



Ngātiwai Trust Board

Mandate Maintenance

Report on Objectives

For the Office of Treaty Settlements

MANDATE MAINTENANCE REPORT 13

Activity Period: 1 November 2018 – 31 January 2019

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 thirteenth 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 November 2018 – 31 January 2019

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 participated in a ho hou i te rongo with Patuharakeke at Takahiwai Marae on Sunday 18 November 2018. This was only a beginning in the rebuilding of the relationship between the Board and Patuharakeke with further hui to follow and mediation yet to be discussed.
3. The third wananga-a-iwi in the series was due to take place from 16 to 17 November 2018 at Ngunguru Marae but had to be postponed until 2019 due to a number of clashing dates with other significant hui (notably the Ngāpuhi evolved mandate hui).
4. The Board worked to develop a DRAFT mandate mediation proposal based on the recommendations from the Waitangi Tribunal in the Ngatiwai Mandate Report (Wai 2561). This involved collecting quotes for specialist advice (i.e. legal advice and historian services) and compiling an overall budget to put to the Crown for funding mediation.
5. On 6 December 2018, the Board requested a meeting with the Minister to discuss the DRAFT proposal.

Overlapping Claims with other Iwi / Large Natural Groupings

6. On 9 November 2018, the Waitangi Tribunal granted urgent hearings for six mandated iwi applicants including the Ngatiwai Trust Board.
7. During November 2018, the Board continued work to update the amended Statement of Claim to include all new processes, redress and events that took place since the original claim was filed in 2017. Updated briefs of evidence were also worked on in preparation for the inquiry hearings.
8. The Minister confirmed that the Hauraki Settlements will be paused while the Hauraki Overlapping Claims Inquiry take place. The hearings were scheduled to be held in Wellington from 8 to 12 April 2019.

Marine and Coastal Area Act (MACA)

9. On 18 January 2019, the Board filed evidence in relation to the Waitangi Tribunal's MACA Kaupapa Inquiry. The hearings were scheduled to be held in Wellington from 25 to 29 March 2019. The scope of this inquiry is targeted at the legislative framework and applications process established under the MACA Act 2011.
10. The Board contacted an historian in November 2018 to seek advice on preparing a research plan for the MACA High Court applications process.
11. The Board sought and received from OTS an indicative map showing all Ngatiwai related MACA applications. The map will be useful in identifying gaps in the Ngatiwai rohe where no Ngatiwai related MACA applications were filed by the deadline of 3 April 2017. It will also be useful to identify overlapping Ngatiwai applications for discussion purposes.

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 continues to suffer 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 (or AGM)

5. The AGM was held on 1 December 2018 at the ASB Leisure Centre in Kensington. Approximately 60 people attended the AGM, 45 of whom confirmed that they were Ngātiwai members when they signed the attendance register.

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 January 2019 is 8109 (including 17 pending registrations). This is an increase of 46 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 926 or 11%.

Report on Objectives

Engagement Objective 1 a): Hui

Date	Details	Supporting Documents
24/11/2018	Te Whanau o Rangiwahakaahu Hapū Trust hui Matapouri Marae	Note of meeting A. Edwards
24/11/2018	Tuparehuia Marae Trustee meeting	Note of meeting R. Diamond
1/12/18	Ngatiwai Trust Board Annual General Meeting	(see objective 5 below)
8/12/2018	Otetao Reti Marae whanau Reti	Note of meeting G. Reti

Engagement Objective 1 b): Correspondence

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

Date	To	From	Topic
MACA			
2/11/2018	NTB –T. McPherson	M. George	Takutai Moana reimbursements.
Overlapping Claims			
6 – 28 /11/2018	NTB –T.McPherson	OTS - T. Cameron	Structure of Harbour negotiations
27/11/2018	OTS - T. Cameron	NTB –T.McPherson	Hui to discuss structure of harbour negotiations (multiple emails)
27/11/2018	NTB – T. McPherson	OTS - T. Cameron	Hui to discuss structure of harbour negotiations (multiple emails)
7/1/2019	NTB – T. McPherson	P. Nicholas Of Tauranga	Invitation to join Judicial review
29/1/2019	Ngati Hako – J. Linstead	NTB – A. Edwards	Request for follow up hui postponed
29/1/2019	P. Nicholas of Tauranga	NTB – A. Edwards	Decline to Request join Judicial review
Mandate Mediation			
06/12/2018	Hon A. Little	NTB –T.McPherson	Request for Mandate work support (multiple emails)
29/1/2019	OTS - M. Hickey	NTB –T.McPherson	Request for Mandate work support (multiple emails)

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

Date	Details	Supporting documents
2/11/2018	AGM Public Notice	Published on our Facebook page, website and included in newsletter. Also posted in newspapers.
5/11/2018	Treaty Settlement update: Update on Treaty committee restructure, NTB explore court action and update on Ngatiwai Wananga.	Posted to website and Facebook and included in December newsletter (below).
9/11/2018	Panui – informed whanau that the Waitangi Tribunal released its decision to grant an urgent hearing into the Crown’s individual and collective deeds of settlement for iwi of Hauraki.	Posted to Facebook.
9/11/2018	Summary of NTB Meeting of Trustees 26 October 2018	Posted to website and Facebook.
9/11/2018	AGM Reminder and Annual Report made available	Posted to website and Facebook.
14/11/2018	Panui – Wananga-a-iwi Postponed	Posted to website and Facebook.
23/11/2018	Shared with our whanau our meeting with Peeni Henare to discuss common issues.	Posted to Facebook.
7/12/2018	Media Release: “Ngatiwai ask the Crown to pause the Hauraki Settlements”	Posted to website and Facebook, sent out to media distribution lists.
12/12/2018	Treaty Settlement update: Ngatiwai ask the Crown to pause the Hauraki Settlements, Stage one of MACA Inquiry about to get underway, MACA Act High Court process and Mandate Mediation.	Posted to website and Facebook and included in December newsletter (below)
13/12/2018	2018 in Review – Chairman Haydn Edmonds	Posted to website, Fb and included in December newsletter (below)
14/12/2018	November / December Te Tukaiaia Newsletter	Posted to website and Facebook and mailed out to Ngātiwai kaumātua & Kuia 65+ on the Board’s mailing list.
19/12/2018	Office closure notice	Posted to website and Facebook
23/1/2019	Notice of Election of Trustee for Mokau Marae	Published to Facebook, website and newspapers.
31/1/2019	Ngatiwai Kahui Kaumatua Meeting: Kaupapa: Planning for 2019	Posted to Facebook
9/11/2018	Summary of NTB Meeting of Trustees 14 December 2018	Posted to website and Facebook.

Objective 3: Trust Deed Review

See summary on page 4.

Objective 4: PSGE Planning

See summary on page 4.

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

The AGM was held at the ASB Leisure Centre, Kensington on 1 December 2018.

Date	Details	Supporting Documents
Various	Panui (see also objective 2)	Public Notice's published in the NZ Herald and Northern Advocate on 27 October 2018
09/11/2018	Provided at the Board's office, online on the Board's website and Facebook Page and at the AGM.	Annual Report 2018
01/12/2018	Record of proceedings	Minutes of the AGM 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">• 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 8109 including 17 pending registrations. Total number of "gone-no-address" identified for registered members were 926 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 6721. Total number of members who have identified more than one Ngātiwai hapu on their registration forms is 137.

