



# Ngātiwai Trust Board

## Mandate Maintenance

Report on Objectives

For the Office of Treaty Settlements

**MANDATE MAINTENANCE REPORT 12**

**Activity Period:** 1 August 2018 – 31 October 2018

**Report Date:** 31 May 2019

*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 twelfth 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 1 August 2018 to 31 October 2018

### 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.
2. 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. A second Hui-a-iwi was held at Ngaioitonga Marae from 31 August to 2 September 2018 to discuss the origins of Ngatiwai and hapū of Ngatiwai with approximately 50-60 Ngatiwai members in attendance.
3. On 16 September 2018, the Board's representatives met with Minister Little in Whangarei to provide an update on internal changes to the Treaty claims committee, rebuilding relationships with affected hapū, the wananga series and work in progress on holding a ho hou i te rongo with Patuharakeke (which had been postponed).

### 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.
5. On 7 August 2018, the Waitangi Tribunal established a panel to consider the 13 urgency applications received at that point. It also appointed Judge Miharo Armstrong as the Presiding Officer together with Professor Rawinia Higgins and David Cochrane on the panel.
6. Work therefore commenced on updating the Board's Statement of Claim with additional disputed redress items and overlapping claims processes since the original claim was filed. This included hui with Ngāti Paoa and Hako together with information on Harbour Negotiations and Marutūahu Iwi Collective Redress Deed. Work also commenced on collecting additional evidence in relation to Aotea and Mahurangi.

### Marine and Coastal Area Act (MACA)

7. On 4 July 2018, the Board filed a Statement of Claim in the Waitangi Tribunal's MACA Kaupapa Inquiry. The scope of this inquiry is targeted at the legislative framework and applications process established under the MACA Act 2011. The inquiry is to be held in two stages with the first stage to look at the procedural arrangements and resources (i.e. funding) and if those matters are prejudicial to Maori holders of customary marine and coastal area rights when they seek recognition of those rights.
8. The Board considered the next steps in relation to the MACA High Court applications process and determined to put the issue of research on the agenda with the Ngatiwai kahui kaumātua and seek their endorsement to proceed with undertaking research. The Board also commenced preliminary discussions to develop a collaborative approach to working with all Ngatiwai MACA applicants to avoid duplication and conflict while ensuring that the Board's application filled any gaps (i.e. in the event that not all Ngatiwai whanau, hapū or marae filed applications by the deadline of 3 April 2017).

## **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. A Wananga-a-iwi took place between 31 August and 2 September 2018 at Ngaioitonga Marae. Approximately 50-60 people attended the event over the course of the two days, although not all participants signed the attendance register. This hui was supported by the Ngatiwai kaumātua appointed wananga working party.

### **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 October 2018 is 8063 (including 11 pending registrations). This is an increase of 31 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 921 or 11%.

## Report on Objectives

### Engagement Objective 1 a): Hui

Date	Details	Supporting Documents
13/08/2018	Whananaki/Whakapaumahara Marae Monthly Hui	K. Caldwell note of meeting
11/08/2018	Oteto Marae Monthly Meeting Ngati Toki, Takapari, Kapotai	G. Reti note of meeting
16/08/2018	Punaruku Marae	H. Edmonds note of meeting
31/8/2018-2/09/2018	Wananga-a-iwi Ngaiotonga Marae	(see objective 5 below)
22/09/2018	Te Whanau o Rangiwakaahu Marae Trustees hui Matapouri Marae	A. Edwards note of meeting
13/10/2018	Oteto Marae Monthly Meeting Ngati Toki, Takapari, Kapotai	G. Reti note of meeting
15/09/2018	Tuparehuia Marae Trustees Monthly meeting	R. Diamond note of meeting

### Engagement Objective 1 b): Correspondence

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

Date	To	From	Topic
<b>Hauraki Overlapping Claims</b>			
1/8/2018	Hon J. Adern – Prime Minister	NTB – Haydn Edmonds	Request to please help us to stop the senseless conflict
1/8/2018	NTB – T. McPherson	D. Okeby – Office of the Prime Minister	Acknowledgement of our letter to the PM.
1/8/2018	NTB – T. McPherson	Hon W. Peters	Acknowledgement of our letter to the PM. (Auto reply)
1/8/2018	NTB – T. McPherson	Hon T. Coffey	Acknowledgement of our letter to the PM. (Auto reply)
1/8/2018	NTB – T. McPherson	Hon R. Mark	Acknowledgement of our letter to the PM. (Auto reply)
29/8/2018	OTS – A. Levy and M. Hickey	NTB – T. McPherson	Overlapping Claims Costs Reimbursement
24/10/2018	NTB – H. Edmonds & NMST M. Hohneck	Hon A. Little	Structure of harbours negotiations

### Engagement Objective 1 b): Correspondence (continued)

Date	To	From	Topic
<b>Ngatiwai Deed of Mandate</b>			
29/8/2018	OTS – M. Hickey	NTB – T.McPherson	Last Mandate Maintenance Report.
13/9/2018	OTS – M. Hickey, cc NTB – H. MacDonald	Dixon & Co Lawyer for Patuharakeke Trust Board	Ngatiwai Mandate
14/9/2018	J. Inns - Ocean Law for NTB	Dixon and Co Lawyers for PTB	Ngatiwai Mandate
3/10/2018	NTB – Treaty Claims Committee	NTB – T.McPherson	Whakatohea mandate report
9/10/2018	Waitangi Tribunal Registrar	NTB – T.McPherson	Request on what is happening in the “Remaining historical claims” space.
11/10/2018	N. Mahuika	NTB – T.McPherson	Research
23/10/2018	OTS – M. Hickey	NTB – T.McPherson	Patuharakeke
25/10/2018	NTB – T. McPherson	OTS – M. Hickey	Patuharakeke
<b>Marine and Coastal Area (Takutai Moana) Act</b>			
2/11/2018	NTB – T. McPherson, K. MacDonald and A. Gill	M. George	Takutai Moana Reimbursements

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

Date	Details	Supporting documents
1/8/2018	Shared Waatea News article regarding “Selective amnesia over Hauraki – Tauranga carve-up”.	Posted to Facebook.
2/8/2018	Shared a post to Facebook supporting our whānaunga Kelly Klink as she protests at parliament against the signing of Hauraki Deed of Settlement.	Posted to Facebook.
2/8/2018	LIVE stream on Facebook supporting Ngai Te Rangi in their opposition to the signing of the Hauraki Deed of Settlement.	Shared to Facebook
02/8/2018	Aotea / Great Barrier Island name change to be included in Pare Hauraki collective redress legislation.	Posted section of Redress Deed that shows this to Facebook
2/8/2018	Aroha and support to the whānau of Tauranga Moana whose bus was involved in an accident.	Posted to Facebook.

## Engagement Objective 2: Pānui (continued)

Date	Details	Supporting documents
7/8/2018	NTB Chairman Haydn Edmonds interview with Radio Waatea “Hauraki iwi have no business claiming rights on Aotea.”	Posted to Facebook
8/8/2018	Pare Hauraki Collective Redress Deed info	Posted to Facebook
16/8/2018	Ngātiwai Kāhui Kaumātua and the NTB inviting whānau to attend the wānanga-a-iwi to be held at Ngātiwai Marae 31 August.	Posted to Facebook and website.
20/8/2018	<b>Summary of NTB Meeting of Trustees 27 July 2018</b>	Posted to website and Facebook and included in August 2018 Newsletter.
22/8/2018	Ngātiwai Kāhui Kaumātua hui on 27 August 2018	Posted to Facebook
27/8/2018	Reminder: wānanga-a-iwi to be held at Ngātiwai Marae 31 August.	Posted to Facebook and website.
29/8/2018	Reminder (as above)	(as above)
29/8/2018	Treaty Settlement update: “Unresolved overlapping claims with Pare Hauraki – The Latest”.	Posted to website and Facebook
6/9/2018	<b>August Newsletter <i>Te Tukaiaia</i></b> <i>Treaty Settlement Update:</i>	E-panui posted to website and Facebook Sent by mail to Ngatiwai kaumātua and Kuia 65+ on the Boards mailing list.
6/9/2018	Video Lewis (Opo) Iraia Ngawaka, Ahi Kā of Aotea about Hauraki Settlements	Posted to Facebook and website.
20/8/2018	<b>Summary of NTB Meeting of Trustees 31 August 2018</b>	Posted to website and Facebook and included in Te Tukaiaia Newsletter.
15/9/2018	Ngātiwai Kāhui Kaumātua hui on 17 September 2018	Posted to Facebook
21/9/2018	Ngāti Whātua Ōrakei “Landmark Ruling – Win for Tikanga”.	Shared to Facebook
25/9/2018	TVNZ story regarding “Iwi pain and anguish at plan to rename Great Barrier” as part of the Pare Hauraki Treaty Settlements.	Posted to Facebook
17/10/2018	Pānui on behalf of the Ngātiwai Kāhui Kaumātua and the NTB inviting whānau to attend the wānanga-a-iwi to be held at Ngunguru Marae 16 & 17 November.	Posted to Facebook and website.
09/11/2018	<b>Summary of NTB Meeting of Trustees 26 October 2018</b>	Posted to website and Facebook and included in Te Tukaiaia Newsletter.



### 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)

A Wananga-a-iwi took place between 31 August and 2 September 2018 at Ngaiotonga Marae. Approximately 50-60 people attended the event. This hui was supported by the Ngatiwai kaumātua appointed wananga working party.

Date	Details	Supporting Documents
Various	Panui	(see objective 2)
31/08/2018-2/09/2018	Information packs provided at the wananga-a-iwi	Business Unit ¼ly Reports ppt origins of the NTB Copies of August newsletter
September 2018	Record of proceedings	Written feedback on Hui from Marae Chairperson, Attendance lists.

### 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"><li>• Total counts of registrations and GNA's for each Marae</li><li>• List of members who have no current postal address</li></ul>
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.
<b>Outcomes</b>	
30/04/18	Total number of registered members 8063 including 11 pending registrations. Total number of "gone-no-address" identified for registered members were 921 or 11% 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.

