

FURTHER HISTORICAL FACTS UTAKURA INCORPORATION

Whakarongorua te Maunga, Rakapuke te Mana, Utakura te Awa, Utatewhanga te Raorao, Tauratumaru te Tangata, Hokianga A Kupe te Moana



Utakura 7 Incorporation was formed by a Maori Land Court Order on March 29th 1972. From old Court records, the talks about the formation of the Incorporation began in 1966. These records are held in the Maori Land Court Archives and can be accessed.

At the time of incorporation several land blocks had their titles removed and replaced by **ONE TITLE** namely, Utakura 7 Incorporation. The shareholders of all the blocks were re-issued with shares that reflected their shareholdings in the original block.

As at the 29/03/1972 the number of original owners was 816, holding a total of 31,596.660 shares in Utakura 7 Incorporation's block of land of 1647.6890 hectares. Each holding ranges from the smallest shareholder holding 0.053 shares to the largest shareholder with 1873.941 shares.

At the time of incorporation White Cliff's Forest Ltd had a milling operation in Rangiahua, milling mainly native timbers.

As the restrictions on native timber logging became apparent, White Cliffs became interested in establishing exotic forests in the North.

They were particularly interested in the large tracts of now unused Maori Freehold title land in Utakura and together with the Maori Affairs seized the opportunity to amalgamate these titles into one large economic block for the purposes of establishing a pine forest.

Prior to incorporation each Maori land block had a shareholding register showing shareholders and their shareholding. Successions were done by the Maori Land Court and these were recorded by them on the appropriate share register.

However, on incorporation an original share register was set up and became the property of the Committee of Management (COM).

It became their responsibility to keep the share register up-dated and carry out live transfers.

However, transfers of deceased shareholder interests must still be lodged with the Maori Land Court, who then informs the COM of the share transfer. Prior to 1993, incorporations were governed by the rules and regulations of the Maori Affairs ACT 1953 & 1967.

Committee members were nominated and elected at Annual General Meetings, each having a 3 year term and could be re-elected for further terms. The ACT gave the COM powers to carry on the business of a Body Corporate.

Upon the formation of the incorporation, talks took place with White Cliffs about them leasing the block for forestry.

The COM entered into a lease agreement on the 23/07/1974. Planting began immediately and compartments of planting continued until 1988 with a view to commence harvesting in 2000 and beyond. All costs of establishing, maintaining and harvesting the forest are White Cliffs responsibility.

Our proportion of funds from any harvesting is 17% gross stumpage. The lease is for two rotations and expires on 31/03/2038. All land area is planted in forest except for 194 hectares.

The area that is not in forest comprises much of the Utakura river flats and parts of it are leased to a local farmer. Another largish block is regenerating native forest and the COM intends to leave this block as it is.

Other areas suitable for housing have been earmarked for Papakainga housing and one block already includes two dwellings. Beneficiaries requiring land to build homes on the Papakainga can do so by approaching the COM subject to building permits of the local District Authority, being a License to Occupy order. Then the COM needs to be informed and a decision made as to the area where the dwelling is to be situated as well as consents given. The land still belongs to the Incorporation while the dwelling is the owner's asset. The rates that are associated with the dwelling is the responsibility of the dwelling owner.

At the time lease payments secured, looked adequate, but as the costs of running the Incorporation in later years increased the payments became inadequate.

The COM of that time entered into an arrangement with White Cliffs to provide extra funds to run the Incorporation in the form of an interest free loan. With very little in the way of funds there was no prospect of any dividend able to be paid to any shareholder.

During the period 1992, 93, 94 & 95 very little activity was observed, no transfers took place, no AGM's held and no financial statements were produced.

Our Chairperson, at the time, Te Oti Bob Joyce took a complaint to the Maori Land Court and in 1996 the Court dismissed the COM and ordered an Interim Committee to set right the Incorporation's affairs. This resulted in an AGM that was held on 15 & 16/11/1996 to elect a new COM.

The Utakura 7 Incorporation now operates under the Te Ture Whenua Act 1993, sections 246-284. It is also bound by the Maori Incorporations Constitution Regulations 1994. The Act and regulations st