



# HEREORA DEVELOPMENT TRUST

CHAIRMANS REPORT 2015-2020



HOROWHENUA XIB 362L4E



HEREORA DEVELOPMENT TRUST

.....*Te Maunga o Tararua*  
*Our Mountain (Tararua)*

.....*To matou Whenua*  
*Our Land*

.....*Te Wai O Punahau*  
*Our Lake (Punahau)*

## ACKNOWLEDGEMENT

Uncle Hōre Broughton  
1938- 2018

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We would like to take the opportunity to acknowledge our Uncle Hōre Broughton, who passed away in October 2018. Although Uncle finally retired from the Trust in July 2016, the current Board of Trustees would like to take this time, to acknowledge his enormous contribution to this Organisation and to the Mūaupoko Iwi. We extend our condolences and sympathies to Aunty Lola and her Whānau... *“Kua hinga te Tōtara i te wao nui a Tāne.”*

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Tūhinga o Mūa  
(Board of Trustees)

## REPORTING STATEMENT

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“This Report coincides and meets with the standards and frameworks set forth by our Trust Deed, Te Tūre Whenua Māori Land Act 1993, Trustees Act 1958 and other relevant legislation covered hereunder.”

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**HOROWHENUA XIB36 2L4E  
HEREORA DEVELOPMENT  
TRUST  
AGM & ELECTION**

Saturday 21<sup>st</sup> March 2020  
Levin Senior Citizens Hall  
Montgomery St Levin from 10am

Agenda

Minutes of Last AGM  
Chairman's Report  
Financial Reports  
Kai  
Elections  
New Lease Agreement  
General Business

Nominations to be taken from the floor  
on the day of the election.

**Chairman James Broughton**  
(027) 33 22 575  
jamesbroughtonlevin@gmail.com

Advert authorised by Hereora Development Trust

Hereora Development Trust  
Annual General Meeting  
& Elections 2020

.....  
Date: Saturday 21st March 2020

Time: 10am

Venue: Levin Senior Citizens Hall  
Montgomery St Levin

.....  
Notice 1: Advertised 21st Feb 2020

Notice 2: Advertised 13th Mar 2020  
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# AGM 2015 MINUTES



MINUTES OF 2015 ANNUAL GENERAL MEETING  
Hereora Development Trust

Held on 2<sup>nd</sup> May 2015 at 10am at the Jack Allen Centre  
Durham Street Levin.

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PRESENT:

Mr. Greg Spicer (Accountant), Nita Tamakaha, Tina Tamakaha, Miriama Sword, Hōre Broughton, Lorraine Broughton and James Broughton.

APOLOGIES:

Pristine Burke, Ramona Tamakaha, Rāta Cornell, Hayden Dempsey. A motion was made to accept the apologies.  
Moved: Nita Tamakaha 2<sup>nd</sup>: Hōre Broughton PASSED

KARAKIA/MIHI:

The AGM was opened with a Kārakia/Mīhi from James Broughton.

OFFICIAL INVITATION

Mr. Greg Spicer of Spicer and Assoc of Levin was officially invited to attend and partake in the AGM. Mr. Spicer was invited to make an opening address to the landowners and to help expedite the AGM proceedings.

MINUTES OF LAST AGM:

There were no minutes from the last AGM. A motion was made to accept that there were no minutes.  
Moved: Hōre Broughton 2<sup>nd</sup>: James Broughton PASSED

CHAIRMAN'S REPORT:

A motion was made to accept there was no Chairman's Report. Moved: James Broughton 2<sup>nd</sup>: Hōre Broughton PASSED

FINANCIAL REPORT:

Mr. Spicer presents the Report to those in attendance.

Audit:

Auditing was inquired about by a landowner in attendance, Mr. Spicer explained that the Trust does not need auditing and is an unnecessary cost for us.

### Repairs and Maintenance:

An amount of 23,000.00 for maintenance was inquired about. Mr. Spicer explains that during 2012-2013 we were advised by Mr. Noel Procter of Horizons Regional Council about the extensive growth of the Old Man's Beard plant on the Landblock and its immediate eradication. The Trustees at the time decided to manage the issue and obtained 2 quotes from local contractors Paul Ireland and Tātana Contractors to undertake the work to remove the plant, with Tātana Contractors as the successful bidder.

### Establish Market Value:

A motion went to the floor requiring the Trust to obtain a land valuation consultant to establish the correct market value for the land. The motion was agreed to, by all in attendance that we should look into this very soon.

### Release of Funds from Cheque Account/UDC Finance:

It was noted by Mr. Spicer that we as the Trust need to get the funds out of the Cheque Account and review the UDC Account when it matures in July 2015.

### Call Account Set Up:

Mr. Spicer suggests that we open up a Call Account to manage future funds, in particular the UDC funds when they mature in July 2015.

### Other Lease Options:

Mr. Spicer explained, that there were options to lease the Landblock out to other parties, and that there are some interest in it already.

## ACCOUNTS/2015 AGM

Paid to	Amount
Broughton Whānau Newspaper Advert	80.00
Broughton Whānau Jack Allen Centre Hireage	25.00
Total	105.00

A motion was made to accept these accounts. Moved Hōre Broughton. Second: James Broughton. PASSED.

## TRUST CHAIR & TRUSTEE ELECTIONS 2015

### Facilitation:

Mr. Spicer assisted the election as its official convener.

### Chairman Nominee/Appointment:

There was only one nominee for Trust Chairman that was James Broughton. Moved: Hōre Broughton 2<sup>nd</sup>: Miriam Sword ELECTED

### Trustee Nominees/Appointments:

There were 3 names put forward for Trustees were;

Hōre Broughton	Moved: Miriam Sword 2 <sup>nd</sup> : James Broughton	ELECTED
Miriam Sword	Moved: Nita Tamakaha 2 <sup>nd</sup> : Hōre Broughton	ELECTED
Nita Tamakaha	Moved: Miriam Sword 2 <sup>nd</sup> : Hōre Broughton	ELECTED

\*A 30minute break was taken and Kai were served. The meeting continued although Mr. Spicer (Accountant) had to leave. \*

#### GENERAL BUSINESS:

##### Māori Land Court:

Prior to the break, Mr. Spicer had noted that we would need to make an application to the Māori Land Court so that we can be legally appointed as Trustees. The Chair shall send this on Monday along with additional information including, Notifications of AGM, Minutes of AGM and any other relevant information.

##### Banking:

It was agreed that all Trustees shall continue being signatory's on the Trust Bank Account, with 2 signatory's needed to sign cheques. Kick starting this process will involve all Trustees needing to visit the Bank to register our signing authority. We agreed this should be done as soon as possible. The Chair has noted he will sort this out on the Monday proceeding.

##### Chairman's Annual Fees and Additional Costs incurred by the Trustees:

As a direct result of carrying out Trust business the Chairman shall be paid annual fee (which is to be determined by the Trustees and Beneficiaries). Along with additional costs incurred by any Trustee such as Travel Cost for Trust Business such as travel to the Māori Land Court in Whānganui as an example, Kāi for Hui's etc can be picked up by the Trust so long as proper records of payments are provided for.

#### FUNDS DISBURSEMENTS:

##### Dividend Payment:

A suggestion went to the floor for discussion regarding Beneficiaries whom wish to have Individual share dividend payments made to them directly, by making an intention in writing. We are still in the early stages of deciding upon any avenue and shall require further input from the Beneficiaries.

##### University Scholarships/Grants:

Another idea that went to the floor for discussion related to the Trust setting aside a specific amount for Grants to Trustees, Beneficiaries or Children of Trustees intending on, or attending University, Polytechnic etc. Issues arising from this discussion concentrated upon how much to allow, when (annually, 2 yearly etc), how (process) and to whom shall qualify. Again we are still in the early stages, and shall require more input from the Beneficiaries.


The meeting was ended with a Kārakia from Miriam Sword.

#### NEXT MEETING OF TRUSTEES

Due to a number of issues we faced as a new trust board, it was agreed that the new Board of Trustees would commence operating immediately and held our first meeting of the trustees for the term on the 4<sup>th</sup> of July 2015. Our appointments weren't officially ratified by the Maori Land Court until 17<sup>th</sup> Sept 2015 at Levin.

#### APPROVAL & AUTHORISATION

AGM/Election Minutes were approved by the Trustees at the first official Trust Hui held on the 4<sup>th</sup> July 2015 at Levin.

.....  


James Rangī Broughton.

Tiamana/Kāiwhakahaere | Chairman/Administrator



1.

**OUR  
PEOPLE**



## OUR PEOPLE

### Board of Trustees Tūhinga ō Mūa

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James Rangī Broughton  
Kāitiāki, Tiamana/Kāiwhakahaere 2015-2020  
Ngāti Hīne, Ngāti Pāriiri



Miriama Sword Kāitiāki 2015-2020  
Ngāti Hīne, Ngāti Pāriiri



Nita Tamakaha Kāitiāki 2015-2020  
Ngāti Hīne, Ngāti Pāriiri

# EVIDENCE OF APPOINTMENT

Te Kōwhiri Whenua Māori



Our Ref: A20150003641

11 August 2015

James Rangi Broughton  
30 McKenzie Street  
Levin 5510

Tena koe

**Subject:** Horowhenua XIB36 2L4E - Replace Cindy Huriwai, Judy Kapene, Terry Putaka, Jim Cunningham, Mel Tsaolis, James Broughton and Hore Broughton with James Rangi Broughton, Miriam Sword, Nita Tamakaha and Hore Broughton as trustees

**Section:** 239/93

This is to advise that the above application has been set down for hearing as follows:

**VENUE:** District Court  
Courtroom 2  
Cnr Stanley and Bristol Streets  
Levin

**DATE:** Thursday, 17 September 2015

**TIME:** 10:50am

Please arrive at the Court approximately 15 minutes prior to the time of the hearing and report to the duty Court Assistant. He/she will take your details and go through the submission with you, making any necessary amendments.

A copy of the draft submission will be sent to you shortly once it has been completed and checked.

Should you have any queries regarding this application please contact me at the Court quoting the reference number in the top right hand corner of this letter.

Heoi ano ra na

A handwritten signature in black ink, appearing to read 'Daniel O'Connell'.

Daniel O'Connell  
for Deputy Registrar

Te Rohe o Aotearoa  
Tari Rēhita, Ingestre Chambers  
74 Ingestre Street, DX:PX10207  
Whanganui 4500



Aotearoa District  
Registry Office, Ingestre Chambers  
74 Ingestre St, DX:PX 10207  
Whanganui 4500

2.

OUR  
WHENUA





## FACTS & FIGURES

### ADDRESS

- Kawiu Road Levin.

### LESSEE

- Tony Jung/Jung Market Gardens Levin.

### OWNERSHIP

- 160 Maori Land Court succeeded and registered Mūaupoko ownership interests.
- 11 Additional Whanau Trusts.
- 6401.2 Shares.

### LAND VALUE

- 514,000.00 Land Value (Land & Buildings).
- 761,000.00 Cap Value (Cash/Land & Buildings).

### LAND SIZE

- 1588.62 ha of Māori freehold land.

### GOVERNANCE

- Administered by a 3 person seat elected Ahu Whēnua Trust.

### SURPLUS FUNDS

- 247,000.00 in trust account.

### OPERATIONS

- Is leased and operated as a market garden.

### SUPPORT SERVICES

- Legal/ Todd Whitehouse Levin.
- Accountancy/Spicer & Assoc Levin.

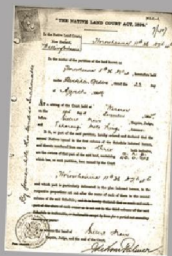
### MISC

- Lessee employs local Levin people.



## SIGNIFICANT HISTORICAL EVENTS

1904-1905



Partition Order granted by Judge Gilbert Main Esq of the Native Land Court.

1906-1984



Leased as a Market Garden site to a local Market Gardening Family.

1984-1994



Trustees converted the land into Kiwifruit and operated privately as Hereora Development Trust.

1994-Present



Trust ceased Kiwi-fruit operations in 1994 and recontinued as a market garden with Tony Jung.

2015-Present



New Trustees elected 2nd May 2015, appointed in the Maori Land Court 17th Sep 2015 at Levin.

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# REPORTING



## EXECUTIVE SUMMARY

From the Chairman/Administrator

*Māi i te Tiamana/Kāiwhakahaere*

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*“Ki nga Iwi o Mūaupoko me nga Uri o Hereora Pōrotēne, He hōnore ki ahāu te tuku atu i te pūrongo o te Hereora Development Trust mō te wā i mūtu 2020.”*

To the people of Mūaupoko and descendants of Hereora Broughton, I am honoured to present the report for Hereora Development Trust for the term ending 2020.

I would firstly like to pay tribute to those of our Whanau whom have passed away in this time. Notably, Uncle Hōre Broughton, a former trustee who passed away in October 2018.

Our Uncle held a long and distinguished service to this trust and for me especially, his guidance and wisdom was highly valued and shall be sorely missed. May they all rest in peace. Rēre ki utā, rēre ki tāi.

Progress wise, we have achieved some significant milestones since coming to office. These milestones have contributed a long way to fulfilling the gaps left by our predecessors.

These achievements include; renegotiating our lease agreement as well as the design and launch of a preliminary Prospectus Document housing the trusts vision, hopes and aspirations (Vision 2016). We have also improved direct engagements with our Lessee and stakeholders like Te Tumu Paeroa the Māori Trustee for the adjoining landblock (Hōro XIB 36 2L 5B). Along with a very healthy injection from a matured UDC Finance investment. I view these as the high points of this term so far.

Not to detract from those achievements, our trust has weathered its way through a long and lengthy state of abeyance that has seemed to continue along that same stormy path. This means that whilst our hearts and passions were in the right place, this term hasn't been as successful as we would've hoped.

We have failed to meet regularly during the term and ultimately make decisions. We have also failed to hold annual meetings of owners since our election in 2015. As its Chairman, I again, take on board some responsibility for this and further recognise that this is something that needs to be addressed before we embark any further in to our journey.

Today, an election of trustees looms, and the occasion presents an opportunity for us to review and reinvent. If we are to achieve strong and sustainable results for our landowners we need to come up with the right plan and most certainly the right mix of people to come on board and row the Wāka straight.

I believe we have such a plan, and an election presents an opportunity for us as the current trust body to acknowledge our mistakes and move forward and put this plan into action. Or if this cannot be grasped, moving aside and allowing others with more vision and expertise to take control and lead this trust.

On a concluding note, It has certainly been a pleasure for me, putting forward my term report, giving you all a small snapshot of your asset. As trustees returning or coming on board, we now know where the benchmark has been set and I remain certain and confident that the next crop of trustees shall be motivated and skilled enough to map out and or follow a course of action that shall deliver us into a bright future and beyond.

He mīhi nūi kia kōutou kātoa.

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**James Rangi Broughton**

Tiamana/Kāiwhakahaere | Chairman/Administrator

## PRE 2015/SUMMARY

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Hereora Development Trust was subjected to a long period of abeyance which lasted for just over two decades (20 years). In that time, it caused a major severing of communications that led to a breakdown in relationships between the trustees, its lessee, its support professionals (ie: Accountants/Legal Advisors) and its landowners. This effectively led to our lease agreement lapsing for almost 2 decades, ultimately costing us all.

During that period of abeyance, almost half of the Trustees passed away, moved out of the region or abroad, or simply lost interest. As a consequence, the fulltime responsibility of the trusts' administration shifted from the previous trustees to our accountants.

In 2013 the trust and our accountants received formal notice from Mānawatu Regional Council, advising us of growth of Old Man's Beard. The Beard is a noxious weed that had sprung up on the land block affecting plant life and soil quality that required immediate removal.

Eradication came at a substantial cost of up to \$23,000.00, and after consulting our lease agreement and seeking advice, it became apparent that the legal responsibility for removing the noxious weed fell onto the trustees and landowners, not the Lessee.

Therefore a meeting of owners was convened for October 2013 in Levin at the request of our accountants, to discuss this matter and engage an appropriate contractor to carry out the work.

A poor showing of trustees at the meeting prompted those in attendance to raise concerns about the whereabouts and value of retaining our trustees and could new trustees be sought and elected?

But more importantly it was asked who could they appoint to take on the role of caretaking the current administration and overseeing an election process, if one was required?



For me as the person selected to lead the way, the period between the October 2013 meeting of owners and 2015 AGM/Election was highly exhaustive and time consuming. Spurred on by the landowners concerns to see things put right.

During that period, my role was to act as an impromptu advisor of some sorts, in an effort to get the ball of progress rolling once more with the remaining trustees. My task(s) was simply to locate, visit and work alongside the remaining responsible trustees namely; Cindy Huriwai, Uncle Hōre, Judy Kāpene and Mel Tsaclis to improve the situation or move to close down their term and seek an election of new trustees.

The task became much more manageable once it was quickly established that most of the remaining trustees wanted to resign their positions and hand the reigns over as soon as they could.

That ideally meant that an election was required. I designed and oversaw a process to formalise trustee resignations and initiated that. I set down an Election with the trustees approval, and filed subsequent paperwork with the Māori Land Court to action it.

This all finally came to fruition on Saturday 2nd May 2015 where an Annual General Meeting and Trustee Election were held at the Jack Allen Centre in Levin. The remaining trustees were replaced with 3 much needed new additions (\* New Trustees) elected by the Landowners in attendance with 1 trustee returning. They were;

- James Rangī Broughton\*
- Hōre Broughton
- Miriama Sword\*
- Nita Tamakaha\*

Replacing/Outgoing Trustees:

- Mel Tsaclis
- James Broughton
- Jim Cunningham
- Terry Pūtākā
- Hōre Broughton\* (Re-elected 2015)
- Judy Kāpene
- Cindy Hūriwai

#### ACKNOWLEDGEMENT

Given this opportunity I would like to acknowledge and thank Cousin Cindy Hūriwai and Uncle Hōre for their help, guidance and support through this process (2013-2015). He mīhi nūi kīa kōrua.

## PROSPECTUS DOCUMENT & VISION 2016

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Year One (2015-2016), was probably our most active and productive year to date, and is where most of the trust work took place. The trust meetings we did manage to hold over this term (2015-2020) were extremely limited, but still, we managed to yield a wealth of ideas from the new trustees, that were quickly documented and transferred from meeting minutes also.

Working alongside the previous trustees between 2013-2015, I managed to capture onto paper, their many aims and aspirations also and married that information into what I envisaged as blueprint for action to guide us all through this term.

I entitled it our **Prospectus Document**, which on top of warehousing our Vision also profiled our Landblock and Trust. I placed all the compiled ideas under the main heading of **Vision 2016**. with the ideas categorised into 3 separate and additional headings;

- Restoring the Trust
- Land Management
- Providing Wealth and Opportunity

The document was presented to all trustees upon completion. To this day, **it remains subject to discussion or approval** and has not been distributed among our landowners for consideration.

### 1. RESTORING THE TRUST

Restoring our trust was all about restoring and reshaping our administration practices based upon a small preliminary review undertaken in 2013 and 2015 with previous trustees and ideas and thoughts submitted by the new incoming trustees during meeting discussions in 2016.

Our aim was to bring our current arrangements in to line with the wants and needs of our current crop of trustees the landowners, Tikanga O Mūaupoko and general contemporary administration practices used today by land trusts and similar administrations.



This includes;

- Reviewing our Administration Practices.
- Reviewing our Rules (Deed).
- Implementing effective governance policies and practices.
- Implementing effective communications between the trust, landowners and lessee.
- Engaging and involving our landowners in decision making!
- And hold regular annual meetings and regular Hūi/Wānangā, and (where necessary) for landowners to do so.
- Recording of policies and practices into formal documents (Codes of Practice).
- Establishing lines of representation (Who represents us?).

## 2. LAND MANAGEMENT

We as Trustees desire to protect the Māna and Tāpu of the Land which has brought us richness and prosperity. This includes;

- Ensure our landblock is managed in accordance with Tikanga O Muaupoko and current Te Tūre Whēnua Māori and other relevant New Zealand Legislation.
- To negotiate a good lease agreement and to ensure its upkeep and renewed.
- To maintain good relationships (Lessee and Te Tūmu Paerōa).
- Protect those whom rent and work our land.
- Protect the rights of all Mūaupoko landowners.
- To ultimately protect the environment!

## 3. PROVIDING WEALTH & OPPORTUNITY

To work to generate equity to produce financial and other beneficial opportunities for the Landowners and build their Māna and well being, without risk or detriment to their assets or hindering or interrupting their access to those benefits for which we as the Trust provide. This includes;

- Landowner share dividends distribution (how and when dividends or shall be distributed?)
- Generating capital and identifying worthwhile projects.
- Establishing an annual OPEX allowance for the trust.
- Identifying a process of consultation for landowners.

## 4. PLAN OF ACTION/VISION 2016

Even though the trustees weren't meeting, **we are still obligated by law to ensure the trust isn't compromised.** Many of the matters raised in the Vision 2016 document, were already given a green light for action. It was also realised that many of these matters raised by Vision 2016 are duties required by law, to be met and addressed by the trustees. Continually failing to meet as trustees, jeopardises meeting those obligations. Therefore I hatched an action plan to deal with actionable and lower priority matters to ensure we maintain our basic trust obligations and move us away from that potential danger of inactivity. Outlined on the next pages are the results of that work (Term Outcomes & Resolutions/Vision 2016).

## TERM OUTCOMES & RECOMMENDATIONS /VISION 2016

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*Outlined throughout this section are some of those outcomes deriving from Vision 2016 that we have managed to achieve over the term or, are about to achieve moving forward in 2020 (Post Election).*

### 1. RESTORING THE TRUST

#### Deed/General:

- The Deed was reviewed and was deemed to be adequate and met with the current legislative requirements.

#### Report Recommendation:

- Report recommends, no action required, but reviews to be continually undertaken by trustees post 2020 if required.

INITIAL WORK COMPLETED 2015-2016  
ANY REVIEW(S) TO BE IMPLEMENTED 2020/ON-GOING

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#### Policies/General:

- Policies were again deemed adequate and none were required for significant amending upon review.

#### Report Recommendation:

- No action required. Reviews to be continually undertaken by trustees post 2020 if required.

INITIAL WORK COMPLETED 2015-2016  
ANY REVIEW(S) TO BE IMPLEMENTED 2020/ON-GOING

Policies/Fund Release Policy:

- Because trustees remained uncontactable and meetings weren't conducted, that accounts still needed to be paid and ultimately accounted for by the Trust.

Trust Outcome

- A **Fund Release Authorisation Form** was drawn up and initiated by the Chairman to ultimately account for any and all drawn funds. INITIAL WORK COMPLETED 2016/ON-GOING
- Chairman and signatories meeting 3 monthly to sign off on accounts. TO BE IMPLEMENTED 2020/ON-GOING

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Meetings:

- Meetings need to occur on a more regular basis, and have structure.

Report Recommendation:

- Report recommends in 2020 we shall look at holding trust meetings 6 monthly. TO BE IMPLEMENTED 2020/ON-GOING
- Report recommends that the Chairman and signatories meet 3 monthly to sign off on accounts.
- Lessee to be invited to attend future AGM.

## 2. LAND MANAGEMENT

Land Management/Pre 2015 Lease Agreement:

- The primary issue was renegotiating a new Lease Agreement.

Trust Outcome:

- New Lease Agreement drawn up and signed (2016).

INITIAL WORK COMPLETED 2015-2017

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Land Management/Trustee Periodic Site Visits:

- Trustees to undertake periodic site visits to the landblock to meet with the Lessee and establish any concerns. These would take place between every 3-6 months of each year.

Trust Outcome:

- Trust Chairman regularly visits Landblock site at least 3 times per year.
- Site Visits to continue in 2020 and beyond.

INITIAL WORK COMPLETE 2016  
ON-GOING SITE VISITS

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Land Management/Land Management Plan 2017:

- Engagement and structure were required between Trust, Lessee and Stakeholders.

Trust Outcome:

- A Land Management Plan was drawn up and has been sent to stakeholders (ie: Te Tūmu Paerōa) and is actively used by the Lessee.

WORK COMPLETED 2017/ON-GOING

Land Management/Lease Renewal 2020:

- Due to our inability to meet and hui we are now behind with renewing our lease which was to be renewed/renegotiated in 2019.

Report Recommendation:

- Lease Agreement to be renegotiated after 2020 Elections when new Trustees are in place. YET TO BE COMPLETED
- Leases to be reviewed at the end of every term. YET TO BE COMPLETED
- Land Valuations for future leases should be carried out every 4-5years.



Land Management/Relationships and Engagement

Due to a long state of inactivity our relationships have broken down between the Lessee and other stakeholders namely Te Tūmu Paerōa as the Responsible Trustee for the adjoining Hōrowhenua XIB 36 2L 5B landblock.

Trust Outcome:

- We have now renewed and improved our relationships with the Lessee and landblock. INITIAL WORK COMPLETE 2016/ON -GOING
- We have now developed a new relationship with Te Tūmu Paerōa, the Māori Trustee. INITIAL WORK COMPLETE 2018/ON-GOING

### 3. PROVIDING WEALTH & OPPORTUNITY

#### Providing Wealth & Opportunity/Overview:

During our limited time meeting as trustees, we managed to identify and document financial opportunities that we would like to have developed over the course of the term. These were;

- Landowner Dividends.
- Determining Trusts Annual OPEX.
- Creating further financial opportunities and spending initiatives.

#### Report Recommendation:

- To be looked into further, post 2020 Elections.

YET TO BE COMPLETED

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#### Providing Wealth & Opportunity/Matured UDC Finance Investment:

- UDC Investment matured in 2016.
- Not meeting regularly as trustees stalled any discussions and a payment transfer.

#### Trust Outcome:

- Payment finally transferred into our Bank Account 21st August 2019.

WORK COMPLETED 2019

## NEW LEASE AGREEMENT

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The Land Management section of Vision 2016, compels us to undertake a review of the lease agreement every 3-4years. The current lease lapsed last year (2019).

A long state of abeyance (where trustees have remained inactive for a long period) meant that without an active and or functioning trust board, we faced the challenge of being unable to re-negotiate or capture any new lease agreement and Mr. Jung continued paying the same set rate for almost twenty years (from 1998 till 2016) as a direct result of our own oversight.

Once we were officially appointed as trustees by the courts in 2015, our first order of business was to engage a reputable land valuer to obtain a land valuation report to commence the lease renewal process and to ultimately seek the current market value.

The trustees engaged Mr. Steve Attwell of Attwell Land Valuers of Levin. Mr. Attwell and I visited the Landblock on the 8th June 2015 to undertake the assessment, which took around two hours to complete.

The Report was finalised and delivered on the 10th June two days later to the Trustees. The Report valued the lands new rental price at the rate of \$17,640.00 p.a.

Over the course of the year we worked with our Legal Advisors, Mr. Thomas Montague of Todd Whitehouse Levin to secure a good lease agreement.

The basic terms of that lease agreement is set out as a three year term agreement commencing from 24th August 2017. Ending on the 23rd August 2019.



The rationale behind the setting of the rates depended on a number of factors. Ensuring we preserve a good relationship between ourselves and Mr. Jung was paramount! In taking his concerns and most importantly, remaining financially buoyant by continuing to collect rent at a rate acceptable to all parties.

In 2016, we held brief discussions about possibly looking at a new lessee with Mr. John Clarke, another prominent Market Gardener, also of Levin. This followed on from discussions arising at the 2015 AGM/Election.

Although this did not eventuate, it was my opinion, the risks of concluding our current arrangement for a new one far outweighed the benefits and we proceeded with Mr. Jung instead.

Upon the terms completion in 2019, the new lease negotiation rate may start at \$15,000.00 pa, pending any mitigating circumstances brought forward by our Lessee through the negotiation process.

Again, I must stress to our landowners that because of the situation with our trustees being unable to meet, that we again, are unable to renegotiate a lease.

## Annual Rents

Year 1	2017	13,000.00 pa
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Year 2	2018	13,500.00 pa
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Year 3	2019	14,000.00 pa
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## PARTNERSHIPS

The Māori Trustee  
Hōro XIB362L 5B



Eastern Gate & fence line, signifies the beginning of Hōro XIB 36 2L 5B Landblock (other side of fence).



Part of our trustee responsibilities alongside our land management journey, is to seek out and engage with all potential stakeholders attached or associated to our landblock and to form worthwhile partnerships with those identified groups and individuals.

As many of our Landowners are aware, Hōrowhenua XIB 362L4E and Hōrowhenua XIB362L5B are adjoining landblocks that are both leased by the Lessee Mr. Tony Jung. In addition to this, many Landowners in this block hold dual ownership interests in both landblocks. Due to our long state of abeyance, any relationship between both blocks and their respective administrations has been lost or non-existent.

An opportunity finally arose in 2018 when Te Tūmu Paerōa as the Responsible Trustee for the adjoining Hōrowhenua XIB 362L5B landblock, held a Triennial General Meeting with the landowners at the Te Takeretanga O Kurahaupo Centre (Levin Library) in Levin.

As an Advisory Trustee of that block and Chairman of this one, it was in all of our interests that I attend this meeting. Through the course of this meeting I introduced myself and spoke with the Te Tūmu Paerōa Case Manager and we exchanged details and a copy of our Land Management Plan was emailed to Te Tūmu Paerōa also. In effect this kick started a relationship between us, which I believe shall endure so long as we remain engaging with each other when required.

4.

**OUR  
LESSEE**





ON SITE NURSERY



ON SITE COLD STORAGE FACILITY



LOGISTICS



EMPLOYS LOCAL LEVIN PEOPLE



## A WORD FROM OUR LESSEE

Tony Jung

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Greetings to all Mūaupoko Landowners,

My name is Tony Jung and I am your current Lands Lessee, and am glad to be given the opportunity to submit my thoughts. I came here in 1994 with my brother Alex. Between my Brother and I, and the seven trustees we entered into an agreement with you all to lease the Hōrowhenua XIB 362L 4A land block, titling our business Jung Market Gardens of Levin.

In addition to leasing your landblock we subsequently leased the neighbouring Hōrowhenua XIB 36 2L 5B (Pātiki Road) landblock as well, which we understand some landowners have dual ownership interests in both blocks.

A while ago now, my Brother Alex left our family business for the wild blue Australian yonder. The business has now passed to my wife, family and I as the remaining leaseholders.

Now that we are here, we have made the land our own! We have built nurseries and installed a large cold storage facility onto the land since taking over in 1994 signifying our intention to stay here for a long time.

It was unfortunate that we were unable to reach lease renewals at the right times between 1994 and 2015. But as I understood, the Trustees went into a long state of inactivity and this could not be helped.

When a new trust body formed in 2015, it was pleasing to see us re-engage with trustees, and things started to get rolling once more. Over this term, I have had really great engagements with the Trust Chairman James Broughton. The visits were insightful and enjoyable... More than just a Pūha picking exercise! I am hoping this continues well into the future with future trust boards.

This year alone, I have been tidying up the business, especially in the areas of health and safety on site management and the Land Management Plan initiated by the Trust in 2017 has been really helpful for setting a good benchmark.



## HORIZONS ONE PLAN

Just to advise you as the landowners, in 2017 Horizons Regional Council launched their 2 pronged Horizons Regional Council One Plan.

The One Plan is a 'one stop shop' resource management planning document for the Horizons catchment region. It combines the Regional Policy Statement (Part 1), with the Regional Plan (Part 2) and coincides with the Coastal Plan.

My concern is the Proposed Plan Change 2 which revolves around; Existing Intensive Farming Uses. Where this is a concern for me, is the changes force me to create 6 metre grass buffers in or around areas where there are likely to be, or are to be water run offs, where chemicals could enter the water ways.

This restricts the lands usage and limits my potential for further economic growth, which if something more sustainable is not created could affect your economic prosperity as well, something for you all to consider during your AGM.

Again, I would like to thank the landowners for allowing me to have a say. Thank you and lets continue this wonderful journey together.



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**“We would like you to remain mindful and acknowledging of our commitment to you, and our willingness to stay here long term.”**

Tony Jung  
Lessee.

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# HEREORA DEVELOPMENT TRUST LAND MANAGEMENT PLAN 2016



<b>LAND MANAGEMENT</b>	<p>We as Trustees desire to protect the Mana and Tapu of the Land which has brought us richness and prosperity. The rights of our Landowners, the Environment and the people whom rent and work the land. This includes;</p> <ul style="list-style-type: none"><li>- Ensure our Landblock is managed in accordance with Tikanga O Muaupoko and current Te Ture Whenua Maori and other relevant New Zealand Legislation.</li><li>- To negotiate a good Lease Agreement and to ensure it is upkeep and renewed.</li><li>- Protect those whom rent and work our land.</li><li>- Protect the rights of the Landowners.</li><li>- Protect the rights of neighbouring Property and Landblock Owners.</li><li>- Ensure we implement good Policy and Communications.</li><li>- To ultimately protect the Environment!</li></ul>
 <b>INFO &amp; REPORTING</b>	<ul style="list-style-type: none"><li>- Encourage the Lessee to Report any activity on the Landblock to the Trustees.</li><li>- Equip the Lessee with adequate Reporting Formats.</li><li>- Invite and encourage our Lessee to attend our Meetings or submit Periodic/Annual Reports to Trustees.</li></ul>
 <b>MEETINGS</b>	<ul style="list-style-type: none"><li>- To actively engage with our Landowners through conducting Periodic and Annual Landowner Meetings.</li><li>- To actively engage with our Lessee and adjoining Landblock Owners in Meetings, where and when necessary</li><li>- To always negotiate and consult in good faith with all Parties.</li></ul>
 <b>SITE VISITS</b>	<ul style="list-style-type: none"><li>- Hereora Development Trustees are to make Periodic Site (Landblock) Visits every three months (3 months).</li></ul>

5.

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# ACCOUNTS 2015-2020



# ACCOUNTS

2015-2016  
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2015					
DATE	CHEQUE NO	PAID TO	PURPOSE	AMOUNT	COMMENTS
5/6/2015	606663	Ministry of Justice/Maori Land Court/Aotea Branch	Court App Fees	60.00	Trust Replacement App
5/6/2015	606662	Broughton Whanau	AGM Advert, Hall Hireage	105.00	Reimbursement
5/6/2015	606661	Spicer & Assoc Levin	Fees	1592.00	
5/6/2015	606664	Atwell Land Valuers Levin	Fees	690.00	Land Valuation Report
6/6/2015	606665	Spicer & Assoc Levin	Fees	173.00	
11/6/2015	606666	Spicer & Assoc Levin	Fees	1764.00	
4/7/2015	606667	NA	NA	NA	Cancelled Cheque
4/7/2015	606668	NA	NA	NA	Cancelled Cheque
4/7/2015	606669	Kawiu Marae	Koha/Donation	500.00	
31/7/2015	606670	Ngati Pariri Society Inc	Koha/Donation	500.00	
Total:				5384.00	

2016					
DATE	CHEQUE NO	PAID TO	PURPOSE	AMOUNT	COMMENTS
7/5/2016	606671	IRD	Tax	1127.98	
20/6/2016	606672	Ministry of Justice/Maori Land Court/Aotea Branch	Court App Fees	60.00	Replace H Broughton
21/6/2016	606673	Spicer & Assoc Levin	Fees	567.00	
16/7/2016	606674	James Rangi Broughton/Chairman Honorarium	Annual Fees	1000.00	
15/11/2016	606677	Spicer & Assoc Levin	Fees	172.50	
26/11/2016	606676	Todd Whitehouse Lawyers Levin	Fees	407.50	Lease Renewal
Total:				3334.98	

# ACCOUNTS

2017-2020  
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2017					
DATE	CHEQUE NO	PAID TO	PURPOSE	AMOUNT	COMMENTS
13/4/2017	606675	IRD	Tax	1019.27	
8/6/2017	606678	IRD	Tax	383.00	
Total:				1402.27	

2018					
DATE	CHEQUE NO	PAID TO	PURPOSE	AMOUNT	COMMENTS
20/6/2018	606681	Spicer & Assoc Levin	Fees	1731.00	
2/11/2018	606682	Spicer & Assoc Levin	Fees	241.50	
Total:				1972.50	

2019					
DATE	CHEQUE NO	PAID TO	PURPOSE	AMOUNT	COMMENTS
13/6/2019	606684	Spicer & Assoc Levin	Fees	241.50	
Total:				241.50	

2020					
DATE	CHEQUE NO	PAID TO	PURPOSE	AMOUNT	COMMENTS
27/1/2020	100001	Spicer & Assoc Levin	Fees	1869.00	
19/2/2020	100002	NA	NA	NA	Cancelled Cheque
19/2/2020	100003	NA	NA	NA	Cancelled Cheque
19/2/2020	100004	Horowhenua Chronicle Levin	2020 AGM Advert	386.40	
Total:				2255.40	

Total Spent 2015-2020

14,590.65

6.

# WAY FORWARD RECOMMENDATIONS



CHAIRMAN'S REPORT  
RECOMMENDATIONS

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CHAIRMAN'S REPORT	I recommend that this Report be received and accepted by those Landowners in attendance at today's AGM/Election for Hereora Development Trust. And that the following recommendations are also adopted.
AGM PAYMENTS	That all payments brought forward for discussion and payment at today's AGM and Election are accepted, finalised and paid.
NEW TRUSTEE ELECTS	That we accept the newly elected Trustees and we proceed with making an immediate s239 Application to the Maori Land Court to appoint them.
CHAIRMAN ANNUAL HONORARIUM	That the Chairman's Annual Fee is discussed and set for the following term by the Beneficiaries in attendance.
LEASE AGREEMENT 2020	That we agree today to immediately commence and advance the process of renewing our lease agreement with Mr. Jung.

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James Broughton  
Tiamana/Kāiwhakahaere