

TE KOOTI WHENUA MĀORI | MĀORI LAND COURT

Place: Whangārei
Present: T K T A R Williams, Judge
 V Rakete, Clerk of the Court
 T Noble, Deputy Registrar
 T H Maxwell and N Jacob, Court Assistants
Date: 29 May 2025

Pānui No: 78 **Application No:** AP-20240000013384
 79 AP-20250000001666
 U/A AP-20250000002164

Subject: NA58D/830 Section 20 Block IV Motatau Survey District & 7 other blocks - Vesting the interests of the beneficial owners in Peter William Tipene, Waihoroi Paraone Hoterene, Pita Rewiti Pomare Cherrington, Lynden Bristowe, Patrick Ernest Morton, Clifton Herbert Baker & Edward Graham Beattie as trustees of the Ngāti Hine Forestry Trust

He whakarerekētanga ki ngā tarahitī mō Ngati Hine Forestry Trust

Replace Patrick Ernest Morton & Edward Graham Beattie Maxine Khrona Shortland & Jane Margaret-Anne Frances as responsible trustees of the Ngati Hine Forestry Trust

He whakarerekētanga ki ngā tikanga o te Ngāti Hine Forestry Trust

Vary the terms of the Ngāti Hine Forestry Trust

Legislation: Sections 220A, 239 and 244, Te Ture Whenua Māori Act 1993

Present: **Counsel** – Paula J Wilson (Henderson Reeves Lawyers)

Zoom Attendance: Jane Frances, Maxine Shortland

In Person: Heidi Mackey, Nola Sooner, Prinni Livingstone

AP-20240000013384 – vesting the interests of the beneficial owners in the Ngāti Hine Forestry Trust

Details of the applicant are as follows:

Applicant	Address
Ngāti Hine Forestry Trust	c/- Paula Wilson of Henderson Reeves, 96 Bank Street, Whangārei 0110

A Bishop-Matthews, for Deputy Registrar: An application has been filed to vest additional interests into the Ngāti Hine Forestry Ahu Whenua Trust.

Details of the Trust are as follows:

Schedule One

Name of Trust:	Ngāti Hine Forestry Trust
Type of Trust:	Ahu Whenua Trust
Original Trustees:	50 Whangārei MB 268-294 dated 23 December 1974 Tupini Te Para Burrows Puriri, John Graham Alexander, Victor H. Hensley, Michael K Deverell, Tamati Huirua Paraone, Lou Shortland and Rahui Bristowe.
Current Trustees:	279 Taitokerau MB 235-260 dated 28 May 2024 Michael Anthony Butler, Kawiti Brown, Lynden Bristowe, Patrick Ernest Morton, Pita William Tipene, Waihoroi Paraone Hoterene and Edward Graham Beattie
Trust Order:	279 Taitokerau MB 235-260 dated 28 May 2024

The trust administers the following lands:

Schedule Two -Taitokerau District - Trust Shareholdings:

<u>Blocks</u>	<u>RT Ref</u>	<u>Current Owner</u>	<u>Shares</u>
Motatau 1C9B1	NA118B/648	Michael Anthony Butler,	85.450
Ngatihine H2B	NA97B/314	Kawiti Brown, Lynden Bristowe, Patrick Ernest Morton, Pita William Tipene, Waihoroi Paraone Hoterene and Edward Graham Beattie as responsible trustees of the Ngāti Hine Forestry Trust	85644.312

Schedule Three - Taitokerau District – Trust Corpus:

<u>Blocks</u>	<u>RT Ref</u>	<u>Area (ha)</u>
Lots 1 and 5 DP 96671 being part Motatau 1E1A and 1E1C	NA52C/579	142.5634
Motatau 1B5B7	NA17B/874	12.272
Motatau 1C3B	NA17A/413	44.0348
Section 7 Block 1 Motatau SD	NA85A/99	0.2048
Ngatihine H2B	NA97B/314	5336.6170

Schedule Four - Taitokerau District – Trust Investment Assets:

<u>Blocks</u>	<u>RT Ref</u>	<u>Area (ha)</u>
Flat 1 DP 130273 on Lot 37 Deposited Plan 82909 (Composite Title)	NA76B/490	0.0723
Flat 2 DP 128428 on Lot 37 Deposited Plan 82909 (Composite Computer Register)	NA74D/812	0.0723
Lot 1 Deposited Plan 164053	NA98D/719	81467
Lot 1 Deposited Plan 164677	NA99B/107	0.1322
Lot 1 Deposited Plan 182186	NA113B/709	0.0740
Lot 1 Deposited Plan 193675	NA121C/458	9.5828
Lot 1 Deposited Plan 95390	NA91D/983	10.5013
Lot 2 Deposited Plan 182186	NA113B/710	0.0745
Lot 21 Deposited Plan 5100	NA320/182	0.1037
Lot 28 Deposited Plan 62788	NA19B/1252	0.0898
Lot 4 Deposited Plan 147160	NA87C/908	7.5207
Lot 40 Deposited Plan 6732	NA67B/751	0.0779
Lot 53-54 Deeds Plan W 46	NA776/173	0.0647
Lot 55 Deeds Plans Plan W 46	NA769/126	0.0372
Section 126 Block XVI Kawakawa Survey District	NA31C/10	0.0877

At an annual general meeting held on 12 November 2022, the beneficial owners directed the trustees to apply to have the following titles, comprising the “Taikirau farm” in the name of Ngāti Hine Forestry Trust.

Schedule Five – Taitokerau District – General Land:

<u>Blocks</u>	<u>RT Ref</u>	<u>Current Owners</u>	<u>Area (ha)</u>
Section 18 Block IV Motatau Survey District	NA91D/262	Peter William Tipene, Waihoroi Paraone Hoterene,	172.0672
Section 20 Block IV Motatau Survey District	NA58D/830	Pita Rewiti Pomare Cherrington, Lynden	96.5780
Section 44-45 Block VIII Motatau Survey District	NA55A/1267	Bristowe, Patrick Ernest Morton, Clifton Herbert Baker and Edward Graham Beattie	47.6160
Section 13A Block VIII Motatau Survey District	NA280/20		19.6020
Motatau 2 Section 49B 2B Block	NA9A/1494		37.6889
Motatau 2 Section 49B1 Block	NA9A/1493		0.4047
Allotment 43 Block VIII Motatau Survey District	NA48C/1461		0.8726
Section 14 Block VIII Motatau Survey District	NA110/232		104.0042

An order is sought vesting the additional interests in schedule five above into the Ngāti Hine Forestry Trust.

AP-20250000001666 - He whakarerekētanga ki ngā tarahitī mō Ngati Hine Forestry Trust

Details of the applicant are as follows:

<u>Applicant</u>	<u>Address</u>
Princess Anney Hohepere Livingstone	c/- Paula Wilson of Henderson Reeves, 96 Bank Street, Whangārei 0110

A Bishop-Matthews, for Deputy Registrar: An application has been filed to replace trustees of the Ngāti Hine Forestry Ahu Whenua Trust.

Details of the Trust and its land interests are listed above in schedules one-four.

An annual general meeting was held at Mohinui Marae on 23 November 2024 where an election of trustees took place. A copy of the minutes and notice for the hui are held on file.

The trustees to be appointed are:

<u>Name</u>
Maxine Khrona Shortland
Jane Margaret-Anne Frances

who are to replace:

<u>Name</u>
Patrick Ernest Morton
Edward Graham Beattie

Who have retired in accordance with clause 4.8 of the trust deed.

All newly elected trustees have provided trustee consent forms.

Orders are sought replacing the trustees of the Ngāti Hine Forestry Trust as set out above.

AP-20250000002164 - He whakarerekētanga ki ngā tikanga o te Ngāti Hine Forestry Trust

Details of the applicant are as follows:

<u>Applicant</u>	<u>Address</u>
Paula J Wilson, on behalf of Ngāti Hine Forestry Trust	c/- Paula Wilson of Henderson Reeves, 96 Bank Street, Whangārei 0110

A Bishop-Matthews, for Deputy Registrar: an application has been filed to vary the terms of the Ngāti Hine Forestry Trust deed.

Details of the Trust and its land interests are listed above in schedules one-four.

An annual general meeting was held at Mohinui Marae on 23 November 2024 where it was agreed to vary the Ngāti Hine Forestry Ahu Whenua Trust deed as follows:

(i) Clause 4.8.7(2) changing to now read as:

4.8.7(2) Before the election process commences, beneficial owners representing at least 50% of all beneficial owners present at the meeting can request that votes shall be counted by individual beneficial owners present at the meeting or represented by proxy with each beneficial owner having one (1) vote.

(ii) Clause 4.8.7(3) changing to now read as:

4.8.7(3) Voting will be by secret ballot.

The Court should note the following:

1. At 279 Taitokerau MB 235-260 dated 28 May 2024 the Court granted orders to replace trustees and vary the trust deed. Copies of those orders have not yet been finalised. The information that relates above has been compiled from the minute at this reference. A request for the orders to be completed urgently was sent on 19 March 2025.
2. The application indicates that the name of the trust should read Ngāti Hine Forestry Trust as is stipulated in the trust deed at 57 Taitokerau MB 96-176 dated 22 March 2013. Pātaka Whenua records the name of the trust as Ngatihine Forestry Trust.

Orders are sought varying the Ngāti Hine Forestry Trust as set out above.

TRANSCRIPT OF RECORDED HEARING:

Court: Good afternoon. I'm Judge Williams and I'm dealing with the applications. Ms Wilson.

Ms Paula J Wilson: Ahiahi mārie e te Kaiwhakawā. Mena e hiahia ana koe ki te tīmata i te karakia, mā tēnei taha e tīmata or kei a koe.

Court: Kua karakia tātou i tēnei rā.

Ms Wilson: Aroha mai, nōku te hē. Mā mātou e whakakapi rānei.

Court: Kei a koe tēnā.

Ms Wilson: Aroha mai. Engari, kei kōnei mātou ko ngā pukepuke rau o Ngāti Hine Forestry Trust.

Court: Āe.

Ms Wilson: Kei tōku taha a Ms Heidi Mackey, te kaiwhakahaere. Kei tēnei taha, a, te kaitono, a Ms Princess Prinny Livingstone me kei tērā atu taha, a, te kaitiaki o ngā pūtea, he mahi tino whakaherehere tēnei, Ms Nola Sooner. Tēnā rā atu koutou katoa e huihui mai nei, te kairēhita, ngā mahi mai te security ētahi atu –

Court: Heoi, ēnā e noho mai mā runga ipurangi –

Ms Wilson: Me e rua ngā tarahiti ki runga i te pouaka whakaata, pera i a Ms Jane Frances, ki runga – tēnā koe Ms Francis, and ki raro ko Ms Maxine Shortland, tēnā koe Whaea Maxine.

Court: Kia ora.

Jane Frances: Kia ora. Kia ora Your Honour. Jane Frances.

Ms Wilson: E te Kaiwhakawā, mena e hiahia ana haere i te tono tuatahi, te section 220A, application to vest lands in name of trust.

Court: Āe.

Ms Wilson: Māku e huri ki te reo tuarua nātemea, Sir, we're very grateful for the urgency with which you scheduled these three applications. The section 220A application, to vest the Taikirau farms in the name of Ngāti Hine Forestry Trust -

Court: Yes.

Ms Wilson: - is for the purposes of efficiency with Ngāti Hine Forestry Trust being able to look after its dairy farmlands out at Maromaku, Taikirau Farm. There are actually eight titles, Sir.

Court: Yes.

Ms Wilson: A1, attachment A1 which is the direction signed by the trustees, Sir.

Court: I have that.

Ms Wilson: It lists, correctly, all of the eight blocks to be vested in the name of the trust, Sir.

Court: Yes, just give me a second Ms Wilson, 58D/830, 91D/262, 55A/1267, 280/20 –

Ms Wilson: Yes, Sir.

Court: - 9A/1494, 48C/1461, 9A/1493, 110/232 and –

Ms Wilson: And in accordance with section 220A, the trustees are following the direction of the beneficial owners at an AGM held in 2022, Sir.

Court: Just give me a second. Following the direction or following the suggestion?

Ms Wilson: Suggestion, Sir. We will be directed by the Court, Sir.

Court: Just wondered. And was the hui convened in order to make this decision?

Ms Wilson: Correct, Sir. It was part of the pānui which was sent out, Sir, in 2022 -

Court: All right.

Ms Wilson: - to have that considered.



Court: So the – I was going to ask, did you file a copy of the notification? I have got a minute of an AGM of 2022, is that what you are relying upon?

Ms Wilson: Yes, Sir. Page 8 of attachment C with the AGM minutes, page 8 has the resolutions, Sir.

Court: Around the Taikirau Farm?

Ms Wilson: Yes, Sir. That the beneficial owners approve that the Ngāti Hine Forestry Trust issues a direction under section 220A of Te Ture Whenua Māori Act, to register the titles comprising the Taikirau Farm in the name of the Ngāti Hine Forestry Trust, and that direction, Sir, is uplifted from the actual wording of Te Ture Whenua Māori Act section 220A.

Court: Yes, I have got it in front of me. What I am unclear about, and you can help me – hang on. Copies of the titles, 1494. So, trustees of all these eight titles notified in A1.

Ms Wilson: Yes, Sir.

Court: They are all the same trustees?

Ms Wilson: Yes, Sir.

Court: On each one of these titles.

Ms Wilson: If you would just grant me a minute, Sir.

Court: I am just having a quick look now and it appears to be the case, but I am just checking with you. Well, the names appear to be the same, Ms Wilson.

Ms Wilson: Well Sir, I do need to be transparent with you, Sir, because there has been some passage of time since the LINZ titles were registered and subsequent to that, there have been changes of trustees.

Court: Yes.

Ms Wilson: But I think for LINZ to be assured, is that should the registrar of the Māori Land Court, just under your direction, Sir, issue that direction to register all the land titles in a name, you can show the sequence from when these titles were purchased or registered with the Court orders changing the trustees current through to the direction from the current trustees, Sir.

Court: Yes, because there's been a change in the trustees over the passage of time, hasn't there.

Ms Wilson: Correct, Sir.

Court: Which is part of the issue, which was what I was going raise with you.

Ms Wilson: Yes, Sir. Yes, Sir. And respectfully noting that Ngāti Hine has probably about, I can – off the top of my head, Sir, see a mixture of both general title and Māori land title held in the name of the Ngāti Hine Forestry Trust already on LINZ. And so, it has been done previously, Sir.

Court: Yes. So, what I am just trying to clarify then with you, Ms Wilson, is that those who are identified on the CTs that you have registered – well, that you've filed with the Court,



that being for example on certificate of title 91D/262, Pita William Tipene, Waihoroi Paraone Hoterene, Pita Cherrington, Lynden Bristowe, Patrick Morton, Clifton Baker, and Edward Beattie. Those persons, at the time, were the trustees of the Ngāti Hine Forestry Trust.

Ms Wilson: Correct, Sir. Yes, on all of the titles.

Court: Yes, okay.

Ms Wilson: For example, with the title 262 just provided as an example, the majority of those trustees are still –

Court: Still trustees now.

Ms Wilson: - trustees and issued – and signed the direction.

Court: Yes.

Ms Wilson: And Sir, the Court staff were very helpful because we understand that in the normal order of things, this might perhaps go straight to the registrar for consideration, but we thought it would be helpful to flag it with you, Sir.

Court: Yes, I don't mind that Ms Wilson. So, are you asking that these properties be registered in the name of the Ngāti Hine Forestry Trust or in the trustees?

Ms Wilson: Sir, there has been a slight error with the Court submission which we did pick up in feedback –

Court: Which is why I am asking.

Ms Wilson: Yes, and to clarify Sir, yes, please. If these eight titles before you, Sir, can be registered in the name of the Ngāti Hine Forestry Trust.

Court: Is that an incorporated body?

Ms Wilson: No, but there is a direction within both Te Ture Whenua section 220A and the –

Court: Well, that is a direction from me. Well, you are asking for me, under section 220A, subsection 2 –

Ms Wilson: Yes.

Court: - which provides that the trustees of a trust may give a direction to that land that is registered or registerable under the Land Transfer Act –

Ms Wilson: Yes.

Court: - be registered in the name of the trust applying to that land or a tipuna. Your suggesting, I am guessing – you can tell me if I am wrong – that I make directions in accordance with subsection 2(a)(1).

Ms Wilson: Yes, Sir. That it is registered in the name of the trust.



Court: I do wonder if there is a problem there, though, that with – I would have no problem if it were an incorporated entity, the Ngāti Hine Forestry Trust.

Ms Wilson: Sir, can I draw your attention to the fact that there are a number of other titles with the trust –

Court: Already registered in the trust. Yes.

Ms Wilson: - in LINZ already registered in the name of the trust, Sir.

Court: Is that in the documents in front of me?

Ms Wilson: No, Sir. Sorry, Sir. But I can hand this up –

Court: Give me a look at what you were looking at there then, Ms Wilson.

Documents handed to the Court (14:16:19)

Court: The problem is, I am aware that under the Land Transfer Act, we are required to register titles in the names of people or entities.

Ms Wilson: Correct, Sir, and so that is a special provision of Te Ture Whenua Māori brought, I think, in the 2007 amendments, so that trusts – each time a trustee change, Sir, and with our current Ngāti Hine Forestry Trust, these AGMs and elections –

Court: Yes.

Ms Wilson: Both the trust wouldn't be put to the time and expense –

Court: Having to change names all the time.

Ms Wilson: - and also the Court as well, Sir, and it also provides continuity, like with insurance policies, with banking, with finance, that continuity that they can see it is the trust that is dealing it rather than trying to match trustees and who is dealing with them, Sir.

Court: I understand the rationale, Ms Wilson, the problem I have though is that I am aware that TPK, for example, are looking at amendments to the Te Ture Whenua Māori Act which are designed to do exactly what you have just said because they don't presently exist.

Ms Wilson: Actually Sir, Te Ture Whenua Māori, and the amendments in which Te Puni Kokiri's worked through, that is one of the default recommendations, Sir, that moving forward, all 10,000 plus Ahuwhenua or whānau trusts, Sir, are registered in the name of either the tupuna or the trust, Sir.

Court: Or the trust, yes.

Ms Wilson: However, **(inaudible 14:17:51)** let us seize the day, there is that choice to –

Court: I would love to do that with jurisdiction, Ms Wilson, your suggesting it exists now.

Ms Wilson: Sir, I am drawing, respectfully, your attention to section 220A of the Te Ture Whenua Māori Act, which specifically exists for that purpose, Sir, and I think there's evidence, you can see that Ngāti Hine has previously, as recently within the past five years with the Kiwifruit block, which was general title – purchased it in the name of the Ngāti Hine Forestry Trust, and this is designed to tautoko and support Ngāti Hine with its aspirations

for its dairy farm, Te Paetata, it's looking a carbon sequestration, it's looking at re-planting the whenua, all these wonderful things, Sir, which vesting in the name of the Ngāti Hine Forestry Trust, Sir, under section 220A, Te Ture Whenua Māori is within your jurisdiction, Sir.

Court: Well, if we look at subsection 4 –

Ms Wilson: Yes, Sir.

Court: - there's a number of things that need to be provided.

Ms Wilson: Yes, Sir.

Court: For example, the trustees are to present to the registrar a direction in writing –

Ms Wilson: Yes, Sir.

Court: - which you have provided. Address to the Registrar-General of land, executed by the trustees saying the direction given at paragraphs a or b is to be given affect to. A certificate executed by the trustees identifying the beneficiaries of the trust and register evidence of a resolution of beneficiaries approving the direction.

Ms Wilson: Right.

Court: Now, point to me where we have those on file.

Ms Wilson: Okay. So, if you can just take me through that, Sir.

Court: Section 220A, subsection 4.

Ms Wilson: Yes, section 220A, subsection 4. So, with the application we filed the record of a list of shareholders, Sir.

Court: Yes. So, I have got the – the first part, I think, is fine. We've got a direction to the Registrar-General in writing from the trustees. I am wanting to just check that we've got a certificate executed by the trustees identifying the beneficiaries of the trust.

Ms Wilson: In what form would that take, Sir, because we're relying on the Māori Land Court records, Sir, with the 256 pages of shareholders, Sir.

Court: Well, I can't tell you what that certificate looks like. All I am going on is the provisions of this particular section which says, "A certificate executed by the trustees identifying the beneficiaries of the trust." Now, at first blush I am not sure I have that but if you can tell me that that exists then pai ana.

Ms Wilson: We certified it with shareholders of the trust are, to the best of our knowledge, the third paragraph, Sir, on A1. A1 where there is the list of the eight titles of the Taikirau farm –

Court: Well, that's different to a list of beneficiaries though.

Ms Wilson: I think, Sir, it is within your ability – "We certify that the shareholders of the trust are to the best of our knowledge those recorded in the Māori Land Court register. A copy of the Māori Land Court records is enclosed." And so, this is the copy.



Court: Because it wasn't enclosed, but you've got it is what you are saying.

Ms Wilson: I've got it, Sir.

Court: You can hold on to it.

Ms Wilson: And it was 256 pages of the registered shareholders, Sir, which was –

Court: So, is your submission to me then, Ms Wilson, that your trustees are certifying that that bundle of beneficiaries in your hand is what the trustees are certifying as the identified beneficiaries of the trust?

Ms Wilson: Yes, Sir. At the time this was signed on the 29th of July 2024, this was the shareholder list. It may have changed, Sir, with succession et cetera.

Court: Yes.

Ms Wilson: And this arises, Sir, from the AGM held at Oromāhoe Marae where this was subject to kōrero amongst the beneficial owners, Sir.

Court: Okay. And then in terms of the last component of the – “that there's evidence of resolution of beneficiaries approving the direction.”

Ms Wilson: That was at page –

Court: Is that what you were saying was at page 8?

Ms Wilson: Have you got attachment C? Have you got attachment C, Sir?

Court: I do.

Ms Wilson: And that is the Annual General Meeting 2022 held at Oromāhoe and then if you got to page 8 of those AGM minutes, Sir, there's the motion from the beneficial owners, Sir.

Court: The problem I have is that in your attendance list –

Ms Wilson: Yes, Sir.

Court: - you have got trustees attending on the first page.

Ms Wilson: For the 2022 AGM, Sir?

Court: Yes. I don't have a list of beneficiaries.

Ms Wilson: Sir, it's right on the back of the attendance list, 'Attendance, Register and Apologies.'

Court: Okay. Okay.

Ms Wilson: Sir.

Court: Did I get over turned.

Ms Wilson: Yes, Sir.



Court: Okay. Thank you for that submission on that issue.

Ms Wilson: Thank you, Sir.

Court: And this document you have given me is showing Ngāti Hine is being recorded.

Ms Wilson: Yes Sir, on other titles both general and Māori land, Sir.

Court: Okay. I will hand that back. Thank you, Madam Registrar.

Ms Wilson: Thank you, Sir. I also have a map of the farm, Sir.

Court: I'm good. What else did you want to tell me?

Ms Wilson: No, just drawing your attention to the facts, Sir, that the trustees respectfully issued a direction in accordance with section 220A Te Ture Whenua Māori Act to the Registrar of the Māori Land Court. 2. Register all of the Taikirau Farm titles, all eight of them in the name of the Ngāti Hine Forestry Trust as was supported by the AGM in 2022 –

Court: Yes.

Ms Wilson: - as was supported by beneficiaries and I respectfully suggest, Sir, that this document A1 includes a certification of the beneficiaries and that's attached with 256 pages here.

Court: So, as far – your submission is that all the requirements of section 220A have been complied with.

Ms Wilson: Yes, Sir.

Court: And therefore the orders that you are asking or the direction that you are asking me to make are able to be made, asking that the titles identified in document A1 can be made and registered in favour of the Ngāti Hine Forestry Trust.

Ms Wilson: Yes, Sir. And respectfully asking that, Sir.

Court: All right. Anything else, Ms Wilson?

Ms Wilson: Not particularly on the section 220A application, Sir.

Court: Yes.

Ms Wilson: Unless you have any further questions.

Court: Not on that matter. Any of the other matters?

Ms Wilson: No. We could move on if you wish, Sir.

Court: Yes.

Ms Wilson: Okay. So, moving on, Sir, and just acknowledging we have our trustees elect on Zoom as well and we appreciate them being here today, Sir. They have both filed and completed their trustee training certificates.



Court: Very good.

Ms Wilson: And also with the section 239 application, there is the notice of the AGM, both in the *Advocate*, the *Herald* and the pānui out by email.

Court: Yes.

Ms Wilson: There is also the minutes of the AGM where both of those trustees were elected, Sir.

Court: Yes.

Ms Wilson: There are their trustee consent form and just acknowledging both trustees have both considerable governance experience, Sir, ngā māreikura o Ngāti Hine, me kī. Tēnā rawa atu koe Sir.

Court: Okay. And the last matter?

Ms Wilson: If you did want to move on, Sir, the last matter was the varying of terms of the trust, Sir. So, we were before you last year, Sir, where we varied the terms of the trust –

Court: Yes.

Ms Wilson: - to raise the requirement for the number of beneficial owners present at a hui who want to vote individually by hand, must be 20 per cent. Further reflection, and then in the AGM last year the variation we are seeking, Sir is to actually raise it to 50 per cent, Sir, and to undertake it by secret ballot, Sir. And that is a response to wananga and kōrero from amongst the whānau, the beneficial owners, and respectfully seeking that variation today, Sir, as well.

Court: And that was voted upon and passed and approved.

Ms Wilson: Correct, Sir. I can draw you to the page of the minutes should you like, Sir.

Court: No, that's fine. I did see that. Okay. Anything else Ms Wilson?

Ms Wilson: No, unless anyone else has any other matters they may wish to raise, Sir.

Court: Everyone is sitting waha ngū. So I will make appropriate orders then, Ms Wilson.

Ms Wilson: Thank you, Sir.

Court: Just give me a second.

First orders I make are these: Pursuant to section 220A of our Act, I make orders vesting the additional interests outlined in Schedule Five to this submissions into the Ngāti Hine Forestry Trust based on submissions made by counsel today and the evidence presented before me. I consider that I have jurisdiction to make those orders and so they are to be made in accordance with the applications made.

Secondly, in terms of the orders sought to appointment new trustees, to replace trustees who have retired. Pursuant to section 239, I appointment Maxine Shortland and Jane Frances as responsible trustees of the Ngāti Hine Forestry Trust, to replace Patrick Morton and Edward Beattie, who have retired. Therefore, the assets of the Ngāti Hine Forestry Trust shall vest in Michael Butler, Lynden Bristowe, Waihoroi



Hoterene, Maxine Shortland, Kawiti Brown, Pita Tipene and Jane Margaret-Anne Frances as responsible trustees. I note, Ms Wilson has indicated that the trustees have conducted the Trustee Training Course and certificates have been filed with the Court and these orders are on file as of today.

In terms of the application seeking to vary the Ngāti Hine Forestry Trust order, I make the variations which are outlined in the submission to clause 4.8.7(2) and (3).

Those are the orders I make today.

Unless there is anything further, Ms Wilson.

Ms Wilson: E te Kaiwhakawā, e te Kōti, koutou katoa, i tuku whakaiti ana au tōku kupu whakapāha. I extend humbly my apology to the Court, Sir because I made a mistake.

Court: Here we go.

Ms Wilson: Sir, on Schedule Five of the submission which you have just read out, Sir.

Court: I did.

Ms Wilson: I omitted to clarify NA110/232 title, should also be in there.

Court: One, 10 –

Ms Wilson: Two, three, two, Title. It is in the A1 direction.

Court: Yes, I was just going to check that.

Ms Wilson: Yes, it is in the A1 direction, Sir. Nōku te hē. That is my mistake, Sir.

Court: My previous order relating to reference to Schedule Five, is to be amended to include reference to Certificate of Title NA110/232.

Ms Wilson: Thank you, Sir, and again, apologies to the Court. It was my mistake, completely, Sir.

Court: Kei te pai. Anything further?

Ms Wilson: No.

Court: Yes, thank you Ms Wilson. **Those are the orders I make in respect of your applications.**

That is us for the Court today, Ms Wilson, if you fellas would like to close us off, you may.

Ms Wilson: Yes, tēnā tātou.

Karakia Whakakapi (Heidi Mackey)



In relation to application AP-20240000013384 listed as Panui 79 – vesting the interests of the beneficial owners in the Ngāti Hine Forestry Trust

Pursuant to section 220A of Te Ture Whenua Māori Act 1993, the Court makes an order vesting the additional interests in Schedule Five above into the Ngāti Hine Forestry Trust.

In relation to application AP-20250000001666 listed as Panui 78 – He whakarerekētanga ki ngā tarahitī mō Ngāti Hine Forestry Trust

The Court makes orders pursuant to Te Ture Whenua Māori Act 1993:

(a) section 239 appointing:

<u>Name</u>	<u>Name</u>
Maxine Khrona Shortland	Jane Margaret-Anne Frances

as responsible trustees of the Ngāti Hine Forestry Trust to replace:

<u>Name</u>	<u>Name</u>
Patrick Ernest Morton	Edward Graham Beattie

who have retired; and

(b) section 220 vesting the land and assets of the Ngāti Hine Forestry Trust in:

<u>Name</u>	<u>Name</u>
Michael Anthony Butler	Kawiti Brown
Lynden Bristowe	Pita William Tipene
Waihoroi Paraone Hoterene	Jane Margaret-Anne Frances
Maxine Khrona Shortland	

as responsible trustees, jointly, no survivorship.

In relation to application AP-20250000002164 Listed as the Unadvertised Panui – He whakarerekētanga ki ngā tikanga o te Ngāti Hine Forestry Trust

Pursuant to section 244 of Te Ture Whenua Māori Act 1993, the Court makes an order varying the Ngāti Hine Forestry Trust as follows:

(a) Clause 4.8.7(2) changing to now read as:

4.8.7(2) Before the election process commences, beneficial owners representing at least 50% of all beneficial owners present at the meeting can request that votes shall be counted by individual beneficial owners present at the meeting or represented by proxy with each beneficial owner having one (1) vote; and

(b) Clause 4.8.7(3) changing to now read as:

4.8.7(3) Voting will be by secret ballot.

The foregoing orders to issue forthwith pursuant to rule 7.5(2)(b) of the Māori Land Court Rules 2011.

A copy of this minute is to be issued to the applicant and interested parties.

A handwritten signature in blue ink, appearing to read 'TKTAR Williams', with a long horizontal flourish extending to the right.

T K T A R Williams
JUDGE