

**Draft Minutes OF THE OHITI WAITIO 1E3A AHU WHENUA TRUSTS
(1A3A, 1A3B, 1A3C, 2A3B1B2 Trusts)**

ANNUAL GENERAL MEETING

SATURDAY 4 DECEMBER 2021, 12PM

CAMBERLEY COMMUNITY CENTRE, 703 KIWI STREET, CAMBERLEY, HASTINGS

TRUSTEES PRESENT:	Kathleen Kireka, Timoti Gemmell, Olivia Thompson, Ruth Wong
OWNERS, TRUSTS & TRUSTEES AND WHĀNAU MEMBERS PRESENT: (Recorded like this for the purpose of the election)	<p>Owners: George Gemmell, Dean Tunua, Lovey Edwards, Lillian Tunua, Anapou Blackler (Carroll), Frances Gemmell, Lesley Waaka, Kaupa Teariki, Robert Carroll, Maryanne Gemmell, Elizabeth Gemmell, Anneleise Karetu, Jamie Karetu, Patuhoe Carroll, Samuel Pitman, Belinda Wharehinga, John Puanaki, Emile Tikaokao McClutchie, Sheryle Allen, Raewyn Kohere</p> <p>Owner Proxies received: Eleanor Tunua, Kelly Waaka McClutchie, Keita Ekara Russell, Lesley Waaka, Jeanette Makirere, Ripeka Kireka,</p> <p>Trusts & Trustees Huia Tunua Whanau Trust (Traci Tuimaseve, Ruth Wong 2/4) Moari and Iramutu Karaitiana Whanau Trust (Florence Karaitiana, Marie Leef, Christine Kidwell 3/5) Papara Carroll Whanau Trust (Papara Carroll 1/1) Hine Kura III Whanau Trust (Samuel Pitman 1/2) Huia Kireka Whanau Trust (Proxies received – Huia Smith, Kryshayla Kireka, Reihana Kireka, Renee Kireka 4/5) Iwinui Bowen and Katerina Mouru Kireka Whanau Trust (Kathleen Kireka, Eve Kireka, – Proxies received – Dawn Kireka, Tama Kireka, Angela Kireka, Norma Steffart, Ripeka Kireka, Manakore Kireka, Pita Kireka 9/9) James Juno Kemp Whanau Trust (Olivia Thompson, Elizabeth Huata 2/3) Karaitiana raua ko Paenga Whanau Trust (Florence Karaitiana, Proxies received Frances Paenga, Glenda Paenga, Ivid Paenga, Treene Nahi, Reece Paenga 6/6) Rex Whiu Kara Whanau Trust (Darlene Carroll 1/3) Royshill Karetu/Tunua Whanau Trust (Jamie Karetu 1/2) Wiremu Keepa Karauria Kaiwhata Whanau Trust (Panapa Kemp, Bradley Kemp 2/3) Whiu-Kara Hohepa Rehua-Slade Whanau Trust (Proxies received Josebel Rehua 1/2)</p> <p>Whānau Members/non owners: Hemi Wong, Andrew Kiwara, Timoti Gemmell, Maurice Karaitiana, Tui Nepata, Taylor Kemp, Thomas Kemp, Charlotte Baker, Robyn Edmonds, Wallace Kemp, Chris Kemp,</p>
OTHERS PRESENT:	Robert Kale (Accountant)
MIHIMIHI:	The Chairman, Kathleen Kireka welcomed everyone back to the Ohiti Waitio 1E3A meeting.
HIMENE/KARAKIA:	Deferred as we carried on from the Ngatarawa

MAUMAHARA:	This part was deferred as the names from the last meeting remain. The following whānau were acknowledged along with any others we may have missed: Dawn Waaka (Girlie), Rihari Puanaki, Christine Waitere,
APOLOGIES:	<p>Apologies were approved from the floor as noted in the Ngatarawa AGM – Alieta Uelese, Logan Tuimaseve, Joinella Carroll, Raiha Huata, Karl Teariki, Juanita Teariki, Colleen Karetu, Phillip Karetu, Charlena Karetu, Phillip Carroll, Wairakei Huata, Robert Tunua, Iti Tunua, Joy Tunua, Tuckey Tunua, Rene Allen, Piata Allen, Awatea Christiansen, Glen Allen Herbison, Barry Allen Herbison, Te Mana Allen, Grace Allen, Clare Schuster, Rima Allen. The Children of Te Moana Nui a Kiwa Kemp of Muriwai Gisborne, our late brother Boy Kemp children, (Daiminn Kemp, Michael Kemp, Atareta Kemp,) Mangu Sydney Kemp, Louise Kemp, Elizabeth Alexander Wawatai, Sarah Munro, Sandra Thomas, Justine Nuku, and our niece Maylene Pohatu. Due to the current Covid-19 Update effective today Friday 3 December 2021 which our region is in the Red Zone its only appropriate for the safety of all we apologise that we are not able to attend our Ngatarawa Ahu Whenua Trusts and Ohiti Waitio Ahu Whenua Trusts AGM that is to be held Saturday 4th Dec 2021 at the Camberley Community Centre Hastings.</p> <p>MOTION: “That the apologies be accepted”. Moved by Eve Kireka, Seconded by Traci Tuimaseve All in Favour, Motion Carried.</p>
MINUTES:	<p>Minutes of the AGM held on 21 November 2020 were circulated to members via post and were made available on the website and at this annual meeting. Florence Karaitiana was upset that the minutes look very much like the Ngatarawa minutes. Ruth said yes they are very much the same.</p> <p>Amendments to the Minutes</p> <ul style="list-style-type: none"> • Pg 2 Change Eve Steffert to Norma Steffert • Pg 2 Change Belinda Wharehingahinga to Wharehinga <p>MOTION: “That the minutes of the AGM held on 21 November 2020 with the amendments noted above be accepted as a true record of that meeting” Moved by Frances Gemmell, Seconded by Lillian Tunua, One abstained – Florence Karaitiana Motion Carried.</p>
MATTERS ARISING FROM THE MINUTES	<ul style="list-style-type: none"> • Whanau wanted it noted as per the Ngatarawa Hui that there concerns regarding dividend payments and the letter that was tabled last year by Patu Carroll on behalf of the Carroll Whanau – requesting a review of accounts. It was shared that Papara had asked for a breakdown of payments from the accountant as she noted that there was inconsistency in payments. She noted that the breakdown that the accountant had given her was inconsistent with what was noted in the bank. Papara said that because she was not satisfied, she filed an application to the Māori Land Court requesting of the MLC Judge that the Trust have an audit of accounts and a review of the trusts financial management operations. • Belinda Wharehinga also shared concerns about the accountant.

	Kathleen Kireka said that these items would be addressed in today's meeting.
CHAIR REPORT:	<p>Kathleen Kireka read out her report. Attached as Appendix 1.</p> <p>Summary of report included Tertiary Grants, Ahuwhenua update, and Lease update</p> <p>MOTION: "That the Chairs report be accepted". Moved by Mariee Leef, Seconded by Jamie Karetu All in Favour, Motion Carried.</p>
DISCUSSION AROUND CHAIRS REPORT	The Ohiti Waitio 1E3A lease was signed off earlier this year which commenced 1 June 2022 for an annual payment of \$155k for 25 years.
FINANCE REPORT:	<ul style="list-style-type: none"> The Financial Report for the year ending 31 March 2021 was presented by the Accountant Robert Kale. Attached as Appendix 3. Summary of the report included the Statement of Accounts, Land Owner Payments, Unclaimed Dividends and Trustee Acknowledgements. Owners were satisfied with the same issues as the first hui As Robert read out the statement of accounts, some owners wanted to know what the price per share is. Robert could not answer immediately. Traci Tuimaseve worked it out from the financial report and explained it to the owners. Traci recommended that in future that the finance report reflect the number of shares and price per share be noted. <p>MOTION: "That the Financial report be accepted". Moved by Florence Karaitiana, Seconded by Belinda Wharehinga, All in Favour, Motion Carried.</p>
DISCUSSION AROUND FINANCIAL REPORT:	<ul style="list-style-type: none"> It was asked that the same issues that were highlighted in the Finances Report for the Ngatarawa Hui be included in these minutes, Papara Carroll shared her concerns regarding the Trusts financial accountant and systems. Papara shared concerns regarding dividend payments and her request in court for the Trust to have an audit of accounts and a review of the trusts financial management operations. Kathleen shared that the Trust went to court and the Judge overuled the request for the Trust to have an audit of accounts and a review of the trust, however the Trust was encouraged by the Judge to hold a voluntary audit every 5 years. This was agreed as something going forward with the new trustees. Robert was accused of his processes for paying the dividend. Robert shared that he receives a request to make the dividend payments from the Trustees. MLC lists are downloaded. These lists change as succession orders etc take place. Income is then divided by landowners. The gross dividend taxed for IRD purposes and payment is made according to owner shares. Every time a distribution is

	<p>made, it is made through the Trustees. For payments, he administers the payments ready for authorising through the Chair.</p> <ul style="list-style-type: none"> • Belinda Wharehinga also shared concerns about the accountant and overpayment issues. She supported the need for a financial audit. • Owners agreed that the Trust have a financial audit every five years as suggested by the Māori Land Court. <p>MOTION: “That the Trust have a financial audit and Trust review every five years as suggested by the Māori Land Court. Moved by Jamie Karetu, Seconded by Anneleise Karetu All in Favour, Motion Carried.</p>
<p>GENERAL BUSINESS:</p>	<p>Kaumātua Grant: Beautiful kōrero was shared around the opportunity for Kaumātua Grant. Christine Kidwell, Kaupa Teariki and Lovey Edwards shared support for a Kaumātua Grant. This was another challenge for the new trustees to work with.</p> <p>Tangihanga Grant: Anneleise Karetu asked about Tangihanga Grants. TK McClutche suggested that we need restrictions.</p> <p>Historical Information: Florence Karaitiana would like for new trustees to learn about Hinemanu Kainga, Rokatukotahi and the Peter Harland Report that was ignored by the Trustees. Kath corrected Florence and said that it had been dealt with years ago. Florence asked for this kaupapa to be read and understood by the new trustees.</p> <p>Tertiary Grants Eve Kireka brought up the new criteria. If you have received two post graduate grants, you cannot re-apply. Eve said that when she has applied for grants in the past, she seeks advice from her whānau to go forward. Eve would like this part of the criteria amended.</p> <p>It was agreed that these challenges be picked up by the newly elected trustees.</p> <p>MOTION: “That the General Business brought up today be picked up by the new elected Trustees” Moved by Traci Tuimaseve, Seconded by Eve Kireka All in Favour, Motion Carried.</p>
<p>TRUSTEE ELECTIONS:</p>	<p>The Election process took place and ran in conjunction with the Election Pack. See attached the Election Pack as Amendment 4.</p> <p>The Election was conducted as per the Election Process There were two types of vacancies on the Trust Board, one three (3) year term vacancy and two - six (6) year term vacancies. At the meeting owners agreed to allow for three six year term trustees to allow for an uneven Trust Board for more quality decision making. Candidates indicated interest in one or the other and indicated this on the nomination form.</p>

NOMINATIONS RECEIVED FOR THE 3 YEAR TERM -

One eligible nominations was received for the 3 year term which meant she was elected unopposed.

- Belinda WHAREHINGA

NOMINATIONS RECEIVED FOR THE 6 YEAR TERM -

Four (4) eligible nominations were received for the 6 year term.

Eligible voters were given a voting form on entrance. I.e – Eligible means, ‘land owners’ or one vote per Trust with majority Trustees in attendance in person or by proxy. A total of 32 voting papers were distributed. A total of 24 voting papers were returned. Voters could choose up to 3 candidates.

An election took place for the three positions which took place. The ballot box was taken. Jamie Karetu came out with Ruth Wong and Traci Tuimaseve to count the votes.

This was the result.

- Andrew Dean Henarae KIWARA (23)
- Eve KIREKA (12)
- George GEMMELL (19)
- Robynne EDMONDS (11)

MOTION: “That the Election Outcome be accepted”.

Moved by Lillian Tunua, Seconded by Anneleise Karetu

All in Favour, Motion Carried.

We congratulated all candidates. The Election was declared closed.

Kind words were shared about the outgoing Trustees.

- Olivia acknowledged Kathleen and Timoti
- Jamie Karetu supported the words of Florence and acknowledged Kathleen, Timoti and Olivia.
- TK McClutchie spoke on behalf of the Matenga Winiata Keepa whanau and thanked Kathy, and the trustees for their long time service.
- Belinda Wharehinga thanked the trustees on behalf of her whanau. Uncle Timoti was acknowledged for his service, wisdom and time.
- Bobby acknowledged Uncle Timoti regarding the land and coming together as one voice for the whanau.
- Andrew Kiwara spoke on behalf of the Tunua whanau and acknowledged the trust and the progression since last year. Shared that we will be losing years of experience on the Trust. Encouraged to take joy in the mahi. Big mihi to the old trustees.
- Dean Tunua gave a mihi to madam Chair – Kathleen and shared his experience in the Army. He understands the mahi and encouraged us all to push on, punch on, forward, united. We can’t achieve as

	<p>individuals. We need to help. Encourage us to not doubt, and ask for help.</p> <ul style="list-style-type: none"> - Christopher Kemp said we need experience to get the land back. - George Gemmell shared that his beloved wife Aunty Mere Gemmell and daughter Rachel Gemmell are buried up on Royshill. He would like to see Hinemanu Marae built up on Royshill. - John Puanaki, Mangu, Kemp whanau. Thanked Kathy for her mahi and encouraged the new ones coming in, and encouraged the old to now relax and take on their new journey. - The outgoing trustees spoke.
KARAKIA:	Kaupa Teariki closed our meeting.

Appendix 1 – Chairs Report

**KO TE AMORANGI KI MUA
KO TE HAPAI O KI MURI**

**LET GOD BE THE SPEARHEAD
ACHIEVEMENT WILL SURELY FOLLOW**

Kia ora Whanau,
Nau mai, haere mai. Welcome to the 2021 Annual General Meeting of Owners and Trustees of Ohiti Waitio 1E3A Ahu Whenua Block.

First and foremost I want to **acknowledge** and express heartfelt condolences to all of us whom have sadly lost loved ones during this very trying time. The Ngangara that is moving amongst us, and across the globe, has taken its toll on many, in no uncertain terms. It is therefore up to each and every one of us to not only take care of our whanau and friends, but also of ourselves. Then we will be of more help to those around us.

This **Financial year** of 1st April 2020 to 31st March 2021 being an exceptional and different experience with dates and times very often a challenge, to try carrying out our mahi, as Covid 19 presented itself to every walk of life. Being bright and educated, rich or poor, fit and well, sick and ailing, young or elderly, it wasn't fussy with whom it affected. So meetings to discuss and finalize business was often put on hold and therefore holding us up, to serve our whanau in an appropriate timely manner. Our Secretary/ Treasurer has tried keeping everyone informed by regularly updating information on our Ngatarawa/ Ohiti Website. So if anyone seeking answers or had queries, hopefully the website was of help.

We **Trustees** being Ruth Wong (Secretary/Treasurer), Olivia Thompson, Timoti Gemmell, and myself Kathleen Kireka (Chairperson) have done our utmost to address the many concerns of all our whanau requiring help. After many months of lockdowns and levels lowering, and trying to get together, on 19th Nov.2021 we along with our Accountant as witness finally got to meet up at the NKII office, to sign off a 25year Lease Agreement with our Maori Whanau Apatu Farms Ltd. Directors Paul Apatu and Mark Apatu, have previously leased developed and cared for our whenua. Now with the intentions of making it even more productive as possible, while keeping it absolutely beautiful. Their aim to create more profit for the Owners, means they will be spending more putea and addresses a report by Snow Wilkins Land Valuations Ltd. The longer Lease Agreement also means Rental was at \$106,000.00 plus GST per annum, and now increased to \$155,000. per annum. They hold and provide licence for the very precious water on this whenua. All details can be found on the Ohiti Waitio 1E3A Ahuwhenua website.

IRD. One of the reasons causing delayed payment of dividends to our Owners, was changes to IRD's system, requesting more information from all, before being paid out. Instructions are if all required information is not provided, we are not to make payment. Not even the Maori Land court were able to help. The List we call Registered Owners are those providing IRD numbers, Bank account numbers, all contact information e.g Postal addresses, Email addresses, telephone numbers. Those whom have not provided the required information are Listed as Unregistered and until The Trust receives all of what is required above, they cannot make payment. I feel the Trust has been made responsible to find the Owners for IRD.as they are unable to trace them for themselves. Please Whanau provide those details

and should you change addresses or bank accounts just notify the Secretary Treasurer or the Accountant so your payments can be made to you.

Financials: Although late, dividends to Registered owners will be paid out as soon as possible. Our Trust's Accountant Robert Kale takes care of our Financial Accounts and Statements, reporting to all owners at every AGM we have held. Moving forward, we operate using a budget, which the Trustees meet to discuss and decide on before any payments are made.

Tertiary Grants are offered each year and once again request all applicants must be Registered owners or are a beneficiary of a Registered owner. Our grant of \$5000.00 (Five thousand dollars) is shared amongst all whom apply and are successful. Applicants must be enrolled with a New Zealand Tertiary Provider or Australian equivalent only, as stated when the tertiary grant was first established. Applications with all requirements can be found on our Ohiti website. You can only apply to the land block (Ohiti Waitio 1E3A) according to your succession order but also provides for availability in both this one and Ngatarawa blocks. Good luck to all whom have been successful and to all future applicants striving for excellence. Kia kaha koutou.

As one of the two **Trustees in rotation** this year, I must thank you all for the many years of support. Firstly getting to meet many of you whom I hadn't before. Some whom I hadn't seen for many years, and many of those Aunties, Uncles and cousins whom have sadly now passed on since I came on board as a Trustee. It has been a great experience not only for me but also my immediate whanau whom I relied on when I needed a boost. The job as a trustee has its rewards and downsides. But thankfully not too many downs. Meeting all our whanau joined by this beautiful whenua is a blessing in itself. I am forever grateful to our Tipuna for the awesome legacy left by them, for us to utilize and care for. Many thanks to the Trustees whom I have worked alongside, right up to this day. I will always be thankful for the whanaungatanga and experience.

This is my **2021 Chairpersons Report** and I thank my other two fellow Trustees, Olivia Thompson whom is also in rotation and Timoti Gemmell whom is voluntarily resigning. Since being nominated and voted on to this Trust back in 1999, I got to meet and work alongside our Accountant Robert Kale whom has progressed our Trust through many trials and tribulations while trying to help not only us Trustees, but also the owners. His ongoing support in keeping the mahi as easy and simple as possible, must at times seem like a thankless task. But believe me Robert Kale I am grateful to you for the time spent learning your mahi. To our Secretary/Treasurer Ruth Wong, whom has worked really hard since day one and still doing today. Your expertise that comes with you, from not only working with our NKII office, but also the many portfolios you hold with other Community groups is outstanding and very much appreciated. Please know I am grateful to you for all the assistance you have given the Trust. I also want to say a big thankyou to Kaupa Teariki whom as a kaumatua, has been at all our AGMs supporting and contributing towards our

tikanga. He has been an asset in fulfilling that role for us. Thank you all. I end my report as Kathleen Kireka, Owner, Trustee, Chairperson of Ohiti Waitio Ahuwhenua Trust.

E Te Matua, Tama, Wairua Tapu, me nga Anahera Pono, me Te Mangai hei tautoko mai aiane i ake nei Ae.

Appendix 2 – Land Lease Email from Apatu Farms

From: Paul Apatu <Paul@apatugroup.com>

Sent: Friday, November 26, 2021 1:25 PM

To: Ruth Wong <ruth@kahungunu.iwi.nz>; oliviat456@gmail.com; kathleennkireka@hotmail.com; gemmelltimoti@gmail.com; Mark Apatu <Mark@apatugroup.com>

Cc: Cara Bennett <cara@langleytwigg.co.nz>; Robert Kale (rkale@inhb.co.nz) <rkale@inhb.co.nz>

Subject: RE: Signed Lease e hoa ma - Great hour to celebrate moving forward on this. Well done everyone!

Below is an update on Ngatarawa.

1. We have been in discussion with the 2 main wine companies (Constellation & Indevin). These discussions are ongoing and at times they can be very slow moving given the life of a vineyard development proposal and the commitment they are undertaking to take the grapes for sometimes in excess of 25 years,
2. We have done the financial analysis on the current pricing and development costs and this has come out ok, one of the main impediments is the cost estimate of water storage (dam), in excess of \$600,000. This is necessary because the current water consent is on low flow, which means when the Ngaruroro hits a low flow then the HB Regional Council imposes a ban and we stop irrigating. Without a water storage dam the development is not feasible and too risky. One of our thoughts was for both of parties to see whether some funding could be available for the water storage on the basis of improving Māori land and becoming more productive and deriving a better financial scenario for the landowners by increasing the rental income stream. Once you have the water storage on your whenua this opens up a lot more options for utilisation both now and in the future,
3. We do have the water consent available for the development and we feel we are the most suitable party to explore this opportunity with you.

In short we are unable to give you an answer on the viticulture development by the end of the year as discussions are ongoing.

On this note where to from here?

1. We are prepared to continue leasing the block as a grazing proposition for \$120,000 + GST (from 1 January 2021) for a proposed 6 year term, with a rental assessment year 3. If we haven't planted a vineyard by the stage you can assume we never will,
2. For you to explore alternative options yourselves.

Both Mark & I are happy to meet and discuss but thought it would be good to get our thoughts out there so you can discuss between yourselves. In terms of our livestock operation we have been working in partnership with another party (Jim Cornes – Baystock). To date he has not been operating in any way on your Ngatarawa whenua. All we are doing is flagging the potential that this could happen in the future and we felt it necessary to be upfront about this, all obligations and responsibilities would still sit with us.

Let me know your thoughts and/or we are available to meet again to discuss or clarify any points above.

Ngā mihi

Paul Apatu

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Hastings, New Zealand



OHITI WAITIO IE3A TRUST

***LANDOWNERS
FERNHILL***

***FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2021***

OHITI WAITIO IE3A TRUST

STATEMENT OF DISCLAIMER

FOR THE YEAR ENDED 31 MARCH 2021

We have compiled the financial statements of OHITI WAITIO IE3A TRUST for the year ended 31 March, 2021 as set out on the following pages.

We have compiled the accompanying financial statements from information and instructions furnished to us, using as a base the Institute of Chartered Accountants in New Zealand's Service Engagement Standard No. 2. Compilation of Financial Information. Under this standard, a compilation is limited primarily to the collection, classification and summarisation of financial information supplied by the client.

As this standard does not require any significant verification, validation or audit of that information neither we nor any of our employees accept any responsibility for the accuracy of the material from which the financial statements have been prepared.

Further, the financial statements have been prepared at the request of and for the purposes of our client only, and neither we nor any of our employees accept any responsibility on any grounds whatsoever, including liability in negligence, to any other person or party.

The Financial Statements should be read in conjunction with the Statement of Accounting Policies and Notes to the Accounts attached to these Statements.

20 August 2021

HASTINGS

OHITI WAITIO IE3A TRUST

DIRECTORY

AS AT 31 MARCH 2021

Nature of Business	Landowners
Settlor	Maori Land Trust
Date of Deed	6 July 1995
Distribution Date	In Perpetuity
Trustees	<p>Olivia Lamae Thompson 113 Dundee Drive Flaxmere</p> <p>Kathy Kireka 1232 Cunningham Crescent Hastings</p> <p>P T (Boy) Kemp 107 Meander Drive Welcome Bay Tauranga</p> <p>Timoti Gemmell P O Box 378 Hastings</p> <p>Sandra Matenga 59 Cotterill Cres Onekawa</p>
Beneficiaries	<p>Various A Total of 42356 Shares</p>
Accountants	<p>Mayberry Accounting Limited Po Box 1208 Hastings</p>
Bankers	<p>Westpac Trust PO Box 924 Hastings</p>

OHITI WAITIO IE3A TRUST

STATEMENT OF FINANCIAL PERFORMANCE

FOR THE YEAR ENDED 31 MARCH, 2021

	2021		2020
	\$	\$	\$
<u>INCOME</u>			
Rent Received			106,000.00
			<u>106,000.00</u>
<u>TOTAL INCOME</u>			<u>106,000.00</u>
<u>LESS EXPENDITURE</u>			
ADMINISTRATION EXPENSES			
Accountancy Fees	6,250.00		8,300.00
Bank Charges	72.36		18.35
Trustees Fees and Expenses	4,950.00		5,550.00
Dividend Paid	-		81,900.00
Tertiary Grants	4,999.98		5,000.00
General Expenses	4,257.47		933.13
Legal Expenses	-		1,873.86
	<u> </u>		<u> </u>
TOTAL ADMINISTRATION EXPENSES		<u>20,529.81</u>	<u>103,575.34</u>
<u>TOTAL EXPENSES</u>			<u>20,529.81</u>
			<u>103,575.34</u>
<u>OPERATING PROFIT</u>			<u>85,470.19</u>
			<u>2,424.66</u>
Provision for Taxation			14,957.28
			<u>3.15</u>
<u>TOTAL SURPLUS AFTER TAX</u>			<u>\$70,512.91</u>
			<u>\$2,421.51</u>
 <u>TRANSFERRED TO</u> <u>TRUSTEE/BENEFICIARIES :</u>			
Trustee			70,512.91
			<u>2,421.51</u>
			<u>\$70,512.91</u>
			<u>\$2,421.51</u>

This special purpose statement has been completed without audit and must be read in conjunction with the accompanying disclaimer

OHITI WAITIO IE3A TRUST

STATEMENT OF FINANCIAL POSITION

AS AT 31 MARCH 2021

	2021		2020
	\$	\$	\$
<u>CURRENT ASSETS</u>			
Ngatarawa Trusts Partnership	-		508.48
Westpac Trust Bank C/A	168,501.48		191,279.62
Taxation Refund	442.72		-
GST Refundable	-		187.59
TOTAL CURRENT ASSETS		168,944.20	191,975.69
<u>LESS</u>			
<u>CURRENT LIABILITIES</u>			
Tertiary Grants Reserve	5,000.00		5,000.00
Accounts Payable	-		21,233.56
Unpaid Dividends	148,060.90		147,296.44
Provision for Income Tax	-		475.30
TOTAL CURRENT LIABILITIES		153,060.90	174,005.30
WORKING CAPITAL SURPLUS		15,883.30	17,970.39
<u>NON-CURRENT ASSETS</u>			
PROPERTY			
Trust Property at 1995 Government Valuation (Current C V \$2,970,000)	870,000.00		870,000.00
TOTAL PROPERTY	870,000.00		870,000.00
TOTAL NON-CURRENT ASSETS		870,000.00	870,000.00
		885,883.30	887,970.39
<u>NET ASSETS</u>		\$885,883.30	\$887,970.39
<u>TRUST FUNDS</u>			
Trust Capital	870,000.00		870,000.00
Trustee Current Account (as per Statement)	15,883.30		17,970.39
TOTAL TRUST FUNDS		\$885,883.30	\$887,970.39

For and on behalf of the Trust:

Trustee

Date:

Trustee

Date:

This special purpose financial statement has been compiled without an audit or review engagement and must be read in conjunction with the accompanying Disclaimer and Notes

OHITI WAITIO IE3A TRUST

STATEMENT OF TRUSTEE AND BENEFICIARIES CURRENT ACCOUNTS

FOR THE YEAR ENDED 31 MARCH, 2021

		2021	2020
	\$	\$	\$
TRUSTEE :			
Opening Balance		17,970.39	15,548.88
Allocation of Profit for year	<u>70,512.91</u>	<u>70,512.91</u>	<u>2,421.51</u>
		88,483.30	17,970.39
Less:			
Distribution to Owners	<u>72,600.00</u>	<u>72,600.00</u>	<u>-</u>
			-
Closing Balance		<u>\$15,883.30</u>	<u>\$17,970.39</u>

This special purpose statement has been completed without audit and must be read in conjunction with the accompanying disclaimer

OHITI WAITIO IE3A TRUST

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 MARCH, 2021

1. Statement of Accounting Policies

Entity Reporting

These financial statements are for OHITI WAITIO IE3A TRUST.

The entity is a Discretionary Trust established under a Deed of Trust. It is not publicly accountable and is not classified as large. These financial statements disclose additional information in excess of the requirements of the differential reporting standards.

These are special purpose financial statements that have been prepared on the basis of historical cost, except as may be indicated in specific accounting policies identified below. These special purpose Statements are prepared for the client only, for tax purposes, and for the client's bankers where appropriate.

Measurement Base

The accounting principles recognised as appropriate for the measurement and reporting of earnings and financial position on an historical basis are followed by the entity.

Specific Accounting Policies

The following specific accounting policies which materially affect the measurement of financial performance and financial position have been applied.

(a) Income Tax

Taxation expense charged against the profit for the year is the estimated total tax for the year in accordance with the taxation return to be filed with the Inland Revenue Department. This Tax is calculated under the taxes payable method.

(b) Fixed Assets

Fixed Assets are stated at cost (unless otherwise noted below) less aggregate depreciation and are recorded on the Schedule of Fixed Assets that forms part of these financial statements. Any asset leased by the entity that incorporates rights of ownership for the entity in the future has been included into the Schedule of Fixed Assets with a corresponding liability for future lease payments being recorded as a liability in the financial statements. Otherwise, lease payments that do not confer such rights of ownership are included in the determination of operating profits in equal instalments over the term of the lease.

(c) Goods and Services Tax (GST)

The financial statements have been prepared on a GST exclusive basis where all items in the Revenue Accounts, together with Inventories and Fixed Assets, have been recorded exclusive GST. Accounts Receivable and Accounts Payable are recorded in the Statement of Financial Position inclusive of GST. GST owing to or by the entity at balance date, as recorded in the Statement of Financial Position, has been determined on an accruals basis.

(d) Changes in Accounting Policies

There have been no changes in Accounting Policies. All policies have been applied on bases consistent with those used in previous years.

OHITI WAITIO IE3A TRUST

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 MARCH, 2021

2. Operating Revenue

	2021	2020
	\$	\$
Sales Revenue	-	-
Other Revenue		
Net rental income	106,000.00	106,000.00
	<u>106,000.00</u>	<u>106,000.00</u>

3. Related Party Transactions

There have been no material related party transactions during the year.

4. Capital Expenditure Commitments

There were no commitments for capital expenditure at year end. (Prior Year = **NIL**)

5. Contingent Losses and Gains

There were no known contingent losses or gains outstanding as at balance date. (Prior Year = **NIL**)

**NGATARAWA AHU WHENUA TRUST - (1A3A, 1A3B, 1A3C, 2A3B1B2 Blocks)
and OHITI WAITIO 1E3A AHU WHENUA TRUST
TRIENNIAL ELECTION - INFORMATION PACK 2021**

Triennial Election Rotation

Three of the four trustee positions of the Trust Board are up for election. As per the Trust Deed half of the trustees shall retire at the end of their six (6) year term. One trustee has also notified the trustees at their 30 October 2021 meeting, that he will also resign half way through his six (6) year term. This position has a remaining three (3) year term, therefore there are two positions for the six (6) year term and one position for a three (3) year term. This will be reflected on the nomination form. Candidates will need to indicate which of the two positions they want to stand for.

Trust Deed

Section 4 of the Trust Deed indicates the Election of Trustees as outlined below.

4. Election of Trustees

4.1 Nominations for election of or replacement of trustees shall be made at general meetings or special general meetings called for that purpose.

4.2 The Trustees in whom the said land is vested by a vesting order shall retire as follows:

(a) at the general meeting held in the third calendar year after the year in which this trust order was confirmed and ordered by the Court, one-half of the trustees shall retire.

(b) at the following general meeting in the sixth calendar year, a further one-half of those trustees shall retire and to be those Trustees who did not retire in terms of clause 4.2(a)

(c) as to the trustees who shall retire as provided in (a) and (b) above where necessary, to be determined by agreement or lot.

(d) No trustee shall remain without being re-elected for a period exceeding six calendar years.

4.3 A trustee who retires due to clause 4.2(a) and (b) may be available for re-election at a general meeting.

Background

The Trust Deed was formed on the 3 November 2015. On 8 December 2018 as per Section 4 of the Trust Deed, the first Trustee Election was held at Heretaunga Taiwhenua as part of the AGM Agenda. At that meeting the election process was explained as per the Trust Deed. Former Trustee/Chair - Boy Kemp indicated that he and Timoti Gemmell were the first two to retire as trustees. Boy also indicated that he would not be re standing in the new election and thanked everyone for their trust in him throughout the years. This left two positions vacant. Nominations were received for the two positions. Timoti Gemmell was successfully re-elected while Ruth Wong received the highest number of votes and successfully elected in.

Election 2021

The date of the Election is Saturday 4 December 2021 and will take place during the Ohiti Waitio 1E3A AGM that will follow the Ngatarawa AGM which starts at 10am. Depending on when the Ngatarawa AGM ends, will determine the start time of the Ohiti AGM.

Please note that in 4.3 of the Trust Deed, A trustee who retires due to clause 4.2(a) and (b) may be available for re-election at a general meeting, and therefore need to go through the same nomination and voting process as other nominees.

The two retiring Trustees are Olivia Thompson and Kathleen Kireka. Timoti Gemmell has indicated his resignation.

Nominations for Trustee candidates are now open and will be declared closed at the Ohiti AGM when these elections will be conducted.

Questions and Answers

1. **How many Trustees are there on the Trust?** At the moment there are four.

2. **Who can become a Trustee?** To become a trustee of a Māori land trust you must demonstrate that you have the skills and ability to effectively manage the land.

You must demonstrate that as a current or potential trustee you are not one of the following:

- a) Insolvent (a bankrupt or a director on a company that is subject to liquidation)
- b) Subject to a No Asset Procedure administration by the official assignee
- c) Convicted of a crime involving dishonesty or fraud
- d) A minor - under 20 years of age
- e) Someone who has been removed from a trust or incorporation by the Māori Land Court or any other court for misconduct in the administration of a trust or incorporation
- f) By reason of your age or mental or physical disablement are unable to manage your own affairs.

3. **Who can nominate and second a candidate?** Land owners present at the meeting or present by proxy.

4. **Where is the nomination form?** The nomination form is attached to this document and also downloadable from the website. <https://www.ngatarawa-ohiti.nz/what-s-new> or you can contact the secretary Ruth Wong Phone: 027 213 9547 Email: ngatarawa.ohiti@gmail.com. Please note that every nominee must submit a 100 word profile.

5. **Do Trustees get paid?** Yes, Trustees are paid \$125.00 per meeting for up to 12 meetings per year as per the Trust Deed.

6. **Who can vote?**

- a) Every beneficial owner present in person or by proxy shall be entitled to vote.
- b) A person acting as proxy for any other beneficial owner shall be entitled to vote separately for each person for whom he/she acts.
- c) Whanau Trusts are entitled to one vote. However at least three trustees must indicate their approval to support the vote either in person or by proxy vote.
- d) The law changed on the 6 February this year which enabled people to succeed to Maori land interests straight away even though there was a life tenant. For the purposes of voting, the life tenant is eligible to vote as a beneficial land owner

unless the children have succeeded to the land after the 6 February 2021 and they are named on the MLC list as beneficiaries, then the life tenant cannot vote.

7. **What is a Proxy?** A proxy is appointed by an owner to attend and vote on behalf of the owner.
 - a) The Proxy must be at least 20 years of age.
 - b) The proxy must be appointed by notice in writing using the Proxy form attached to this document – received by the Election Officer at least 48 hours before the AGM Election meeting. (Thursday 2nd December 2021, 10am)
 - c) The form must be signed by the owner. The signature of the owner must be witnessed and the witness must also sign the form.
 - d) If the owner and proxy have fulfilled all requirements noted here, then the proxy may attend and be heard in the meeting and vote as if the proxy were the owner.
 - e) For whanau Trusts, they have one vote only, however they must have at least 3 people in the Trust present at the meeting or in attendance by proxy who support the vote.

8. **When will we know the outcome of the Election?** The Election outcome will be announced on the day of the AGM.

9. **What are the responsibilities of a Trustee?** Your key duty is to maximise the assets of a trust and minimise its liabilities – or – to hold onto and grown the value of the existing land or shares without incurring significant costs.

10. **What should I expect if I am appointed?** Being a Trustee is a big responsibility. If you want to know more, you can download the Maori Land Court Trustees Duties.
You need to:
 - a) Have time to devote to the role and attend meetings
 - b) Play an active role in meetings - read documentation, contribute to meetings, ask questions, request more information, and challenge the korero.
 - c) Be able to read information and make sound decisions based on information.
 - d) Maintain a high standard of conduct and show respect for others opinions.
 - e) Have good communication skills and smartly respond to emails, texts and phone calls.

11. **What is the Election Process?**
 - a) Nominations are now open. If you are interested in being a candidate to be a Trustee, you must start the process of getting the nomination form filled in. You need a nominator and a seconder/witness who are both land owners who will be present at the AGM meeting.
 - b) There are two types of vacancies on the Trust Board, one three (3) year term vacancy and two - six (6) year term vacancies. Candidates can be nominated for one or the other and will indicate this on the nomination form.
 - c) In the nomination form, there is a section for a candidate profile. A candidate profile is like a CV that summarises who you are, your experience, skills and aspirations and basically tells voters why they should vote for you.
 - d) Nominations can be handed to the secretary Ruth Wong – prior to or on the day of the AGM Election which is Saturday 4 December 2021. In future, nominations will close prior to the AGM Election so information can be sent to owners prior to the meeting for postal voting.

- e) On arrival to the AGM on Saturday 4 December 2021, all attendees will sign the attendance register. Only those eligible to vote will be given a voting form that will coincide with a register for eligible land owner voters. The voting paper will show a unique number with voting for the two (2) types of vacancies as noted above. The voting paper will coincide with the registers unique number.
- f) At the AGM Election, the Election Officer will explain the process and declare the election open and invite all submissions of the nominations to be handed in. There will be a short time allocated for this to happen, so it is important that if you are interested in being nominated, that you do the paper work prior to the meeting.
- g) When all nominations are received, the Election Officer will declare the nominations closed and peruse the nominations received and announce the eligible candidates or nominees names. If the right amount of nominations are received for the vacancies, they will automatically be appointed without a vote, however if more nominations are received, a voting process will occur and only those land owners with the voting papers will be able to vote.
- h) The vote will be by secret ballot. Land owners will vote for one of the two (2) types of vacancies. This will be explained by the Election Officer.
- i) Candidates may have an opportunity to share their aspirations before the voting takes place or if they choose, the Election Officer can read out their candidate profiles.
- j) When everyone understands, the voting part of the election, voting is declared open and the secret ballot takes place. When all eligible land owners have voted, the voting is declared closed.
- k) The Election Officer takes the ballot box to a private area to count the votes in accordance with the attendance register of eligible voters. Candidates can send a scrutineer in with the Election Officer if they wish, to witness this process.
- l) The Election Officer announces the highest polling candidates as successful and congratulates the landowners.
- m) The 2021 Triennial Election is declared closed.

12. Who is the Election Officer? The Election Officer is Ruth Wong, the Trusts Secretary and only Trustee not resigning or retiring from the Trust at this Election Process. Ruth Wong has declared that she and her 'Huia Tunua Whanau Trust' will not be participating in this Election as nominators or voters, to allow her to administer this Election Process with no conflict of interest

Attached Forms and links

- **Proxy Form**
- **Nomination Form**
- **Maori Land Court**

**NGATARAWA AHU WHENUA TRUST - (1A3A, 1A3B, 1A3C, 2A3B1B2
Blocks) and OHITI WAITIO 1E3A AHU WHENUA TRUST
TRIENNIAL ELECTION
Saturday 4 December 2021
Held at Camberley Community Centre during the Ohiti Waitio 1E3A**

PROXY FORM

**For the purpose of voting at the AGM Election for the above Trusts.
Election Meeting**

In the matter of the Ahu Whenua Trusts triennial election of trustees of the above-mentioned blocks of land to be held at Camberley Community Centre in Hastings on Saturday 4 December 2021 -

I, _____ being an owner in the above-mentioned block or blocks of land do hereby appoint _____ as my proxy. I direct my proxy to vote on my behalf in such manner as he or she thinks fit.

Date: _____

Signature of owner or trustee: _____

Signed in the presence of: _____ **(witness)**

Full name of witness (block letters): _____

Occupation: _____

Address: _____

This proxy form, when completed, must be lodged with the Election Officer at least 48 hours (no later than Thursday 2nd December 2021, 10am) before the meeting.

Election Officer: Ruth Wong, Mobile 027 2139547 – ngatarawa.ohiti@gmail.com

Form Approved. Signed by Ruth

**NGATARAWA AHU WHENUA TRUST - (1A3A, 1A3B, 1A3C, 2A3B1B2
Blocks) and OHITI WAITIO 1E3A AHU WHENUA TRUST
TRIENNIAL ELECTION**

Saturday 4 December 2021

Held at Camberley Community Centre during the Ohiti Waitio 1E3A

NOMINATION FORM

In the matter of the Ahu Whenua Trusts triennial election of trustees of the above-mentioned blocks of land to be held at Camberley Community Centre in Hastings on Saturday 4 December 2021 as part of the AGM Agenda.

I, _____ being an owner in the above-mentioned block or blocks of land do hereby nominate _____ as a candidate for the following position on the Trust Board.

(Tick One) Trustee 3 year term or Trustee 6 year term

I, _____ accept this nomination and have read and understand the roles, responsibilities and requirements of a trustee.

Date: _____

Name of person nominating (block letters): _____

Signature of person nominating: _____

Signed in the presence of: _____ **(witness)**

Full name of witness: (block letters): _____

Signature of witness: _____

A Candidate Profile must accompany this form.

