

This file note is a final summary report of the hui. It is not a full transcript or a full record of the hui. It is intended for internal Te Puni Kōkiri use only and not public distribution. It may, however, be subject to Official Information Act 1982 requests in the future.

Ngātiwai Trust Board mandate hui observer report

Iwi	Ngātiwai		
Location	Brentwood Hotel 16 Kemp St Kilbirnie, Wellington		
Date	Thursday, 29 August 2013		
Start time	~6:15pm	Finish time	~7:30pm
Chair	Haydn Edmonds		
Observer(s)	Michael Hollis (Te Puni Kōkiri, policy)		
Presenter(s)	Haydn Edmonds (Ngātiwai Trust Board Chair) Merepeka Henley Ngātiwai Trust Board Deputy Chair and Kris MacDonald (Ngātiwai Trust Board Trustee)		
Attendance	Total of ~26 people* , including 5 Ngātiwai Trust Board members, 2 Ngātiwai kaumātua, 1 TPK observer, and 1 independent election company official (Dale Ofoske) *people were arriving and leaving throughout the hui, so this is an approximate number.		
Purpose	The purpose of the hui is to: <ul style="list-style-type: none"> • provide information about Crown settlement policy, the Ngātiwai Trust Board and mandate process; and • mandate the Ngātiwai Trust Board to represent Te Iwi o Ngātiwai in direct negotiations with the Crown for the comprehensive settlement of all the historical Treaty claims of Ngātiwai. 		
Agenda	<ul style="list-style-type: none"> • Himene / Karakia • Mihimihi • Presentation / Question & Answers • Karakia whakamutunga • Hākari whakanoa 		
Presentation	Haydn Edmonds, Kris MacDonald and Merepeka Henley provided a PowerPoint presentation to hui attendees, which was followed closely. Additional comments to the slides are recorded under the corresponding slide title:		

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Slide 1: Introductions

Slide 2: Independent Election Services

The Independent Returning Officer (IRO) explained that if people had not received a voting and information pack they were either not registered, or their registered address details were wrong. The IRO encouraged hui attendees to check the register for correct details, to register and encourage whānau to register if they had not already.

Slide 3: Independent Election Services

The IRO noted that approximately 2,600 voting packs had been sent to Ngātiwai iwi members and to date approximately 260 (10%) votes had been cast. The IRO encouraged hui attendees to vote and encourage their whānau to vote.

Slide 4: Agenda

Slide 5: Purpose of Mandate Hui

Slide 6: Overview of the Direct Negotiations Pathway

Mr Edmonds noted that the Ngātiwai Trust Board (Trust Board) is seeking a mandate from the Ngātiwai claimant community to represent Ngātiwai in direct negotiations with the Crown. Mr Edmond's encouraged hui attendees to vote in favour of the proposal.

Mr Edmonds explained that the Trust Board are currently in pre-negotiations and that if mandated they will negotiate an initialled Deed of Settlement before going back to Ngātiwai to ratify what has been negotiated.

Mr Edmonds explained that a new structure (Post-Settlement Governance Entity) will be developed to manage any settlement Ngātiwai receive and will also be ratified by Ngātiwai.

Slide 7: Who is Te Iwi o Ngātiwai? Claimant Definition

Mr MacDonald explained that before seeking a mandate the Trust Board had to set out who Ngātiwai is and who will be represented should the Trust Board be mandated.

Mr MacDonald noted that he would explain the different aspects of the claimant definition in the following slides.

Slide 8: Our Founding Tūpuna

Mr MacDonald explained that some other iwi whakapapa to the same Tūpuna as Ngātiwai and explained that to vote and be a beneficiary of any Ngātiwai settlement, Ngātiwai iwi members would need to whakapapa to

Ngātiwai Tupuna, Marae and hapū.

Slide 9: Our Marae

Slide 10: Our Hapū

Mr MacDonald noted that there had been questions around the inclusion of some hapū of Ngātiwai. However, Mr MacDonald explained that shared hapū have whakapapa links to at least one Ngātiwai Marae.

Slide 11: Our Rohe / Area of Interest

Mr MacDonald noted that the Area of Interest (Ngātiwai rohe) outlined in the presentations diagram is not exclusively Ngātiwai's rohe and the Trust Board acknowledge there are several other iwi with overlapping interests in the rohe.

Mr MacDonald also explained that the Trust Board would seek to negotiate the ocean space around the Ngātiwai rohe, just as Waikato and Whanganui have done with the river settlements.

Slide 12: Crown Settlement Policy on Wai Claims to be included

Mr MacDonald explained that the Ngātiwai Wai claims will only be settled insofar as they relate to Ngātiwai, as the Crown want a comprehensive settlement which would cover all Ngātiwai claims and interests.

Slide 13: Wai Claims Included

Mr MacDonald explained that all claims that relate to Ngātiwai have been included in the Ngātiwai Trust Board mandate strategy as it is a Crown requirement to settle comprehensively with iwi. Mr MacDonald noted that if the Ngātiwai Trust Board receives a mandate from the Ngātiwai claimant community, they will negotiate all Ngātiwai claims insofar as they relate to Ngātiwai. Mr MacDonald explained that the mamae and loss felt by Ngātiwai whānau, hapū and te iwi o Ngātiwai was collectively felt and it is the Trust Boards view that a Ngātiwai settlement would be an inclusive settlement, for the benefit of all Ngātiwai. Mr MacDonald also explained that the Trust Board do not want Ngātiwai to be pulled apart by individuals seeking to take their claims through the Waitangi Tribunal process.

Slide 14: Wai Claims Included

Slide 15: Wai Claims Included

Slide 16: Supplementary Claims

Slide 17: Supplementary Claims (table diagram)

Mr MacDonald noted that the supplementary claims were included because of Crown policy to settle comprehensively, all claims in relation to an iwi. In this case Mr MacDonald explained that the additional claims all had whakapapa links to one or more Ngātiwai hapū and marae and the Trust Board would only seek to settle the claims insofar as they relate to Ngātiwai.

Slide 18: Crown Settlement Policy and Ngātiwai Trust Board Accountability Measures

Mr MacDonald explained that the accountability measures in place are to ensure the Trust Board are doing their job properly and are appropriately accountable back to the Ngātiwai claimant community.

Slide 19: Ngātiwai Trust Board Structure and Accountability

Miss Henley explained that the next elections for Trust Board members would be held between February and March 2014.

Slide 20: Marae Trustees and Alternatives

Miss Henley noted that it was up to individual marae to appoint an alternative to the Trust Board marae positions.

Slide 21: Structure and Accountability

Miss Henley explained that over the last year, the Trust Board have worked hard to develop their communications strategy to ensure the Ngātiwai claimant community is well informed. For example, the Trust Board have developed a smartphone application, upgraded their website, have met kanohi ki te kanohi with the Ngātiwai claimant community and will be releasing an 'e pānui' in the near future.

Miss Henley explained that to remove a mandate from the Trust Board, should they be mandated, a group would have to undertake a process similar to that of what the Trust Board has undertaken to date. For example, the Trust Board held three information hui prior to mandating hui and are scheduled to hold nine mandating hui. Miss Henley explained that to remove the mandate the same process would need to be followed.

Slide 22: Te Iwi o Ngātiwai "Claimant Community" (diagram)

Miss Henley explained that the Trust Board are currently constituted by the 14 marae of Ngātiwai, and that the Trust Board will develop supporting structures which will include two additional branches to the Trust Board's

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	<p>governance structure, including a kaumātua branch and hapū branch. The kaumātua branch will allow the Trust Board to seek advice and guidance and will also allow Ngātiwai kaumātua to have a say. The hapū branch will allow hapū to have a stronger presence in governance.</p> <p>Miss Henley explained that at the operational level, the Trust Board will develop a research committee which will provide an opportunity for Ngātiwai Wai claimants to have an input, and to engage in an airing of grievances type forum. Miss Henley also explained that the final arm is the negotiators, of which the Trust Board will nominate one person from the Trust Board, and will advertise the final two positions with job descriptions relevant to the needs of Ngātiwai.</p> <p>Slide 23: An Open and Transparent Mandate Process</p> <p>Miss Henley explained that voting opened on 17 August 2013 and will close on 15 September 2013. She explained that there are nine mandating hui scheduled for around the country.</p> <p>Slide 24: Mandate Hui Schedule (table diagram)</p> <p>Slide 25: Where can I get more Information</p> <p>Slide 26: Questions and Answers</p> <p>Slide 27: Voting Mandate Resolution</p> <p>Mr Edmonds read the resolution aloud and encouraged hui attendees to register and vote and encourage whānau to register and vote. Mr Edmonds also encouraged hui attendees to check the register for correct details of themselves and whānau who were not present.</p>
<p>Questions and comments</p>	<p>Q1: An attendee questioned how a Ngātiwai Treaty settlement will affect hapū of Ngātiwai.</p> <p>A1: Mr MacDonald explained that Ngāti Rehua and Ngāti Manuhiri (two hapū of Ngātiwai) were included in the Tāmaki rohe for settling their historic Treaty of Waitangi grievances, as the Crown prefers to settle regions, and both align with the Tāmaki region.</p> <p>Mr MacDonald noted that if somebody has whakapapa to Ngāti Rehua, they will also whakapapa to Ngātiwai, because of the generations of intermarriage.</p> <p>Q2: An attendee questioned if Ngātiwai could negotiate settlement regarding water drilling at Matapōuri.</p> <p>Q2: Mr MacDonald explained that the water drilling at Matapōuri is not included as an historic grievance</p>

suffered by Ngātiwai, and could possibly be pursued as a contemporary grievance in the future.

Q3: An attendee asked if there would be any processes in place to claim on the water, like the Whanganui River Settlement.

A3: Mr MacDonald explained that the Trust Board will seek to negotiate the water space in the 'Ngātiwai triangle'. Miss MacPherson added that the research group will be important to ensure a Ngātiwai story is told and recorded accurately. Miss McPherson also added that the research group is a space for Ngātiwai Wai claimants to become involved with the process.

Mr Edmonds added that seeking to negotiate the water space between Takitu point and the Bay of Islands will be an important part of mahi for the research group and negotiations as a whole.

Q4: An attendee questioned whether or not they could download a claim to read.

A4: Miss McPherson explained that you could not download the claims to read online. However, she could get claims for the attendee to read.

Q5: An attendee questioned what the advantages and risks are of direct negotiations.

A5: Mr Edmonds explained that direct negotiations allowed Ngātiwai control of their own story and future.

Mr MacDonald explained that there are pros and cons for both processes. He explained that many who lodged claims have passed on and will never see their claims settled. Mr MacDonald explained that the Trust Board decided to seek a mandate to enter into direct negotiations with the Crown after weighing up the pros and cons. Mr MacDonald noted that the Trust Board developed a pros and cons paper, which was available for attendees to look at, to help make an informed decision when voting on the mandate resolution.

Q6: An attendee questioned whether or not settlement would be full and final.

A6: Mr MacDonald explained that it would be a full and final, comprehensive settlement of all Ngātiwai historic Treaty grievances. Mr MacDonald also noted that there could be a space for contemporary claims in the future.

Comment: An attendee gave a mihi to the Trust Board for their mahi to date, and noted that their whānau support the Trust Board.

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	<p>Q7: An attendee asked if there would be any provisions to negotiate the water space in the Ngātiwai rohe.</p> <p>A7: Mr MacDonald explained that the Trust Board will work closely with the research team, hapū and Wai claimants to ensure the claims regarding the Ngātiwai water space have been fully researched so that there is a strong case to push hard in negotiations for some compensation in regards to that kaupapa.</p>
Resolution(s)	<p>The Ngātiwai Trust Board are asking all Ngātiwai iwi members 18 years and over to vote on the following resolution:</p> <p><i>“That the Ngātiwai Trust Board is mandated to represent Te iwi o Ngātiwai in direct negotiations with the Crown for the comprehensive settlement of all the remaining historical Treaty claims of Ngātiwai including registered and un-registered claims.”</i></p>
Voting process	<p>It was explained that voting could be done in a number of ways:</p> <ul style="list-style-type: none"> • in person at the various ratification hui; • postal ballot; or • online. <p>Voting opened 17 August 2013 and Closes 15 September 2013.</p>
Voting result	<p>The daily schedule of returns is 261 votes as at 29 August 2013, 10.5% return rate.</p>
Other comments	<ul style="list-style-type: none"> • The observer’s role at the hui was explained accurately. • The hui was conducted in an open and transparent manner. • The following documents were available to attendees: <ul style="list-style-type: none"> • Mandate strategy and supplement; • Notification letter; • Waitangi Tribunal claims settlement process document (photocopy); • CFRT Treaty Settlements pamphlet; and • Ngāti Wai presentation. • At the registration table: <ul style="list-style-type: none"> ▪ Attendance register; ▪ Registration application form; ▪ Special Votes register; ▪ Ngāti Wai register; and ▪ Ballot box.

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	<ul style="list-style-type: none">• Hui attendees had the opportunity to ask questions and questions were answered sufficiently.• An attendance register was circulated at the hui.
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