



Ngātiwai Trust Board

Mandate Maintenance

Report on Objectives

For the Office of Treaty Settlements

MANDATE MAINTENANCE REPORT 11

Activity Period: 1 May 2018 – 31 July 2018

Report Date: 22 November 2018

Kia Tūpato!

*Ka tangi a Tūkaiaia kei te moana, ko Ngātiwai kei te moana e haere ana;
Ka tangi a Tūkaiaia kei tuawhēnua, ko Ngātiwai kei tuawhēnua e haere ana.*

Beware!

*When Tūkaiaia calls at sea, Ngātiwai are at sea;
When Tūkaiaia calls inland, Ngātiwai are inland.*

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Background Context

This is the eleventh quarterly mandate maintenance report produced by the Ngātiwai Trust Board (NTB) for the Office of Treaty Settlements (OTS) following the Crown's recognition of the NTB Deed of Mandate (DoM) on 21 October 2015.

The purpose of this report is to document the work undertaken by the NTB to maintain its mandate and in particular to demonstrate its ongoing commitment to continually improve its communications and engagement with Ngātiwai members so as to keep members properly informed about the negotiations and Treaty settlement journey.

Mandate Maintenance requirements

Section 55 of the Deed of Mandate states:

“The NTB will ensure that Ngātiwai members are kept regularly informed and updated on negotiations progress through:

- *monthly newsletters/e-panui and website with regular updates*
- *hui or wananga on particular topics will be held regularly through the year*
- *the AGM or a Special General Meeting where the need arises (i.e. to present an iDoS and a proposal for a PSGE to the claimants community for approval and ratification)*
- *Negotiators will also be required to report to Te Iwi o Ngātiwai on negotiations as required by the NTB (see page 22)*
- *monthly Board meeting summaries to be released following each meeting providing regular updates on matters under discussion by the Board and*
- *Three additional hui-a-iwi (in addition to the AGM) in total providing quarterly opportunities for engagement and discussion.*

The focus will be on the progress of negotiations.”

Section 56 of the Deed of Mandate states:

“The NTB will provide regular three monthly reports to OTS to maintain the mandate. It will include information about:

- *communications with Ngātiwai (i.e. newsletters/e-panui, hui or wananga, website and Facebook updates),*
- *any AGMs or SGM held within the reporting period, and*
- *any other points of interest related to the progress of negotiations.”*

While it is acknowledged that the OTS have a standard form for mandate maintenance reports this report covers those requirements and builds on the previous commitments made by the Board in its Engagement and Communications Plan dated 13 December 2014. For this reason it includes a brief summary of progress made towards achieving specific objectives established in December 2014.

List of Abbreviations

<i>NTB</i>	Ngātiwai Trust Board	<i>OTS</i>	Office of Treaty Settlements
<i>AGM</i>	Annual General Meeting	<i>SGM</i>	Special General Meeting
<i>DoM</i>	Deed of Mandate	<i>ToN</i>	Terms of Negotiation
<i>AiP</i>	Agreement in Principle	<i>iDoS</i>	Initialed Deed of Settlement
<i>PSGE</i>	Post Settlement Governance Entity	<i>OIA</i>	Official Information Act

Issues Arising

Terms of Negotiation and *The Ngātiwai Mandate Report*

1. Completion of Terms of Negotiations (ToN) were paused pending the outcome of the Ngātiwai Mandate Inquiry by the Waitangi Tribunal and remain paused. The Board received the Tribunal's report in October 2017 and held a Hui-a-iwi in March 2018 at Tuparehuia Marae to discuss the Tribunal's report. Approximately 70 members attended the hui. The hui-a-iwi was facilitated by kaumātua and concluded that there should be a Hohourongo and a series of wananga related to the mandate report and workshop sessions from the hui-a-iwi.
2. On 14 June 2018, the NTB wrote to Minister Little to update him on the hui-a-iwi and request his views on the mandate report and any expectations required of the Board. On 24 July 2018, the Minister responded that he and the Minister of Maori Affairs were still considering the report and requested further information about the proposed series of wananga and any direct engagement the Board has undertaken to date with those who sought the Ngātiwai mandate inquiry.
3. Meanwhile, the Kāhui Kaumātua established a 'working party' made up of kaumātua, rangatahi and Ngātiwai Trust Board Trustee representatives to help plan and organise the wananga series. The first meeting of the working party took place on 30 July 2018 where it focused on clarifying its kaupapa and direction for the upcoming wananga series.

Overlapping Claims with other Iwi / Large Natural Groupings

4. On 24 July 2017 the NTB filed an application for an urgent inquiry into the Crown's settlement policy regarding overlapping claims and redress in relation to the Hauraki Collective, Marutūahu Collective and Individual Hauraki iwi settlements. There are now 16 similar or related urgency applications that have been filed with the Waitangi Tribunal for consideration.
5. Since completing their settlement no response has been received from Ngai Tai ki Tamaki to the Boards request for hui to discuss the protocols redress further.
6. The Board met separately with Ngāti Paoa and Hako at Whakapaumahara Marae in Whananaki during May 2018 to discuss their overlapping claims. In both cases it was agreed that further hui would be required to resolve matters. On 14 June 2018, NTB wrote to Minister Little updating him on progress that had been made in establishing a tikanga based process for dealing with overlapping claims with Hako and Ngāti Paoa but also noting that a number of other Hauraki Iwi had made no contact with the Board.
7. In May 2018, the Crown requested a second meeting with representatives of Ngātiwai, Ngāti Manuhiri and Ngāti Rehua - Ngātiwai ki Aotea (the Maori Trustee) to discuss preliminary matters concerning harbour negotiations. The Board were unable to attend and Ngāti Manuhiri took strong exception to this.
8. On 20 June 2018, the Minister sent the Board a letter with his preliminary decision concerning Hako redress on Aotea. On 6 July 2018 the Board wrote to Minister Little requesting that he take no further steps to intervene in the agreed tikanga based process with Hako because the Board valued the exchange with Hako and others as it reinforced our intertribal relationships and tikanga.
9. On 13 July 2018, Hauauru Rawiri informed the Board that it was his last day with Ngāti Paoa and he had stepped down as negotiator. However, on 23 July 2018, contact was re-established with Ngāti Paoa's secretariat to progress matters.
10. On 26 July 2018, the Minister advised the Board that he had initialled the Marutūahu Iwi Collective Redress Deed, that the Crown had taken reasonable steps to address overlapping claims issues and if iwi wanted a tikanga-based process he was open to it.

Communications and Engagement with Ngātiwai Whanui

Open Door Policy and Face to Face Engagement Hui

1. Progress on this objective has been maintained.

Monthly Board Updates and Newsletters

2. Monthly Board meeting summaries are now regularly posted to our website and Facebook pages following each Board meeting. They are also included in our newsletter which is then sent to our Kaumātua by post along with a hard copy of the newsletter.

Trust Deed Review

3. The review group has suffered again from loss of membership.

Wananga Planning for PSGE

4. The Board is currently working on planning a series of wananga with the Kāhui Kaumātua with this topic to be included at some point.

Quarterly Hui-a-Iwi

5. The last hui-a-iwi was held in March 2018. There was no hui-a-iwi within the reporting period although wananga-a-iwi are proposed.

Finalise the Strategic Communications Plan

6. The plan has been completed and is available on our website for public view.

Review, refine and maintain the current database

7. Regular address updates and new registrations continue to be promoted and received.
8. The total number of registered members as at 31 July 2018 is 8032 (including 36 pending registrations). This is an increase of 47 registered members within the quarter.
9. The registered members who are recorded as without a known postal address or are recorded as Gone-No-Address (GNA) is 1055 or 13%.

Report on Objectives

Engagement Objective 1 a): Hui

Date	Details	Supporting Documents
8/05/2018	Whananaki/Whakapaumahara Marae/Hapū Wananga	K. Caldwell note of meeting
09/06/2018	Otetao Marae	G. Reti note of meeting
3/07/2018	Whananaki/Whakapaumahara Marae Monthly Hui	K. Caldwell note of meeting
7/07/2018	Te Whanau o Rangiwakaahu Marae/Matapouri Hapū Trust Hui	A. Kerepete-Edwards
29/07/2018	Te Whanau o Rangiwakaahu Marae/Matapouri Wananga Waiata	A. Kerepete-Edwards

Engagement Objective 1 b): Correspondence

Correspondence available for Ngātiwai members to view at the Ngātiwai Trust Board office.

Date	To	From	Topic
9/5/2018	Ngāti Hako – John Linstead	NTB – Tania McPherson	Clarification of statement of association to Pa on Aotea
15/5/2018	NTB – Haydn Edmonds and Tania McPherson	Loma Cleave – (Erana Hone Pita Kino) Kuia O Aotea	Support for a collective approach to overlapping claim on Aotea
18/5/2018	Te Rūnanga o Ngai Te Rangi Iwi Trust – Charlie Tawhiao	NTB – Haydn Edmonds	Ngatiwai stand in solidarity with Tauranga Moan iwi on overlapping claims
21/5/2018	Ngāti Paoa Hui participants	NTB – Tania McPherson	Ngāti Paoa Overlapping Claims Briefing
31/5/2018	Ngāti Hako – Josie Anderson	NTB – Barry Caldwell	Copy of the link to the video from recent Hui
25/05/2018 – 01/06/18	NTB – Haydn Edmonds, NMST – Mook Hohneck, Maori Trustee – Jamie Tuuta	OTS – Craig McWilliams, Leah Campbell	Meeting logistic planning for the Preliminary discussion on harbour negotiations
14/06/2018	Hon. Andrew Little Cc'd to Hon. Nanaia Mahuta and Hon Kelvin Davis	NTB – Haydn Edmonds	Update on overlapping claims hui with Hako and Ngāti Paoa. Request for support for tikanga based process to resolve remaining overlapping claims with other Hauraki groups

Engagement Objective 1 b): Correspondence (continued)

Date	To	From	Topic
14/06/2018	Hon. Andrew Little Cc'd to Hon. Nanaia Mahuta and Hon Kelvin Davis	NTB – Haydn Edmonds	Update on Hui-a-iwi held to discuss the Ngatiwai Mandate Report. What are your views on the report and any expectations of NTB
18/6/2018	NTB – Tania McPherson	Tracy Dalton on behalf of Hon Kelvin Davis	Acknowledgment of receipt of above letters.
20/06/2018	Hon. Andrew Little Cc'd to John Linstead and Josie Anderson	NTB – Haydn Edmonds	Preliminary decision to remove reference to Aotea from Hako Statement of Association
27/6/2018	NTB – Tania McPherson	Doneice Mackie (on behalf of Mackie whānau)	Request to present MACA application to NTB
3/07/2018	NTB – Tania McPherson, Haydn Edmonds, Kris MacDonald.	Ngāti Paoa – Hauauru Rawiri	Acknowledgment and outcomes from 23 May 2018 hui at Whananaki.
06/07/2018	Hon. Andrew Little	NTB – Haydn Edmonds	Letter to advise tikanga process in progress. Request Minister take no further steps to intervene.
10/07/2018	Ngāti Paoa – Hauauru Rawiri Cc'd to Secretariat office	NTB – Tania McPherson	Follow up from recent hui and request for information. Copy of hui participant briefing attached.
13/07/2018	NTB – Tania McPherson	Ngāti Paoa – Hauauru Rawiri	Notice of last day with Ngāti Paoa Iwi Trust and stepped down as negotiator for Ngāti Paoa
13/7/2018	NTB – Tania McPherson	Mike Leuluai	MACA information request various items provided
13/7/2018	NTB – Barry Caldwell	Pam Armstrong (Ngatiwai Rōpū Kaumātua Secretary)	Logistics for Working Group hui to plan for Wananga-a-iwi series.
16/07/2018	OTS – Maureen Hickey	NTB – Tania McPherson	10 th Mandate Maintenance Repot request for feedback
23/07/2018	Ngāti Paoa – Morehu Wilson Cc'd Secretariat office (Haydn)	NTB – Tania McPherson	Follow up on correspondence with Hauauru Rawiri after he advised his departure.

Engagement Objective 1 b): Correspondence (continued)

Date	To	From	Topic
23/07/2018	NTB – Tania McPherson	Ngāti Paoa – Secretariat office (Haydn Solomon)	Information requested to be provided shortly. Next meeting arrangements.
24/7/2018	Hon. Andrew Little	NTB – Haydn Edmonds	Still considering the Tribunals report – request for more information on wananga series and engagement with those who sought the Mandate inquiry.
26/7/2018	Hon. Andrew Little	NTB – Haydn Edmonds	Does not propose re-considering any final decisions. Some redress still work in progress. Open to further discussions on these matters between iwi via tikanga process.
26/7/2018	Hon. Andrew Little	NTB – Haydn Edmonds	Letter to advise that Minister Little has initialled the Marutūahu Collective Redress Deed.
31/7/2018	OTS – Maureen Hickey	NTB – Tania McPherson	Acknowledgement that the 10 th Mandate Maintenance report has been received and that OTS are reviewing it.

Engagement Objective 2: Pānui (newspaper, website, Facebook, e-mail and postal)

Date	Details	Supporting documents
03/05/2018	Maori Trustee Pānui regarding Ngāti Rehua AGM shared	Posted to Facebook.
8/05/2018	NTB show our ongoing support of Ngāi Te Rangi, and their proposed hīkoi onto Parliament. We and Ngai Te Rangi continue to have issues with the Iwi collective of Hauraki regarding overlapping claims that have been ongoing for some time and have continued under the new Government.	Posted to Facebook.
9/05/2018	Summary of NTB Meeting of Trustees 27 April 2018	Posted to website and Facebook.
15/5/2018	TV Interview on Te Kaea regarding the overlapping claims issues with the Hauraki Collective.	Posted to Facebook
15/05/2018	NTB show our continued support for Ngai Te Rangi and their hīkoi onto Parliament regarding the issues with the Iwi collective of Hauraki around overlapping claim issues.	Posted to Facebook.

Engagement Objective 2: Pānui (newspaper, website, Facebook, e-mail and postal)

Date	Details	Supporting documents
20/05/2018	Updated Pānui shared on behalf of Ngāti Rehua regarding their process to work towards an AGM.	Posted to Facebook.
05/06/2018	Ngātiwai Kāhui Kaumātua pānui posted regarding a hui on 11th June 2018 to discuss Roles and responsibilities of Kāhui Kaumātua, preparation for wananga with Trustees and discussion regarding Hohourongo process.	Posted to Facebook.
12/06/2018	Treaty Settlement update: “Ngātiwai Embrace Tikanga Māori in dealing with overlapping claims”. Update on the successful hui held with Ngāti Hako and Ngāti Paoa.	Posted to website and Facebook and included in June/July newsletter (below) and mail out to Ngātiwai kaumātua & Kuia 65+ on the Board’s mailing list..
03/07/2018	Ngātiwai Kāhui Kaumātua pānui posted regarding a hui on 9th July 2018 to discuss Working group for wananga planning, planning for change, strengthening hapūtanga, working relationship with NTB and the constitution, Board update.	Posted to Facebook.
18/07/2018	The tenth Mandate Maintenance report produced for the Office of Treaty Settlements made available publically.	Posted to our website and Facebook.
25/07/2018	June/July Newsletter Te Tūkaiaia <i>Treaty Settlement Update:</i> “Ngātiwai Embrace Tikanga Māori in dealing with overlapping claims”. Update on the successful hui held with Ngāti Hako and Ngāti Paoa.	E-pānui sent out to all our database, posted to website and Facebook. Sent by mail to Ngātiwai kaumātua & Kuia 65+ on the Board’s mailing list.

Objective 3: Trust Deed Review

See summary on page 4.

Objective 4: PSGE Planning

See summary on page 4.

Objective 5: Quarterly Hui-A-Iwi (including AGM)

There was no Hui-a-iwi within the reporting period.

Objective 6: Strategic Communications Plan

This objective has been completed and the plan is available on the NTB website.

Objective 7: Database Maintenance and Functioning

Details of efforts to increase the number of registered members and update addresses.

Date	Details
Monthly	A consistent monthly report is provided to NTB Trustees which includes: <ul style="list-style-type: none"> • Total counts of registrations and GNA's for each Marae • List of members who have no current postal address
Ongoing	Promote registration and postal address updating with pānui on the NTB website, Facebook, E-Panui and newsletter <i>Te Tūkaiaia</i> (see objective 2 Panui)
Ongoing	NTB communication and registration forms are made available onsite from the front desk at NTB offices – 129 Port Road, Whangarei. NTB communication and registration forms are available online and are made available by direct request which are sent/received via post or email.
Outcomes	
30/04/18	Total number of registered members 8032 including 36 pending registrations. Total number of “gone-no-address” identified for registered members were 1055 or 13% of the total number of registered members.
30/04/18	Total number of registered members who have identified at least one Ngātiwai hapu on their registration form is 6634. Total number of members who have identified more than one Ngātiwai hapu on their registration forms is 118.