

Te Tumu Kaituna 14 Trust

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6th September 2019

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Tena koe

TRUST UPDATE

We had hoped to be in a position to report on the Maori Land proceedings by now but the process is taking much longer than expected. To recap, in 2017 after owner's consultation the Trustees lodged two applications in the Maori Land Court. The first was an application to change the status of 50 ha of land to General title so that we could secure funding to participate in the Te Tumu development and progress development of the Trust land. The second application was for a number of variations to the Trust order including introducing rotational Trustee elections. The Court hearing was held in May 2018 and in October 2018 Judge Coxhead dismissed both applications claiming that he did not have jurisdiction to deal with the first application and that there was not sufficient owners support for the variations. Judge Coxhead failed to give any guidance to the Trustees and owners on what we need to do to resolve these issues and therefore failed to meet his obligations under Te Ture Whenua Act. Accordingly his decision was appealed. The Maori Appellate Court held its hearing in June 2018 and its decision is not expected for another three months.

Once the Maori Appeal Court decision has been made the Trustees will be able to report to owners on how we can move forward with developing the Trust land and making any changes to the Trust Order.

Owners may be aware that there is a group lobbying against the sale of the Trust land. We want to reassure owners that there is no sale of the Trust land and suggestions to the contrary are misleading and disruptive. Your Trustees reiterate their undertaking not to sell. The Trustees objective has always been to retain control of the Trust lands and this is still the priority whether the Trust owns Maori Freehold Land or General Land. The issue is that Maori Freehold Land does not provide good security for borrowing the money we need to develop the Trust land. We also want the Trust to develop its own lands and not give development rights to anyone else.

There are also claims that the sand extraction on the land is excessive. We can also reassure owners that this process is closely monitored both in regards to extraction and restoration. Once sand is removed it is replaced with quality fill and soil that makes a good base for a future building platform so this process is improving the Trust land.

There is simply no basis for the claims being made.

Once the Court process is completed we will be able to hold an owners meeting and plan the next steps. This is likely to be in early 2020.

In the meantime owners are welcome to provide any feedback to the Trust.

Nga mihi

Malcolm Short, ONZM
CHAIRMAN