

THE CROWN
and
TAPUIKA IWI AUTHORITY
and
TE TAHUHU O TAWAKEHEIMOA TRUST
and
NGĀ HAPŪ O NGĀTI RANGINUI SETTLEMENT TRUST
and
PUWHENUA FORESTRY HOLDINGS LIMITED

DEED OF COVENANT

Dated: 09/08/2019.

DEED OF COVENANT

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THIS DEED is made

BETWEEN

THE CROWN

and

The trustees of the TAPUIKA IWI AUTHORITY ("TIA")

and

The trustees of the TE TAHUHU O TAWAKEHEIMOA TRUST ("TTTT")

and

**The trustees of the NGĀ HAPŪ O NGĀTI RANGINUI SETTLEMENT TRUST
("NHNRST")**

and

PUWHENUA FORESTRY HOLDINGS LIMITED ("PFHL")

DEED OF COVENANT

BACKGROUND

- A. Under a deed of settlement dated 16 December 2012 between Tapuika, TIA and the Crown (the "**Tapuika Deed of Settlement**"), the parties agreed, subject to the terms and conditions specified in the Tapuika Deed of Settlement, to:
- (a) a joint entity to be established under clause 6.5 of the Tapuika Deed of Settlement; and
 - (b) the Crown's obligations under the Tapuika Deed of Settlement in respect of Puwhenua Forest being enforceable by the joint entity.
- B. Under a deed of settlement dated 16 December 2012 between Ngāti Rangiwewehi, TTTT and the Crown (the "**Ngati Rangiwewehi Deed of Settlement**"), the parties agreed, subject to the terms and conditions specified in the Rangiwewehi Deed of Settlement:
- (a) that clause 6.6 of the Tapuika Deed of Settlement applies.
- C. Under a deed of settlement dated 12 June 2012 between Ngā Hapū o Ngāti Ranginui, NHNRST and the Crown, as amended (in particular by a Deed to Amend dated 26 September 2014) (the "**Ngati Ranginui Deed of Settlement**"), the parties agreed, subject to the terms and conditions specified in the Ranginui Deed of Settlement:
- (a) that clause 6.6 of the Tapuika Deed of Settlement applies.
- D. PFHL was established as the joint entity on 28 June 2013 by TIA, TTTT and NHNRST.
- E. On 24 September 2013 the Crown confirmed in writing to those entities that PFHL was appropriate to receive Puwhenua Forest as redress.
- F. The parties have agreed that:
- (a) the balance in the Trust Account will be distributed to PFHL; and
 - (b) certain consequential future arrangements relating to the Puwhenua Forest stumpage fees.

IT IS AGREED as follows:

1. TRUST ACCOUNT FUNDS

The funds in the Trust Account (less withholding tax, if any) be paid to the nominated bank account for PFHL being the trust account of East Brewster Limited within 5 working days after the execution by all parties, or such later date as agreed.

DEED OF COVENANT

2. STUMPAGE FEES IN FUTURE

All amounts of stumpage fees or rentals in respect of the Lease derived after the date of this deed are to be paid to the nominated bank account of PFHL.

3. NO FURTHER CLAIMS

Except as provided in this deed, the Crown is released and discharged from all obligations to the other parties in respect of stumpage fee or rentals in respect of the Lease.

4. NO FURTHER APPLICATION OF STUMPAGE-RELATED PROVISIONS OF DEEDS OF SETTLEMENT

There is no further application of the provisions relating to stumpage fees or rentals in respect of the Lease under any of:

- (a) the Tapuika Deed of Settlement; and
- (b) the Ngati Rangiwewehi Deed of Settlement; and
- (c) the Ngati Ranginui Deed of Settlement.

5. NO RIGHT TO TRANSFER OF PUWHENUA FOREST HOLDINGS EXCEPT UNDER DEEDS OF SETTLEMENT

For the avoidance of doubt, nothing in this deed entitles any party to require the Crown to transfer any ownership interest in the Puwhenua Forest (as defined in the Tapuika Deed of Settlement) except to the extent expressly provided in this deed.

6. INTERPRETATION

Unless the context requires otherwise:

- (a) terms or expressions defined in the Tapuika Deed of Settlement have the same meanings in this deed; and
- (b) the rules of interpretation in the Tapuika Deed of Settlement apply (with all appropriate changes) to this deed.

7. COUNTERPARTS

This deed may be executed in counterparts all of which together will constitute the one and same deed.

DEED OF COVENANT

SIGNED as a deed on

2019

SIGNED for and on behalf of THE CROWN
in right of New Zealand by the Minister for
Treaty of Waitangi Negotiations in the
presence of:



Honourable Andrew Little

WITNESS



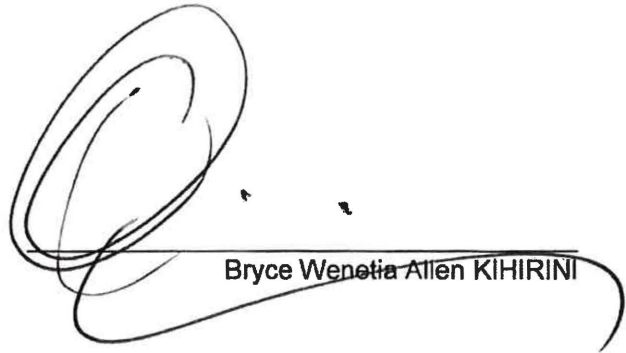
Name: ANNA MARY THOMAS GALLIN

Occupation: PRIVATE SECRETARY

Address: WELLINGTON

DEED OF COVENANT

SIGNED by the trustees of the
TAPUIKA IWI AUTHORITY:



Bryce Wenetia Allen KIHIRINI

WITNESS

Carol Elizabeth

Name: Carol Elizabeth Farnilton

Occupation: Receptionist.

Address: 502 Oliphant Rd
Hastings.



Dean FLAVELL

WITNESS

AR Potiki

Name: Alfred Reko Potiki

Occupation: Unemployed.

Address: 1433 TE PUKE H/WAY
RD6. TE PUKE

DEED OF COVENANT



Douglas Ateremu MCNEILL

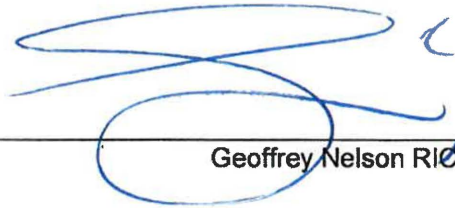
WITNESS

Ar Potiki

Name: Alfred Reko Potiki

Occupation: Unemployed

Address: 1433 TE PUKE H/WAY
RD6 TE PUKE



Geoffrey Nelson RICE

WITNESS

Ar Potiki

Name: Alfred Reko Potiki

Occupation: unemployed

Address: 1433 TE PUKE H/WAY
RD6 TE PUKE



Heketua ROBERTS

WITNESS

Ar Potiki

Name: Alfred Reko Potiki

Occupation: unemployed

Address: 1433 TE PUKE H/WAY
RD6 TE PUKE

DEED OF COVENANT


Henare Hori AHOMIRO

WITNESS

AR Potiki

Name: Alfred Reko Potiki

Occupation: unemployed

Address: 1433 TE PUKE H/WAY
RD6 TE PUKE

Hinematau Naomi MCNEILL
Resigned

WITNESS

AR Potiki

Name: Alfred Reko Potiki

Occupation: unemployed

Address: 1433 TE PUKE H/WAY
RD6 TE PUKE



Jo'el KOMENE

WITNESS

AR Potiki

Name: Alfred Reko Potiki

Occupation: unemployed

Address: 1433 TE PUKE H/WAY
RD6 TE PUKE

DEED OF COVENANT

~~John Korotau PINI~~

WITNESS

Name:

Occupation:

Address:

R.M. Biel.

Raiha Melani BIEL

WITNESS

AR Potiki

Name: *Alfred Reko Potiki*

Occupation: *unemployed*

Address: *1433 Te Puke Hwy
RD6 Te Puke*

R. Biel

Rawiri Erekanā BIEL

WITNESS

Ra

Name: *Raponi Wilson*

Occupation: *Tapuika Reserves Planner*

Address: *472 No 3 Road, Te Puke*

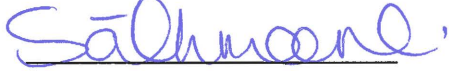
DEED OF COVENANT

SIGNED by the trustees of the
TE TAHUHU O TAWAKEHEIMO A TRUST:



Vincent BROWN

WITNESS



Name: Samantha Moore.

Occupation: Secretary

Address: 1137 Pukuatua Street, ROTORUA.



Henare MOHI

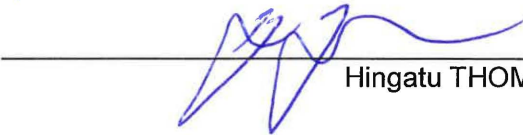
WITNESS



Name: Samantha Moore

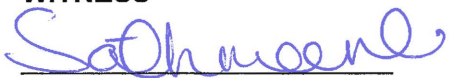
Occupation: Secretary

Address: 1137 Pukuatua Street, ROTORUA.



Hingatu THOMPSON

WITNESS

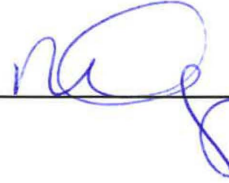


Name: Samantha Moore.

Occupation: Secretary.

Address: 1137 Pukuatua Street, ROTORUA.

DEED OF COVENANT



Nicola Marie DOUGLAS

WITNESS

Samantha

Name: Samantha Moore

Occupation: Secretary

Address: 1137 Pukuatua Street,
Rotana



Pauline TANGOHAU

WITNESS

Samantha

Name: Samantha Moore

Occupation: Secretary

Address: 1137 Pukuatua Street,
Rotana



Rauroha Ruri CLARKE

WITNESS

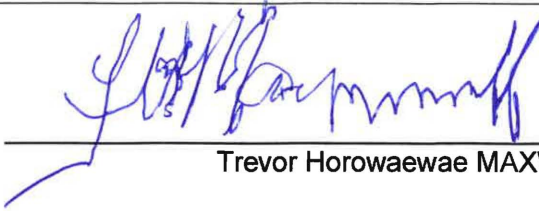
Samantha

Name: Samantha Moore

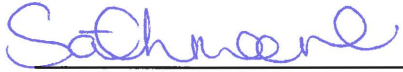
Occupation: Secretary

Address: 1137 Pukuatua Street, Rotana

DEED OF COVENANT


Trevor Horowaewae MAXWELL

WITNESS



Name: *Samantha Moore*

Occupation: *Secretary*

Address: *1137 Pukuaatua Street, ROTORUA.*

DEED OF COVENANT

SIGNED by the trustees of the
NGĀ HAPŪ O NGĀTI RANGINUI SETTLEMENT TRUST



Ronald Te Pio KAWE

WITNESS

KAWHMAN

Name: Kirsty Willison

Occupation: Administrator

Address: 13 Sutherland Rd,
Tga



Kimiora Tracey RAWIRI

WITNESS

KAWHMAN

Name: Kirsty Willison

Occupation: Administrator

Address: 13 Sutherland Rd,
Tga

DEED OF COVENANT



Michael Riki Kiwira NELSON

WITNESS



Name: Lucas Pearce

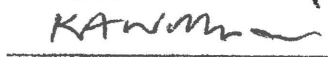
Occupation: Student

Address: 10 Wychwood Pl



Robert Lee URWIN

WITNESS



Name: Kirsty Willison

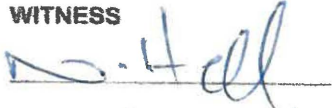
Occupation: Administrator

Address: 13 Sutherland Rd,
Tga



Carlton Paul BIDIOS

WITNESS



Name: Ngawa Hall

Occupation: Public Servant

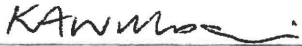
Address: 127 Tangitira Rd
Te Kaha Tga.

DEED OF COVENANT



Stephanie Teria TAIAPA

WITNESS



Name: Kirsty Willison

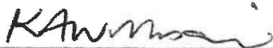
Occupation: Administrator

Address: 13 Sutherland Road
Tga



Sylvia Hemoa(ta) WILLISON

WITNESS



Name: Kirsty Willison

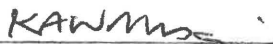
Occupation: Administrator

Address: 13 Sutherland Rd,
Tga



Esther (Alice) Harata SCOTT

WITNESS



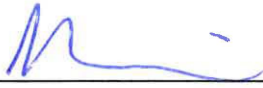
Name: Kirsty Willison

Occupation: Administrator

Address: 13 Sutherland Rd,
Tga

DEED OF COVENANT

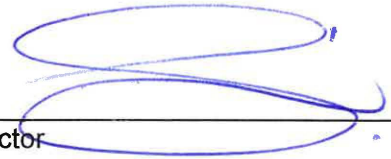
SIGNED for and on behalf of
PUWHENUA FORESTRY HOLDINGS LIMITED by:



Director

Vincent George Brown.

Name of director (please print)



Director

Geoffrey Nelson Rice.

Name of director (please print)