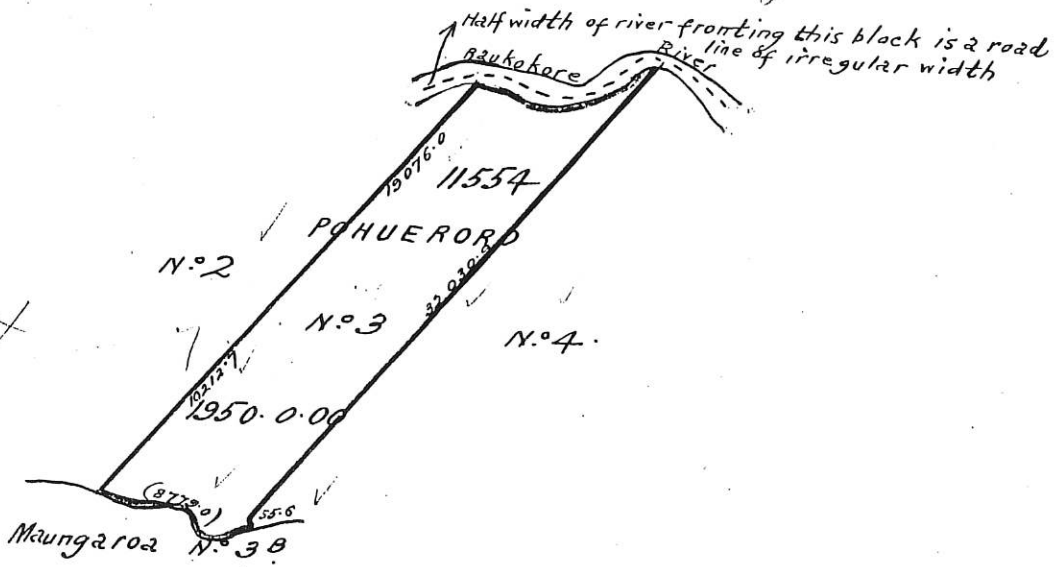
Whether incorporated (give date) or subject to provisions of particular part of Maori Affairs Act 1953 and whether for sale or lease:  
Sec 438 Trust 3.7.84 OPOMBE/343

Whether subject to any restrictions: ↑

Existing Government valuation: C.V. 53,000 L.V. 53,000 Imp.: - Date: 1.7.86  
(Timber not Valued)

Prepared by	<u>[Signature]</u> <u>8/7/88</u>
Checked by	

VIII. IX. XII. XIII. WHANGA PAROA S. D.



142.



Scale ... 80. .... Chains to an Inch	✓
H. M. SKEET Chief Surveyor	✓
C. W. Reardon, ..... Surveyor	✓
B. Knight	man ✓

x d. s. 1/16.

**MEMORIAL SCHEDULE**NAME OF BLOCK: POHUERORO No.3. P/R 147/17

N.B.—The order or title notice should be referred to for search purposes.

Nature of Order or Instrument	Date	Reference
Road Line Order and recommendation that such Road be proclaimed a Public Road	25/10/1917	Rot. Court
O in C exempting Block from Rates	9/3/1931	N.Z.G. 12/3/31. V.19. p.561.
Compromise charge (Rates) outstanding as at <sup>29.3.62</sup>	25/1/1962	Liens List
<i>Consolidated Order issued.</i>	11-7-60	R0.112/366
Roll/Special Valuation:		
Valn Ref: 7660/27 Date: 1/10/76	TNV	
C.V. \$15,800 L.V. \$15,800 I.V. —		
Entered by: <i>RR</i> Checked by <i>RR</i>		
Roll/Special Valuation:		
Valn Ref: 7660/27 Date: 1/10/81		
C.V. \$60,000 L.V. \$60,000 I.V. —		
Entered by: <i>RR</i> Checked by <i>RR</i>		
<i>Order Sec 32 (1) (i) - Determining status to be MAORI LAND</i>	1.12.1983	Rot. MS 204/61-62.
<i>Order Section 438 Vesting In:</i>	3/7/84	Op060/342.
Perenu Callaghan		
Kennard Stirling		
Joseph Phares		
Hone Hiki Waititi		
Edward Callaghan		
Joseph Rua		
Harold Helmbright		
Len Te Moana		
John Nyman		
<i>Order Section 438 (5) Trust Order:</i>	3/7/84	Op060/342.
Roll/Special Valuation: OPOTIKI C.C. (		
Valn Ref: 7660/27 Date: 1/7/86		BULKS VIII, IX, X, XI, XII Whangaparaoa S.D.)
C.V. 53,000 L.V. 53,000 I.V. —		
Entered by: <i>Cl</i> Checked by <i>---</i>		TIMBER NOT VALUED

7.500/8/84 27203 W. PENDING Appln 32007: Sec 438 (3)(b)/53 Dep. Registrar 8.4.88 *RR*

PARTICULARS OF TITLE TO LAND

Name and description of land: POHUERORO No 4

Nature and date of Court Order: Partition Order 21.11.1913

Area: 758.7855 Ha (1875 Acres)

Block and survey district: IX · XII · XIII WHANGAPARA OF SD County: OPOTIKI

Number of owners: 241 approx

Names and shares, minors' ages, and trustees, where not more than 10 owners: (Where more than 10 owners, number of owners to be stated.)

- (a) (b) (c) (d) (e) (f) (g) (h) (i) (j)

Whether land surveyed: ML 11554 PR 147/18

What parent block is last surveyed: -

Survey charges due: -

Rate charging orders: -

Succession duty due: -

Court fees due: -

Whether partition orders have gone through to District Land Registrar 19.6.20 L.T. Ref: Vol. Fol.

Any former existing Land Transfer Title: -

Alienations completed or pending: -

Where leased, name of lessee, term of lease, date from which lease runs, annual rental, whether right of renewal or to compensation for improvements, and whether any purchasing clause:

Sinking Fund at / / N/A

Whether further applications pending in respect of land (partitions, appeals, exchanges, etc):

Whether incorporated (give date) or subject to provisions of particular part of Maori Affairs Act 1953 and whether for sale or lease: Sec 438 Trust 3.7.84

Whether subject to any restrictions: -

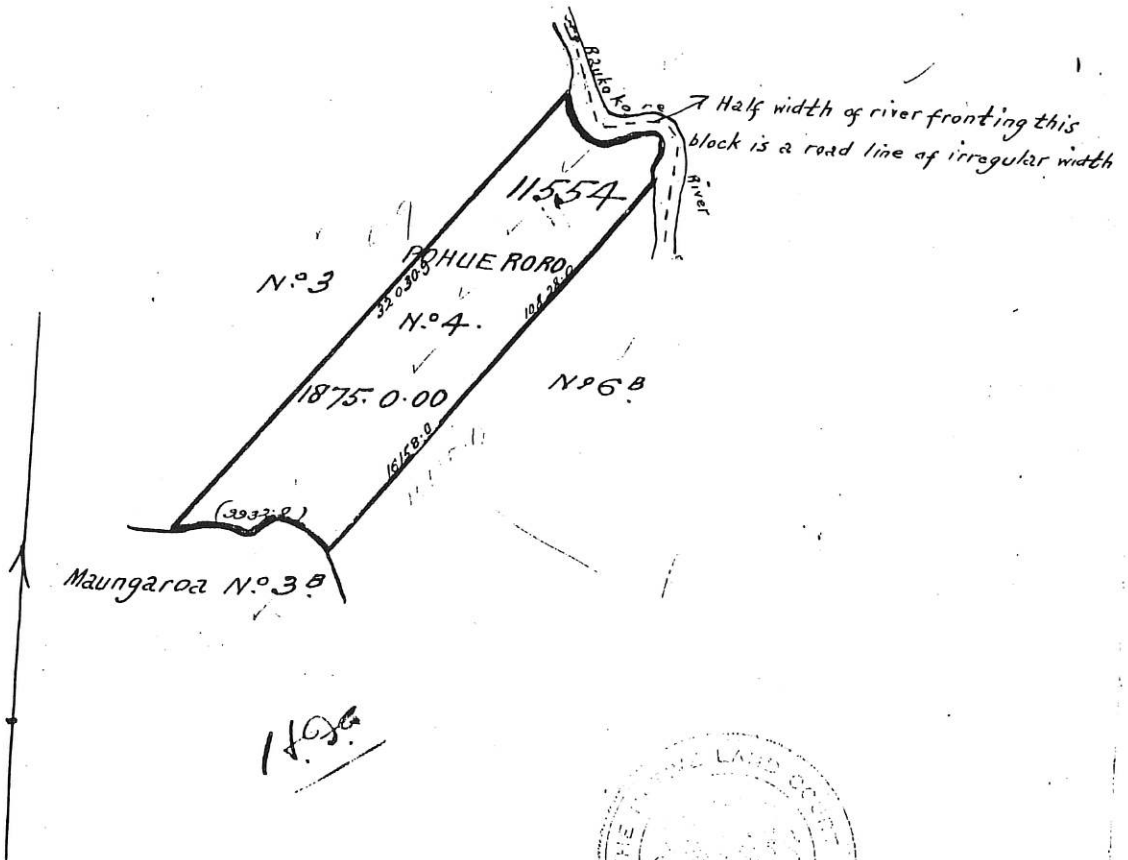
Existing Government valuation: C.V. 36,000 L.V. 36,000 Imp.: -

Date: 1.7.86

Prepared by [Signature] Checked by



IX. XII. XIII. WHANGA PARAOA S. D.



Scale *80* Chains to an Inch  
 H. M. SKEET Chief Surveyor  
 C. W. Reardon Surveyor  
 B. Knight Draftsman

*x 1/2 in.*

# MEMORIAL SCHEDULE

M.A. 172

NAME OF BLOCK: **POHUEORO No. 4.**

P/R 147/18

N.B.—The order or title notice should be referred to for search purposes.

Nature of Order or Instrument	Date	Reference
Road-Line Order and recommendation that such Road be proclaimed a Public Road O in C exempting Block from Rates	25/10/1917	Rot. Court
Compromise charge (Rates) outstanding as at 1/1/1910.	9/3/1931	N. Z. G. 12/3/31. Vol. 19. p. 561.
	25/1/1962	Licence List
<i>Consolidated Order issued</i>	14-7-60	PO 112/865
Roll/Special Valuation: Valn Ref: 7660/28 Date: 1/10/76 C.V. \$15,200 L.V. \$15,200 I.V. — Entered by: <i>LR</i> Checked by <i>[Signature]</i>	TNV	
Roll/Special Valuation: Valn Ref: 7660/28 Date: 1/10/81 C.V. \$40,000 L.V. \$40,000 I.V. — Entered by: <i>LR</i> Checked by <i>[Signature]</i>	TNV	
Order Sec 30(1)(i) - Determining Status to be Māori Land	1.12.1983	201 MB 204/61-62.
Order Section 438 Vesting In:- 1 Perenu Callaghan 2 Kennard Sterling 3 Joseph Phares 4 Hone Hiki Waititi 5 Edward Callaghan 6 Joseph Rua 7 Harold Helmbright 8 Len Te Moana 9 John Nyman	3/7/84	XB Opo 60/342
Order Section 438 (5) Trust Order.	3/7/84	XB Opo 60/342
Roll/Special Valuation: OPOTIKI C.C. (BLKS IX, XII, XIII) Valn Ref: 7660/28 Date: 1/7/86 C.V. 36,000 L.V. 36,000 I.V. — Entered by: <i>A</i> Checked by _____	Whangaparaoa S.D.	TIMBER NOT VALUED NON-RATEABLE Dep. Reg. 8.4.88

7,500/8/60—27203 W Pending Appn 32007 : Sec 43B (2)(b)/53

Maori Land (

ARIKI District

**PARTICULARS OF TITLE**

Name and description of land: POHUEBORO No 5A

Nature and date of Court Order: Partition Order 27.3.1916

Area: 101.4749 Ha (250 AC: 3R: 00p)

Block and survey district: BLK XIII WHANGAPARA OA SD County: OPOTIKI

Number of owners: 20 approx

Names and shares, minors' ages, and trustees, where not more than 10 owners:  
(Where more than 10 owners, number of owners to be stated.)

- (a) .....
- (b) .....
- (c) .....
- (d) .....
- (e) .....
- (f) .....
- (g) .....
- (h) .....
- (i) .....
- (j) .....

Whether land surveyed: ML 11774

What parent block is last surveyed: -

Survey charges due: NIL

Rate charging orders: NIL

Succession duty due: NIL

Court fees due: NIL

Whether partition orders have gone through to District Land Registrar - L.T. Ref: Vol. .... Fol. ....

Any former existing Land Transfer Title: -

Alienations completed or pending: -

Where leased, name of lessee, term of lease, date from which lease runs, annual rental, whether right of renewal or to compensation for improvements, and whether any purchasing clause:  
-

.....


Sinking Fund at / / NIL

Whether further applications pending in respect of land (partitions, appeals, exchanges, etc):  
-

Whether incorporated (give date) or subject to provisions of particular part of Maori Affairs Act 1953 and whether for sale or lease:  
Sec 438 Trust 3.7.84

Whether subject to any restrictions: -

Existing Government valuation: C.V. 3,500 L.V. 3,500 Imp.: - Date: 1.7.86  
Timber not valued.

Prepared by	
Checked by	

XIII. WHANGAPARAOA S.D.



11774

POHUE RORO

N:5A

N:6A

N:5B

0.1277  
0.1277

250 . 3 . 00

1400.0

Te Kumi N:1.

Scale	20	Chains to an Inch	✓
Checked	H. M. SKEET	Chief Surveyor	✓
Compiled	B. Knight	Draftsman	✓

**MEMORIAL SCHEDULE**NAME OF BLOCK: POHUERORO No. 5A.

N.B.—The order or title notice should be referred to for search purposes.

Nature of Order or Instrument	Date	Reference
Road-Line Order and recommendation that such Road be proclaimed a Public Road	25/10/1917	Rot. Court
Charging Order for Cost of Survey	27/11/1920	Opo. Court
<i>J.P.</i> Compromise charge (Lien & Rates) <i>\$20.40c.</i> outstanding as at	25/1/1962	Liens List
<u>Roll/Special Valuation:</u>		
Valn Ref: 7660/29 Date: 1/10/76		
C.V. \$2,000 L.V. \$2,000 I.V. —		
Entered by: <i>LR</i> Checked by <i>J.H.A.</i>		
<u>Roll/Special Valuation:</u>		
Valn Ref: 7660/29 Date: 1/10/81		
C.V. \$3,000 L.V. \$3,000 I.V. —		
Entered by: <i>LR</i> Checked by <i>J.H.A.</i>		
<u>Order Section 438 Vesting In:</u>	3/7/84 <i>LB</i>	Opo 60/342
Perenu Callaghan		
Kennard Stirling		
Joseph Phares		
Hone Hiki Waititi		
Edward Callaghan		
Joseph Rua		
Harold Helmbright		
Len Te Moana		
John Nyman		
<u>Order Sec 438 (5) Trust Order.</u>	3/7/84 <i>LB</i>	Opo 60/342
<u>Roll/Special Valuation: OROHAKI C.C. (BLK XIII, Whangaparaoa S.D.)</u>		
Valn Ref: 7660/29 Date: 1/7/50		
C.V. 3,500 L.V. 3,500 I.V. —		
Entered by: <i>J.P.</i> Checked by —	Timber Not Valued	
Pending Appn 32007 Sec 438(3)(b)/53 Dep. Reg 8.4.88 <i>RB</i>		

WAIARIKI District

PARTICULARS OF LAND

Name and description of land: POHUERORO 5B
Nature and date of Court Order: Partition Order 27.3.1916
Area: 476.0114 Ha (1176 Ac: 1 R: 00p)
Block and survey district: XIII Whangaparapa S.D County: Opotiki
Number of owners: 25 approx

Names and shares, minors' ages, and trustees, where not more than 10 owners:
(Where more than 10 owners, number of owners to be stated.)

- (a)
(b)
(c)
(d)
(e)
(f)
(g)
(h)
(i)
(j)

Whether land surveyed: ML 11774
What parent block is last surveyed: - (Sketch only)
Survey charges due: NIL
Rate charging orders: NIL
Succession duty due: NIL
Court fees due: NIL

Whether partition orders have gone through to District Land Registrar L.T. Ref: Vol. Fol.

Any former existing Land Transfer Title: -

Alienations completed or pending: -

Where leased, name of lessee, term of lease, date from which lease runs, annual rental, whether right of renewal or to compensation for improvements, and whether any purchasing clause:

Sinking Fund at / / N/A

Whether further applications pending in respect of land (partitions, appeals, exchanges, etc):

Whether incorporated (give date) or subject to provisions of particular part of Maori Affairs Act 1953 and whether for sale or lease:

Sec 438 Trust 3.7.84

Whether subject to any restrictions: -

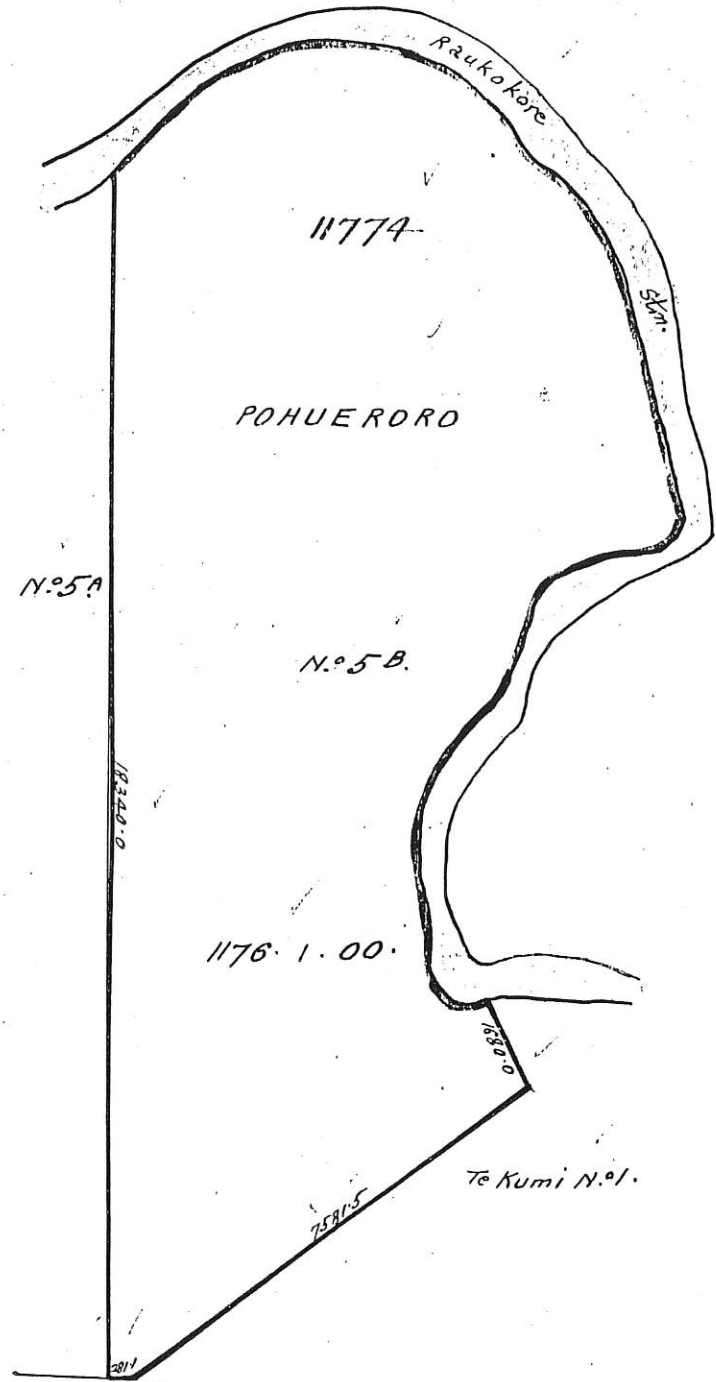
Existing Government valuation: C.V. 16,000 L.V. 16,000 Imp.: - Date: 1.7.86

(timber not valued)

Table with 2 columns: Prepared by, Checked by. Prepared by contains signature.



XIII, XIV WHANGA PARAOA S.D.



Scale ... 20 ... Chains to an Inch  
H. M. SKEET Chief Surveyor  
Compiled:  
B. Knight Draftsman



Pohueroro 6A

Maori Land Court **WAIARIKI** District

**PART 1 OF TITLE TO LAND**

Name and description of land: POHUEBORO 6A

Nature and date of Court Order: Partition Orders 14.4.1915

Area: 690.7983 Ha (1707 Ac:)

Block and survey district: XIII Whangaparaoa SD County: Opotiki

Number of owners: 36 Approx.

Names and shares, minors' ages, and trustees, where not more than 10 owners:  
(Where more than 10 owners, number of owners to be stated.)

- (a) .....
- (b) .....
- (c) .....
- (d) .....
- (e) .....
- (f) .....
- (g) .....
- (h) .....
- (i) .....
- (j) .....

Whether land surveyed: Yes ML 11554

What parent block is last surveyed: ---

Survey charges due: NIL

Rate charging orders: NIL

Succession duty due: NIL

Court fees due: NIL

Whether partition orders have gone through to District Land Registrar --- L.T. Ref: Vol. .... Fol. ....

Any former existing Land Transfer Title: ---

Alienations completed or pending: ---

Where leased, name of lessee, term of lease, date from which lease runs, annual rental, whether right of renewal or to compensation for improvements, and whether any purchasing clause:  
---

Sinking Fund at / / N/A

Whether further applications pending in respect of land (partitions, appeals, exchanges, etc):  
---

Whether incorporated (give date) or subject to provisions of particular part of Maori Affairs Act 1953 and whether for sale or lease:  
Sec 438 Trust 3.7.84

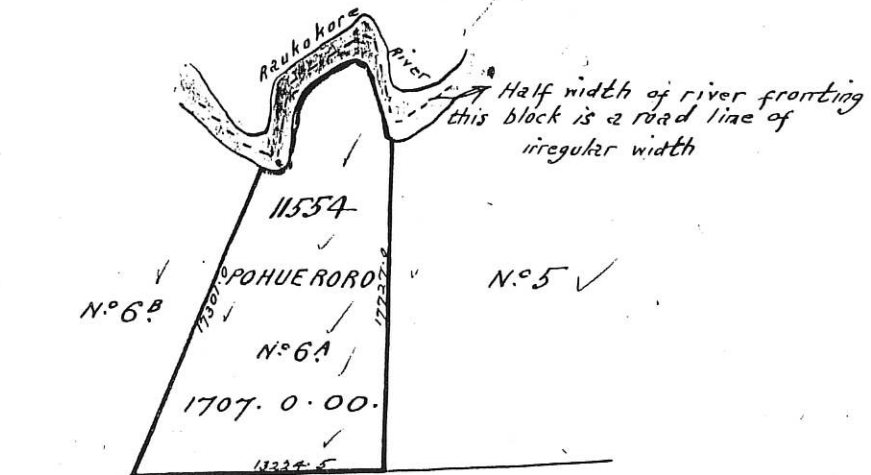
Whether subject to any restrictions: ---

Existing Government valuation: C.V. 23,000 L.V. 23,000 Imp.: --- Date: 1.7.86

Prepared by	<u>[Signature]</u>
Checked by	



XIII. WHANGAPAROA S. D.



Te Kumi N° 1.

*1856*



Scale	80	Chains to an Inch	✓
H. M. SKEET	Chief Surveyor		✓
C. W. Reardon	Surveyor		✓
B. Knight	Draftsman		✓

Maori Land Court WAIARIKI District

**STATUTES OF TITLE TO LAND**

Name and description of land: POHUERORO 6B

Nature and date of Court Order: Partition Order 14.4.1915

Area: 600.9581 Ha (14.85 Ac)

Block and survey district: IX: XIII Whangaparaoa SD County: Opotiki

Number of owners: 55 Approx

Names and shares, minors' ages, and trustees, where not more than 10 owners:  
(Where more than 10 owners, number of owners to be stated.)

- (a) .....
- (b) .....
- (c) .....
- (d) .....
- (e) .....
- (f) .....
- (g) .....
- (h) .....
- (i) .....
- (j) .....

Whether land surveyed: ML 11554 PR 151/53

What parent block is last surveyed: -

Survey charges due: NIL

Rate charging orders: NIL

Succession duty due: NIL

Court fees due: NIL

Whether partition orders have gone through to District Land Registrar 26.11.20 L.T. Ref: Vol. - Fol. -

Any former existing Land Transfer Title: -

Alienations completed or pending: -

Where leased, name of lessee, term of lease, date from which lease runs, annual rental, whether right of renewal or to compensation for improvements, and whether any purchasing clause:  
-

Sinking Fund at / / NIL

Whether further applications pending in respect of land (partitions, appeals, exchanges, etc):  
-

Whether incorporated (give date) or subject to provisions of particular part of Maori Affairs Act 1953 and whether for sale or lease:  
Sec 438 Trust 3.7.84

Whether subject to any restrictions: -

Existing Government valuation: C.V. 20,000 L.V. 20,000 Imp.: - Date: 1.7.86

Prepared by	<u>R.M. O'Connell</u>
Checked by	

# MEMORIAL SCHEDULE

NAME OF BLOCK: **POHUEBORO No. 6B.**

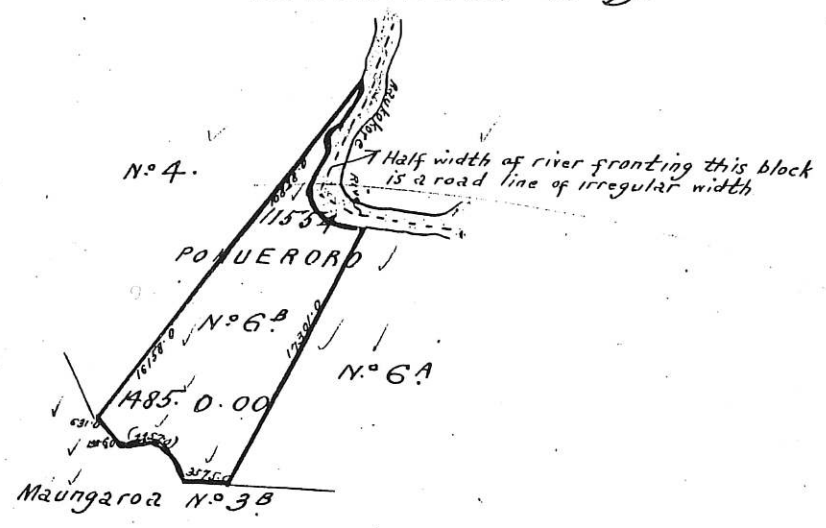
P/R 151/53

N.B.—The order or title notice should be referred to for search purposes.

Nature of Order or Instrument	Date	Reference
Road-Line Order and recommendation that such Road be proclaimed a Public Road	25/10/1917	Rot. Court
O in C exempting Block from Rates	9/3/1931	N.Z.G. 12/3/31. Vol. 19. p. 561.
<del>Compromise charge (Rates) outstanding as at 1/1/90.</del>	<del>25/1/1962</del>	<del>Liens List</del>
<i>Consolidated Order issued</i>	<i>14-7-60</i>	<i>R0 112/365</i>
Roll/Special Valuation:		
Valn Ref: 7660/32 Date: 1/10/76		
C.V. \$12,000 L.V. \$12,000 I.V. —		
Entered by: <i>LR</i> Checked by: <i>LR</i>		
Roll/Special Valuation:		
Valn Ref: 7660/32 Date: 1/10/81		
C.V. \$18,000 L.V. \$18,000 I.V. —		
Entered by: <i>LR</i> Checked by: <i>CM</i>		
order sec 30(1)(i) - Determining status to be <u>MARSH LAND</u>		
	1.12.1983	Rot MS 204/61-62.
Order section 438 Vesting In:	3/7/84	Op060/349
Perenu Callaghan		
Kennard Sterling		
Joseph Phares		
Hone Hiki Waititi		
Edward Callaghan		
Joseph Rua		
Harold Helmbright		
Len Te Moana		
John Nyman		
Order section 438(s) Trust Order	3/7/84	Op060/342
Roll/Special Valuation: Opoiki C.C. (Blks IX, XIII. Whangaparaoa S.D.)		
Valn Ref 7660/32 Date: 1/7/86		
C.V. 20,000 L.V. 20,000 I.V. —		
Entered by: <i>LR</i> Checked by: <i>LR</i>		
		TIMBER NOT VALUED
		NON-RATEABLE

7,500/0/80-27205 W Pending Appn 32,007: Sec 438(3)(b)/53: Dep Reg: 8.4.88 *LR*

IX. XIII. WHANGAPAROA S. D.



Scale 80 Chains to an Inch ✓  
**H. M. SKEET** Chief Surveyor ✓  
*G. W. Asaeden* Surveyor ✓  
*B. Knight* Draftaman ✓

Te Waiti 1

Maori Land Court WAIARIKI District

**PARTICULARS OF TITLE TO LAND**

Name and description of land: TE WAITI No 1

Nature and date of Court Order: PARTITION ORDER 19.11.13

Area: 387.2841 Ha (957 Ac.)

Block and survey district: III Te Kaha SD e VIII Whangaparaoa SP O.POTIKI

Number of owners: 328 Approx

Names and shares, minors' ages, and trustees, where not more than 10 owners:  
(Where more than 10 owners, number of owners to be stated.)

- (a) .....
- (b) .....
- (c) .....
- (d) .....
- (e) .....
- (f) .....
- (g) .....
- (h) .....
- (i) .....
- (j) .....

Whether land surveyed: ML 10953 PR 135/25 AK.

What parent block is last surveyed: N/A

Survey charges due: NIL

Rate charging orders: NIL

Succession duty due: NIL

Court fees due: NIL

Whether partition orders have gone through to District Land Registrar 17.9.19 L.T. Ref: Vol. .... Fol. ....

Any former existing Land Transfer Title: -

Alienations completed or pending: -

Where leased, name of lessee, term of lease, date from which lease runs, annual rental, whether right of renewal or to compensation for improvements, and whether any purchasing clause:

No.

Sinking Fund at / / N/A

Whether further applications pending in respect of land (partitions, appeals, exchanges, etc):

Whether incorporated (give date) or subject to provisions of particular part of Maori Affairs Act 1953 and whether for sale or lease:  
Sec 438 Trust 3.7.84

Whether subject to any restrictions:

Existing Government valuation: C.V. 26,000 L.V. 26,000 Imp.: - Date: 1.7.86

Prepared by	<u>[Signature]</u>
Checked by	

MEMORIAL SCHEDULE

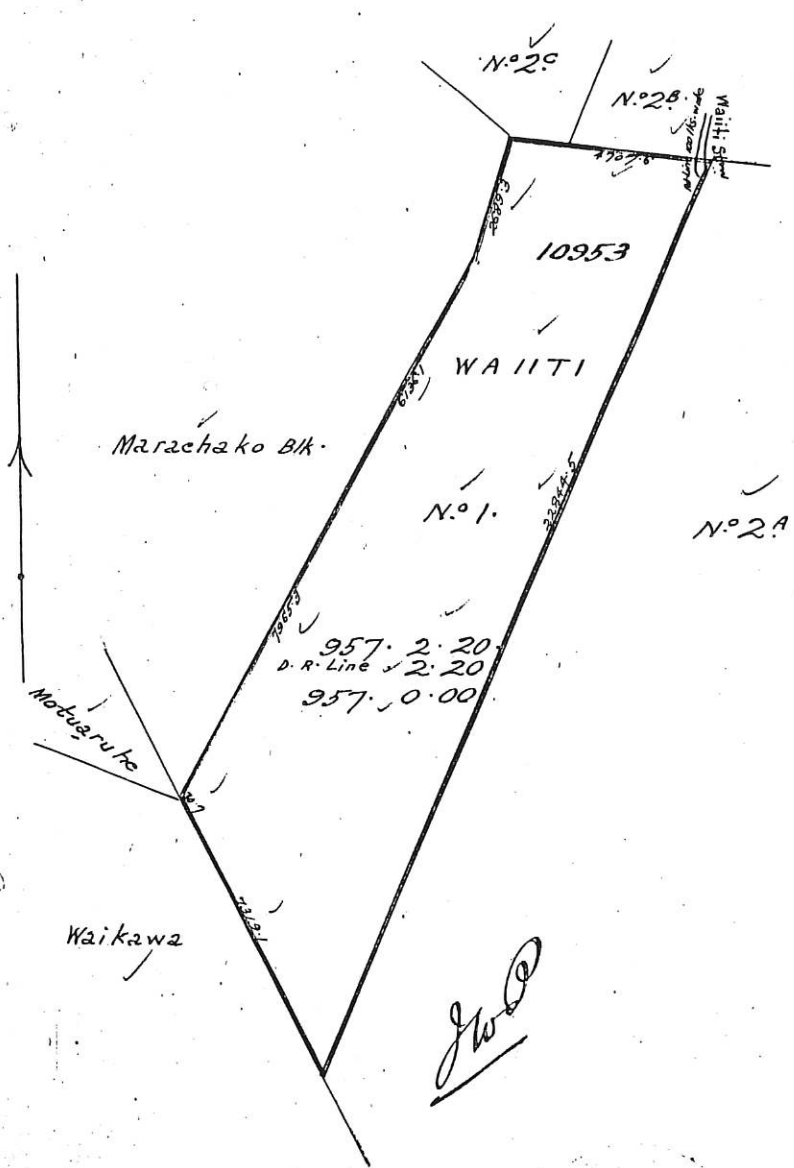
NAME OF BLOCK: T E W A I T I No. 1. P/R 135/25 AK

N.B. The order or title notice should be referred to for search purposes

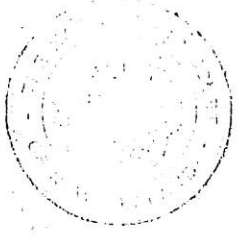
Nature of Order or Instrument	Date	Checked by	Reference
Rate-Charging-Order & Receiver appointed	26/11/57	[Signature]	Opo.M/B. 35/15
Consolidated order issued	8.3.78	[Signature]	Rot 164/44
Roll/Special Valuation:			
Valn Ref: 7660/36 Date: 11/10/76			
C.V. \$ 7800 L.V. \$ 7800 I.V. —			
Entered by: [Signature] Checked by: [Signature]			
Roll/Special Valuation:			
Valn Ref: 7660/36 Date: 11/10/81			
C.V. \$ 30,000 L.V. \$ 30,000 I.V. —			
Entered by: [Signature] Checked by: [Signature]			
Order sec 30 (1)(i) - Determining			
Status to be MAORI LAND	1.12.83	[Signature]	Rot MB 204/69-70
Order Section 438 Vesting In:	3/7/84	[Signature]	Opo 60/342
<ul style="list-style-type: none"> <li>✓ Perenu Callaghan 19 Mountain Rd Rotoma</li> <li>✓ Kennard Sterling 129 Bridge St Opoiki</li> <li>✓ Joseph Phares P.O. 19 Opoiki</li> <li>✓ Hone Hiki Waititi Private bag 80 Opoiki</li> <li>Edward Callaghan</li> <li>✓ Joseph Rua Private bag 65 Opoiki</li> <li>✓ Harold Helmbright 203 Kutarua</li> <li>✓ Len Te Moana P.O. Waikare Bay</li> <li>John Nymann</li> </ul>			
Order Section 438 (5) Just Order.	3/7/84	[Signature]	Opo 60/342
Roll/Special Valuation: Opoiki (Blk III Te Kaha S.D. + Blk VII, Whanga Parua S.D.)			
Valn Ref: 7660/36 Date: 1/7/1986			
C.V. \$26,000 L.V. \$26,000 I.V. —			
Entered by: [Signature] Checked by: [Signature]			
Pending Appn No 32,007; Sec 438 (3) (b) /53 Dep Reg. 8.4.88 [Signature]			



III TEKAHA & VIII WHANGAPARA OA S. DS



Scale 30 chs to an inch  
H. M. SKELI  
G. A. Hathaway  
B. Knight



Te Waiti 2A

Maori Land Court **WAIARIKI** District

**PARTICULARS OF TITLE TO LAND**

Name and description of land: TE WAITI No 2A

Nature and date of Court Order: Partition Order 23.4.1915

Area: 406.1020 Ha (1003 AC: 2 R: 00p)

Block and survey district: III: VII Te Kaha S.D. e VIII: XII Whangaparaoa S.D. County: O.POTIKI

Number of owners: 152 Approx

Names and shares, minors' ages, and trustees, where not more than 10 owners:  
(Where more than 10 owners, number of owners to be stated.)

- (a) .....
- (b) .....
- (c) .....
- (d) .....
- (e) .....
- (f) .....
- (g) .....
- (h) .....
- (i) .....
- (j) .....

Whether land surveyed: PR 135/24

What parent block is last surveyed: -

Survey charges due: NIL

Rate charging orders: NIL

Succession duty due: NIL

Court fees due: NIL

Whether partition orders have gone through to District Land Registrar: 17.9.1919 L.T. Ref: Vol. .... Fol. ....

Any former existing Land Transfer Title: -

Alienations completed or pending: -

Where leased, name of lessee, term of lease, date from which lease runs, annual rental, whether right of renewal or to compensation for improvements, and whether any purchasing clause:  
.....  
.....

Sinking Fund at / / N/A

Whether further applications pending in respect of land (partitions, appeals, exchanges, etc):  
.....

Whether incorporated (give date) or subject to provisions of particular part of Maori Affairs Act 1953 and whether for sale or lease:  
Sec 438 Trust 3.7.84

Whether subject to any restrictions: -

Existing Government valuation: C.V. 27,000 L.V. 27,000 Imp.: - Date: 1.7.86

Prepared by	<u>[Signature]</u>
Checked by	

No. 421  
M.L.C. 801

MEMORIAL SCHEDULE

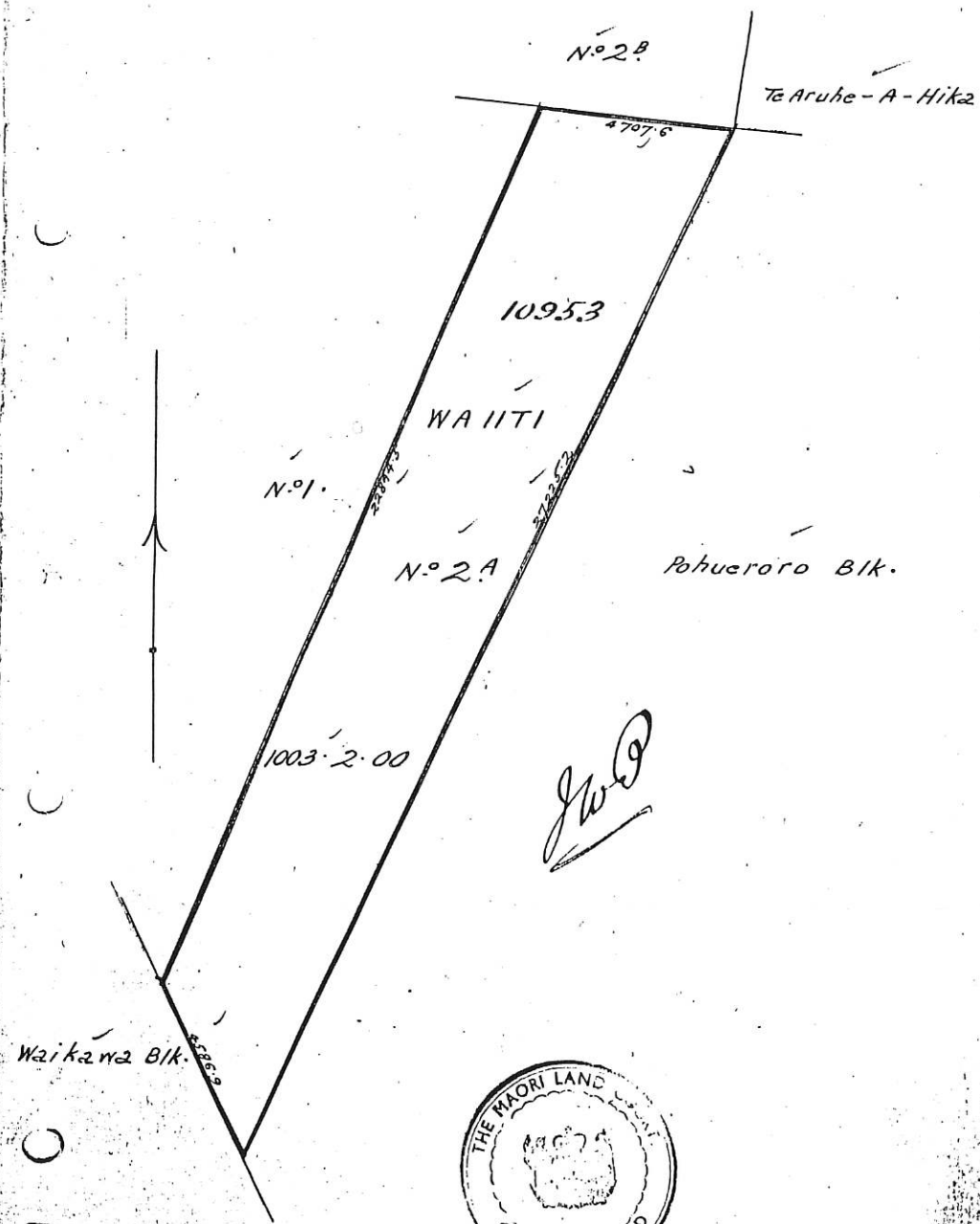
NAME OF BLOCK: T E W A I T I No. 2A.

P/R 135/24 AK.

N.B. The order or title notice should be referred to for search purposes

Nature of Order or Instrument	Date	Checked by	Reference
Exempted from Rates	7/8/58	<i>[Signature]</i>	N. Z. G. No. 48. p. 1028.
Roll/Special Valuation:			
Valn Ref: 7660/37 Date: 1/10/76			
C.V. \$ 8000 L.V. \$ 8,000 I.V. —	TNV		
Entered by: <i>dk</i> Checked by: <i>[Signature]</i>			
Roll/Special Valuation:			
Valn Ref: 7660/37 Date: 1/10/81			
C.V. \$ 32,000 L.V. \$ 32,000 I.V. —			
Entered by: <i>RL</i> Checked by: <i>[Signature]</i>			
Order Sec 30(1)(i) - Determining Status to be <u>MAORI LAND</u>	1.12.83	<i>[Signature]</i>	Ret mB 204/69-70
Order Section 438 Vesting In:	3/7/84	<i>[Signature]</i>	Op060/342
Perenu Callaghan			
Kennard Stirling			
Joseph Phares			
Hone Hiki Waititi			
Edward Callaghan			
Joseph Rua			
Harold Helmbright			
Len Te Moana			
John Nyman			
Order Section 438(5) Trust Order	3/7/84	<i>[Signature]</i>	Op060/342
Roll/Special Valuation: Opatiki (Blks III & V, II Te Kaha S.O. & Blks VII, XII Whangaparua S.O.)			
Valn Ref: 7660/37 Date: 1/7/86			
C.V. \$ 21,000 L.V. \$ 21,000 I.V. —			
Entered by: <i>Ad</i> Checked by: <i>[Signature]</i>			
Pending Appn No 32007: Sec 438(3)(b)/53: Dep. Reg	8.4.88	<i>[Signature]</i>	

III-TEKAHA & VIII-WHANGAPARA OA S.D.S



Scale ..... 30 ..... Chains to an Inch  
H. M. SKEET Chief Surveyor  
G. A. HATHAWAY Surveyor  
A. K. ...

APPLICATION FOR AN ORDER TO VARY TERMS OF TRUST

The Maori Affairs Act 1953, section 438 (3) (b)

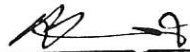
In the Maori Land Court  
of New Zealand  
Waiariki District

IN THE MATTER of the land/s known as  
*Pohueroro 2.3 4 5A, 5B, 6A & 6B*  
*and Te Waiti 1 & 2A.*

APPLICATION is hereby made in terms of section 438 of the Maori Affairs Act 1953 for an order varying the terms of Trust created by an order of the Maori Land Court dated 19 October 1981 by substituting a new Trust order being the current wide powers Trust order for the Waiariki Maori Land Court district UPON THE GROUNDS that it is proper the order be varied.

This application is made by Peter Roy Hunt, Deputy Registrar, whose address for service is the Maori Land Court, Government Buildings, Haupapa Street, Rotorua.

Signed

 \_\_\_\_\_

At Rotorua this 30th day of MARCH 1988

APPLICATION FOR AN ORDER TO VARY TERMS OF TRUST

The Maori Affairs Act 1953, section 438 (3) (b)

In the Maori Land Court  
of New Zealand  
Waiariki District

IN THE MATTER of the land/s known as  
*Pohueroro 2.3.4 5A, 5B, 6A & 6B*  
*and Te Waiti 1 & 2A.*

APPLICATION is hereby made in terms of section 438 of the Maori Affairs Act 1953 for an order varying the terms of Trust created by an order of the Maori Land Court dated 19 October 1981 by substituting a new Trust order being the current wide powers Trust order for the Waiariki Maori Land Court district UPON THE GROUNDS that it is proper the order be varied.

This application is made by Peter Roy Hunt, Deputy Registrar, whose address for service is the Maori Land Court, Government Buildings, Haupapa Street, Rotorua.

Signed

 \_\_\_\_\_

At Rotorua this 30th day of MARCH 1988

79 Mountain Road  
ROTORUA

4th February 1987

The Registrar  
Waiariki Maori Land Court  
Private Bag  
ROTORUA

Dear Sir

YOUR REF: OPOTIKI M.B. 60/342  
POHUERORO NO.2 AND OTHER BLOCKS

At a sitting of the Maori Land Court on 3rd July 1984 I and eight other people were appointed by the Court as investigatory trustees to look into the future use of the blocks in question and report back within a certain period.

On the day the trustees were appointed by the people, the trust appointed Hone Hiki Waititi as chairperson and Harold Helmbright as secretary.

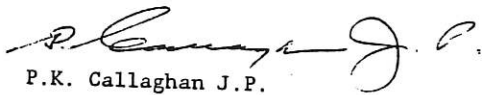
Since that date of some three and a half years ago, the trust have not met once, although I myself and other trustees have pursued the matter with our chairperson and secretary.

I myself would like to see the areas in question made a Maori Reservation to protect them, together with the Raukokore River of which one half is legal access to the properties.


Unfortunately I feel we have breached the trust by not meeting and reporting back to the owners in the time specified and would support any movement by the Court in cancelling the trust thereto, so another meeting could be called looking at the question of a Maori Reserve, and appointing new trustees.

I would appreciate your consideration of the matter.

Yours faithfully

  
P.K. Callaghan J.P.

Mr Hunt D/R -

Probably were to review  
now -  9/2/87

APPLICATION 28493 by the Deputy Registrar pursuant to Section 438 of the Maori Affairs Act 1953 to vest Pohueroro 2, 3, 4, 5A, 5B, 6A, 6B, and Te Waiti 1 and 2A in nine investigatory trustees.

Mr Hunt for Deputy Registrar

I appear in support and give a background history of the application.

A schedule showing the title details of each block is attached to the application.

The Title Improvement Section were approached by Harold Helmbright to call a meeting of owners to consider vesting the blocks in trustees.

A meeting of owners was held on Monday 28 May 1984 at Maruohinemaka Marae, Raukokore, and those owners present passed a resolution to have the blocks vested in nine investigatory trustees. As a result of the meeting, the Deputy Registrar lodged this application on 8 June 1984 to have these blocks vested in investigatory trustees under Section 438 of the Maori Affairs Act 1953.

The application was set down for hearing at 11.30 a.m. on Tuesday 3 July 1984 at Tukaki Marae, Te Kaha.

A notice was sent to the proposed trustees on 18 June 1984 advising them of the purpose of the application and also the time, date and place of hearing.

The application seeks to vest the above blocks in the following persons as investigatory trustees under Section 438 of the Maori Affairs Act 1953:

Perenu Callaghan, Maori Liaison Officer, 79 Mountain Rd, Rotorua  
 Kennard Stirling, Coach Driver, 129 Bridge Street, Opotiki  
 Joseph Phares, Farmer, P O Box 19, Opotiki  
 John Waititi, Retired Farmer, Private Bag 82, Opotiki  
 Edward Callaghan, Retired, Private Bag 30, Opotiki  
 Joseph Rua, Farm Manager, Private Bag 65, Opotiki  
 Harold Helmbright, Farmer, R D 3, Kutarere  
 Len Te Moana, Fisherman, Private Bag 25, Opotiki  
 John Nyman, Horticulturist, Post Office, Waihou Bay

to investigate the future utilisation of the above lands and report back to the owners within 12 months of the date of hearing with their findings and with power to alienate the lands for a period of not more than 12 months.



SCHEDULE

- Pohueroro 2  
 Area: 3481 acres only or 1408.7107 ha  
 Valuation: CV \$112000 LV \$112000 IV -  
 at 1.10.81  
 No of Owners: 194  
 General: Exempt from Rates.
- Pohueroro 3  
 Area: 1950 acres (789.1370 ha)  
 Valuation: CV \$60,000 LV \$60,000 IV -  
 at 1.10.81  
 No of owners: 110  
 General: Exempt from Rates.
- Pohueroro 4  
 Area: 1875 acres (758.7855 ha)  
 Valuation: CV \$40,000 LV \$40,000 IV -  
 at 1.10.81  
 No of owners: 209  
 General: Exempt from Rates.
- Pohueroro 5A  
 Area: 250a : 3r : 00p (101.4749 ha)  
 Valuation: CV \$3,000 LV \$3,000 IV -  
 at 1.10.81  
 No of owners: 7  
 General: Nil.
- Pohueroro 5B  
 Area: 1176a : 1r : 00p (476.0114 ha)  
 Valuation: CV \$14,000 LV \$14,000 IV -  
 at 1.10.81  
 No of owners: 21  
 General: Nil.
- Pohueroro 6A  
 Area: 1707 acres (690.7983 ha)  
 Valuation: CV \$20,500 LV \$20,500 IV -  
 at 1.10.81  
 No of owners: 35  
 General: Nil.
- Pohueroro 6B  
 Area: 1485 acres (600.9581 ha)  
 Valuation: CV \$18,000 LV \$18,000 IV -  
 at 1.10.81  
 No of owners: 38  
 General: Exempt from Rates.
- Te Waiti 1  
 Area: 957 acres (387.2841 ha)  
 Valuation: CV \$30,000 LV \$30,000 IV -  
 at 1.10.81  
 No of owners: 298  
 General: Nil.
- Te Waiti 2A  
 Area: 1003a : 2r : 00p (406.1020 ha)  
 Valuation: CV \$32,000 LV \$32,000 IV -  
 at 1.10.81  
 No of owners: 131  
 General: Exempt from Rates.

Teleg. Address: MAORIFAIRS



Our reference: 45/640

Your reference:

MAORI LAND COURT  
WAIARIKI DISTRICT

Government Buildings  
Arawa Street  
Telephone: 82 189

Private Bag,  
ROTORUA.

18 June 1984

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear Sir/Madam

POHUERORO 2, 3, 4, 5A, 5B, 6A, 6B AND TE WAITI 1 AND 2A

You are a proposed trustee for the above blocks.

Please note that the Registrar has lodged an application under section 138/53 to have the above blocks vested in yourself and eight others as investigatory trustees.

This application has been set down for hearing by the Maori Land Court at:

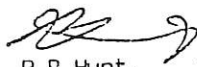
TIME: 11.30 a.m.  
DATE: Tuesday 3 July 1984  
VENUE: Tukaki Marae, Te Kaha

The terms of trust are to investigate the future utilisation of the above lands and report your findings to the owners within 12 months of the date of hearing and include the power to alienate the lands for a period of not more than 12 months.

The application arose as the result of a meeting of owners held at Maruohinemaka Marae, Raukokore, on Monday 28 May 1984.

If you are unable to attend the Court please advise me whether or not you are in agreement with the terms of trust and whether you are willing to act as an investigatory trustee.

Yours faithfully

  
P R Hunt  
for Registrar

5-8.  
Telegraphic Address: MAORIFAIRS



Our reference: 45/640

Your reference:

MAORI LAND COURT  
WAIARIKI DISTRICT

Government Buildings  
Arawa Street  
Telephone: 82 189

Private Bag,  
ROTORUA.

18 June 1984

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear Sir/Madam

POHUERORO 2, 3, 4, 5A, 5B, 6A, 6B AND TE WAITI 1 AND 2A

You are a proposed trustee for the above blocks.

Please note that the Registrar has lodged an application under section 438/53 to have the above blocks vested in yourself and eight others as investigatory trustees.

This application has been set down for hearing by the Maori Land Court at:

TIME: 11.30 a.m.  
DATE: Tuesday 3 July 1984  
VENUE: Tukaki Marae, Te Kaha

The terms of trust are to investigate the future utilisation of the above lands and report your findings to the owners within 12 months of the date of hearing and include the power to alienate the lands for a period of not more than 12 months.

The application arose as the result of a meeting of owners held at Maruohinemaka Marae, Raukokore, on Monday 28 May 1984.

If you are unable to attend the Court please advise me whether or not you are in agreement with the terms of trust and whether you are willing to act as an investigatory trustee.

Yours faithfully

  
P R Hunt  
for Registrar

57.

APPLICATION TO VEST LAND IN TRUSTEE(S)

The Maori Affairs Act 1953, section 438(2)

In the Maori Land Court  
of New Zealand  
Waiariki District

IN THE MATTER of the lands known as  
Pohueroro 2, Pohueroro 3,  
Pohueroro 4, Pohueroro 5A,  
Pohueroro 5B, Pohueroro 6A,  
Pohueroro 6B, Te Waiti 1,  
and Te Waiti 2A

APPLICATION is hereby made pursuant to the provisions of section 438 of the  
Maori Affairs Act 1953 that the lands known as:

Pohueroro 2 containing	3481a.	Or.	00 pp	(1408.7107 ha)
Pohueroro 3	"	1950a.	Or.	00 pp ( 789.1370 ha)
Pohueroro 4	"	1875a.	Or.	00 pp ( 758.7855 ha)
Pohueroro 5A	"	250a.	3r.	00 pp ( 101.4749 ha)
Pohueroro 5B	"	1176a.	1r.	00 pp ( 476.0114 ha)
Pohueroro 6A	"	1707a.	Or.	00 pp ( 690.7983 ha)
Pohueroro 6B	"	1485a.	Or.	00 pp ( 600.9581 ha)
Te Waiti 1	"	957a.	Or.	00 pp ( 387.2841 ha)
Te Waiti 2A	"	1003a.	2r.	00 pp ( 406.1020 ha)


being Maori freehold land be vested in:

Perenu Callaghan, Maori Liaison Officer, 79 Mountain Road, Rotorua  
Kennard Stirling, Coach Driver, 129 Bridge Street, Opotiki  
Joseph Phares, Farmer, PO Box 19, Opotiki  
John Waititi, Retired Farmer, Private Bag 82, Opotiki  
Edward Callaghan, Retired, Private Bag 30, Opotiki  
Joseph Rua, Farm Manager, Private Bag 65, Opotiki  
Harold Helmbright, Farmer, RD 3, Kutarere  
Len Te Moana, Fisherman, Private Bag 25, Opotiki  
John Nyman, Horticulturist, Post Office, Waihou Bay

as Trustees upon trust to investigate the future utilisation of the above  
lands and report back to the owners within 12 months of the date of  
hearing with their findings and with power to alienate the lands for a  
period of not more than 12 months UPON the following grounds:

That a resolution to this effect was passed at a meeting of  
owners at Maruohinemaka Marae, Raukokore on Monday 28 May 1984.

DATED the 7<sup>th</sup> day of June 1984

Applicant:   
Deputy Registrar

Address: Maori Land Court  
Private Bag  
ROTORUA.

45/640

MINUTES OF A MEETING OF OWNERS FOR POHUERORO 2, 3, 4, 5A, 5B  
5A, 6B AND TE WAITI 1 AND 2A HELD AT MARUOHINEMAKA MARAE,  
RAUKOKORE ON MONDAY 28 MAY 1984 AT 11.00 a.m.

Present: Mr P R Hunt - Chairman  
Mr M R Johnston - Recording Officer

The meeting was formally opened by Mr Len Te Moana followed with a prayer by Waikura Herewini. A mihi was then extended to those present by each of the following persons, Erueti Kaingarau Callaghan, Hune Te Moana, Tawhai Waenga, Harold Helmbright and Sonny Chapman.

Roll call dispensed with due to volume of owners. Clip board passed amongst owners to note names and addresses.

After the usual introductions Mr Hunt explained the purpose of the meeting giving a brief description of each of the titles.

He referred to the topographical and cadastral plans on display to explain the location of each title.

He then read the field report dated 25. 5.84 and prepared by Field Officer G W Hill of the Opotiki office.

He added that access is a problem although it may be obtained through the Waikura Valley or over the Maraehako blocks. The Waikawa blocks are too steep for access.

Basil Richardson stated that he would like to see the lands stocked and farmed.

Joe Phares (on behalf of his family... Putiputi Pita, Noti Tiopira, Piihi Hei Estate, John Isaac Walker and Makuini Hei) asked of the possibility of Pohueroro 2 forming a trust on its own.

Mr Hunt replied that it was up to the owners.

Joe Phares explained that his family would like a separate trust for Pohueroro 2 if it was feasible.

Edward Callaghan (Te Waiti 2A and Pohueroro 2) stated that he would like to see a trust of their own set up for Te Waiti 2A.

Harold Helmbright asked if there was any money in the kitty to pay off the outstanding rates.

Mr Hunt replied that as the lands were not leased they were not revenue producing.

Thomas Haua (Te Waiti 1) introduced himself to the meeting as he had lived out of the district for many years now. His mother is Rahutai Rewa or Rewi.

Mrs Hine Kaiwahia (Te Waiti 1) asked that if a trust was formed and a lease to a forestry company arranged how would that company overcome the problem of access?

Mr Hunt replied that the question of access would probably be taken into consideration before negotiating a lease. He then referred to the alternative in the Field Report viz Maori Reservation, and pointed out that should a block be set apart as a Maori Reservation under section 439/53, there is provision in the order to lease for a period not exceeding seven years with the revenue perhaps going to an associated marae.

Tony Trinnick stated that as far as forestry is concerned, Pohueroro 6B is inaccessible. He would prefer to see the block set apart as a Maori Reservation.

Joe Phares felt that although access is a problem at the moment nothing is impossible. He would like to see the owners of Pohueroro 2 get together for discussion amongst themselves.

Len Te Moana stated that a forestry company would not look at blocks individually but would do so collectively.

Edward Callaghan preferred to see the owners of Te Waiti 2A have a meeting on their own. He thought perhaps a right of way up the Te Waiti Creek may solve the access problem to Te Waiti 1 and 2A.

Len Te Moana explained that 1 and 2A are readily accessible.

Harold Helmbright thought that if walking tracks were put through the Crown may consider a lease. If the owners decide to go ahead collectively, then perhaps forestry.

Perenu Callaghan then gave a brief history of the blocks. He explained that the lands had been grazed by certain people over the years including his father. His father leased Pohueroro 1 and as there were no fences up there, the cattle grazing on 1 would move up the river to the other blocks. There are some flat portions but most of it is very rugged.

He had visions of setting up a trust to consider forestry. Caxton were approached and they did a feasibility study. Because of the high costs involved and a river subject to flooding, they were not interested in a lease.

He then explained the valuation and rating position in more detail for the owners before agreeing to the formation of a trust whether it be one or several trusts.

Willing to go along with the majority on any issue.

Roka Paora (Pohueroro 4) asked of the possibility of leasing to the Lands and Survey Department. She was aware that the Tuwharetoa Maori Trust Board flew people into their blocks.

Mr Hunt replied that this was a similar idea to what Harold was referring to earlier. He explained that should a trust be set up, the trustees would be able to investigate this avenue.

Harold Helmbright felt that separate trusts would not be practicable.

Mr Hunt suggested forming one investigatory trust to look at the feasibility of the blocks either separately or as one unit and report their findings back to the owners within 12 months.

Joe Phares thought that this was a logical proposition. He pointed out that Caxton was not the only forestry company.

Debbie Bishop (Pohueroro 3, 4 and 6B and Te Waiti 1) explained that she was representing her family. She agreed to one trust as the owners could do more by combining.

Harold Helmbright stated that he would prefer to see Te Waiti 1 and 2A leased separately.

John Waititi then listed the following options available to the owners for their consideration.

- a Amalgamation.
- b Individual Titles/Individual Trusts.
- c The effects of a Maori Reservation on a block of land.
- d The options of control e.g. lease to a hunting club. Would only the hunters have right of entry to the land?
- e Short term leases.
- f Lease to the Crown.

Mr Hunt agreed that these points need to be investigated. An interim or investigatory trust would be able to carry out these investigations.

The owners were all in favour of an investigatory trust being set up.

Mr Hunt asked if the trust was to include the Te Waiti blocks.

Joe Phares agreed that Te Waiti should be included.

Julian Allison (Pohueroro 5B and Te Waiti 1 and 2A) explained that a few owners were against forestry. He asked if their opinion would be taken into consideration.

Mr Hunt replied that the trustees would discuss their findings with the owners at a meeting in about 12 months. A final decision would be made then.

Waikura Herewini moved the following motion:

"That one investigatory trust for Pohueroro and Te Waiti be set up."

The motion was seconded by Harold Helmbright and carried unanimously.

Mr Hunt then gave a brief description of the duties and responsibilities of an investigatory trustee.

It was then agreed to vest in a total of nine investigatory trustees.

Mr Hunt then called for the following nominations:

- |   |  |                                      |
|---|--|--------------------------------------|
| 1 | Perenu Callaghan<br>Maori Liaison Officer<br>79 Mountain Road<br>Rotorua | Waikura Herewini<br>Roka Paora       |
| 2 | Kennard Stirling<br>Coach Driver<br>129 Bridge Street<br>Opotiki         | George Stirling<br>James Richardson  |
| 3 | Joe Phares<br>Farmer<br>PO Box 19<br>Opotiki                             | Roka Paora<br>Tawhai Waenga          |
|   | Boy Tamepo<br>(Declined)   | Edward Callaghan<br>Joe Phares       |
| 4 | John Waititi<br>Retired Farmer<br>Private Bag 82<br>Opotiki              | Boy Tamepo<br>Julian Allison         |
| 5 | Edward Callaghan<br>Retired<br>Private Bag 30<br>Opotiki                 | Vivien Moore<br>Boy Tamepo           |
| 6 | Joseph Rua<br>Farm Manager<br>Private Bag 65<br>Opotiki                  | John Nyman<br>June Davidson          |
| 7 | Harold Helmbright<br>Farmer<br>RD 3<br>Kutarere                          | Basil Richardson<br>Waikura Herewini |
| 8 | Len Te Moana<br>Fisherman<br>Private Bag 25<br>Opotiki                   | Hori Mill<br>Noti Tiopira            |
| 9 | John Nyman<br>Horticulturist<br>Post Office<br>Waihau Bay                | Joseph Rua<br>June Davidson          |
|   | Nominations Closed<br>Seconded   | June Te Moana<br>Joe Phares          |

All in favour.

Winston White (Te Waiti 1) asked that the findings of the trustees be published in the next notice calling the owners together.



Mr Hunt agreed.

As there was no further business the meeting was closed at  
1.18 p.m.

*m. Johnston*

M R Johnston

26. 6.84

THOSE PRESENT 28.5.84.

NAME	ADDRESS
<del>Scott</del> H. Kelmbright Hori Mate Kino Mill to Richardson	RD 3 Kutarene RD.2 Rutonia Pahao Rd
<del>Phares</del> John Supina J. August J. Richardson Ken Stirling	P.O. Box 19 Te Kaha. P.O. Box 19 Te Kaha. Box 49 Opoitiki 167 Bridge St Opoitiki 129 Bridge St Opoitiki
W. Merew E. M. Cunningham Mary Dain DEB BISHOP	P.O. Box 47 Te Kaha P. Bag 30 Opoitiki 87 Bridge St Opoitiki Box 5 TE KAHAA. 57 MAUNO ST Gisborne.
Bella Yaree (Kitty) McKeown)	3 Haldane St Gisborne.
RENATA MILK Matemona - Grace Jarman	40 TITOKI STR GISBORNE
Tuahine Milk Zaruhi Waenga K. J. Butler for Aina Butler	170 LYTON RD GISBORNE 3 Lyton St - Gisborne P.O. Waikau Bay, Private Bag 97 Opoitiki.
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Te Ruinga Nyman.

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P.O. Box 79  
TE ARAROA.

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Thomas Douglas Rutledge.  
Peter Kenneth Rutledge.  
Richard Francis Rutledge.  
Ina Patricia David.  
Ronald Wallace Rutledge.  
Kathleen Elizabeth Ann Jacobsen

P.B. 11. OROTIKI

Tony Trinick  
Teirupa Rangihunga Te Araraoa  
or Otaputa

12 Hoheria Rd, Onehunga  
Auckland.

Marewa Isaac  
Ngawiki Repe. (Proxy TE ANOHAERE WANOA)  
TE ANOHAERE, WANOA. 57 PERIA RD. MATAMATA.

Tiki Tiki  
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Tamataipurua. Herevini. J. Hanon.  
Hemi Nilson. J. Hanon.  
Netini Herevini. J. Hanon.  
Te Rangipatokia Herevini J. Hanon.

Mereaira McDonald }  
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TFARR 10 Henderson St  
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Mere Reweti Ruwhiri  
P.O. Cape Runaway,

H. Mc Roberts BOV 22  
Tukaha

Marekaraka. Haviti. Herevini  
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Te Araraoa

Kauri Hinia Tangira  
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KAWERAU.

JULIAN HAMANA ALLISON  
Hune Moara  
Honi Anson  
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Cape Runaway  
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TAUATEAWA BUSH

WAITI

MERE DONNER.

HUIRUA TAI.

Ani Pihia Lii.  
Whare Pihia

URIKORE Tamapo

JOHN. WAITITI

Sharon Courtier.

~~Sharon~~

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Betty GRAHAM

Te Kapa Stilling

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Rata Waititi

Waikau Bay.

Representative

{ Kohitu Waititi  
or John.

Te Moana Horua  
5 Thomas cres Rotorua

Temoana Junior Horua.  
5 Thomas cres.  
Rotorua

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Cusborne

Uwian Aomengaki  
moore  
51 St. John St.  
OPOTIKI

Noka Paora rep. Lini  
Paora Tebaiti I. Williams  
Susintow Puhuesoro 4. Tau  
Apirata Pirinis — all to  
P.O. Box 2

Te Kaha.

Kotare of Kuhu Rev.  
J. F. Walker

Makuni Rev. Paora Kot. } photo  
Pukepate Tepera. Keta Tepera  
P.O. Box 19  
Te Kaha

Wairangi Brown  
Rangaturia Drive  
Dargaville