



# **Ngātiwai Trust Board**

## **Mandate Maintenance**

Report on Objectives

For the Office of Treaty Settlements

**MANDATE MAINTENANCE REPORT 10**

**Activity Period:** 1 February 2018 – 30 April 2018

**Report Date:** 16 July 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 tenth 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.
2. The Board received the Tribunal's report on 31 October 2017 and has been working with the Kahui Kaumatua to plan a series of wananga to address matters contained in the report (see also Quarterly Hui-a-iwi below).

### Overlapping Claims with other Iwi / Large Natural Groupings

3. On 24 July 2017 the Trust Board filed an application for an urgent inquiry into the Crown's settlement policy regarding overlapping claims redress in relation to the Hauraki Collective, Marutuahu Collective and Individual Hauraki iwi settlements. The Board now await the Tribunal's decision on if an urgent hearing will be granted.
4. Despite the Board's urgency application the Crown introduced the Ngai Tai ki Tamaki Settlement Bill into the house on 9 August 2017 which was followed by its first reading on 15 August 2017. The Maori Affairs Select Committee (the Committee) then called for submission on the Bill by 19 January 2018. The Board duly filed a submission in opposition to the Bill and attended the hearings in Auckland on 19 February 2018. Following the hearings, the Board filed a supplementary submission with the Committee on 5 March 2018.
5. On 7 March 2018 and 28 March the Board wrote to Ngati Tai ki Tamaki seeking to work through a process consistent with tikanga to resolve overlapping claims and on 3 April 2018 Ngai Tai ki Tamaki indicated that due to other commitments they would be in contact in June or July.
6. In the meantime, the Committee reported back to the house on 29 March 2018. In summary, the Committee concluded that:  
*"Based on advice we have received from the Office of Treaty Settlements, we do not recommend any changes to the bill on this matter. Any agreements to amend the protocol areas could be implemented without an amendment to the bill."*
7. On 23 March 2018, Ngati Paoa contacted the Board to engage in overlapping claims discussions. A date has yet to be set for this meeting.
8. On 7 March 2018 the Office of Treaty Settlements sent a letter to the Board requesting a hui to discuss how to approach harbour negotiations in Tikapa Moana/Te Moananui-a-Tio. A preliminary meeting took place in Auckland on 19 March 2018 with a representative from both Ngati Manuhiri and Ngati Rehua Ngatiwai ki Aotea. Written feedback following this meeting is yet to be forwarded to OTS.
9. There has been no response from Ngati Hako following the Board's request for a commitment to more than one meeting if necessary.

## **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 reconvened to continue their work on the Trust Deed.

### **Wananga Planning for PSGE**

4. The Board is currently working on planning a series of wananga with the Kahui Kaumatua with this topic to be included.

### **Quarterly Hui-a-Iwi**

5. The Hui-a-iwi took place on 23 and 24 March 2018 at Tuparehuia Marae. The purpose of the hui was to discuss the findings and recommendations of *The Ngātiwai Mandate Report* released by the Waitangi Tribunal on 31 October 2017.
6. Approximately 150 copies of the report were made available to Trustees and Kaumatua for distribution. The Report was posted to our facebook page and website and a limited number of copies were made available at the Hui-a-iwi and at the Board's office.
7. The outcome of the hui-a-iwi was to plan and hold a series of wananga to address matters contained in the report.

### **Finalise the Strategic Communications Plan**

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

### **Review, refine and maintain the current database**

9. Regular address updates and new registrations continue to be promoted and received.
10. The total number of registered members as at 30 April 2018 is 7985 (including 33 pending registrations). This is an increase of 57 registered members within the quarter.
11. The percentage of registered members who are recorded as without a known postal address or are recorded as Gone-No-Address (GNA) is 13.4%.

## Report on Objectives

### Engagement Objective 1 a): Hui

Date	Details	Supporting Documents
10/02/2018	Tuparehuia Marae	G. Reti note of meeting
17/02/2018	Otetao Marae	G. Reti note of meeting
24/02/2018	Te Whanau a Rangiwakaahu Hapu Trust AGM at Matapouri Marae	A. Edwards note of meeting
06/03/2018	Whananaki/Whakapaumahara Marae Monthly Hui	K. Caldwell note of meeting
13/03/2018	Oakura Marae	H. Murphy note of meeting
17/03/2018	Tuparehuia Marae	G. Reti note of meeting
17/03/2018	Whananaki/Whakapaumahara Marae/Hapu Wananga	K. Caldwell note of meeting
17/03/2017	Te Whanau a Rangiwakaahu Hapu Trust at Matapouri Marae	A. Edwards note of meeting
19/03/2018	Punaruku Marae	H. Edmonds note of meeting
23-24/03/2018	NTB Quarterly Hui-a-iwi Tuparehuia Marae	See objective 5 (below)
10/04/2018	Whakapaumahara/Whananaki Marae Monthly Hui	K. Caldwell note of meeting
27/04/2018	Te Whanau a Rangiwakaahu Hapu Trust – Working Group hui at Matapouri Marae	A. Edwards note of meeting
28/04/2018	Matapouri Marae Trustees and whanau	A. Edwards 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
13/02/2018	NTB – Tania McPherson	Denise Thomason	Request for a hard copy of <i>The Ngatiwai Mandate Report</i>
14/02/2018	NTB – Tania McPherson	Marilyn Davies-Stephens	As above
15/02/2018	NTB – Tania McPherson	Hope Munroe	As above
16/02/2018	NTB – Tania McPherson	Makere Laurence-Bade	As above
16/02/2018	All those above	NTB – Tania McPherson	Copies of requested report posted out

06/03/2018	NTB – Tania McPherson	OTS – Lydia Reid	Request for feedback on 8 <sup>th</sup> mandate maintenance report
06/03/2018	Maori Trustee – Jamie Tuuta	NTB – Tania McPherson	Copies of the NTB submissions on the Ngai Tai ki Tamaki Settlement Bill
06/03/2018	Ngati Manuhiri - Terrance Hohneck	NTB – Tania McPherson	Copies of the NTB submissions on the Ngai Tai ki Tamaki Settlement Bill
08/03/2018	All Trustees	Haydn Edmonds	Preparations for upcoming Hui-a-iwi and information packs
07/03/2017	Ngai Tai ki Tamaki Tribal Trust – James Brown	NTB – Haydn Edmonds	Overlapping claims urgent request for direct re-engagement
07/03/2018	NTB – Haydn Edmonds	OTS – Leah Campbell	Hui to discuss approach to harbour negotiations
15/03/2018	OTS – Leah Campbell	NTB – Tania McPherson	Request to be sent copies of all correspondence with the Chairman and confirmation of attendance at the meeting
15/03/2018	NTB – Tania McPherson	OTS - Maureen Hickey	Delay in providing feedback on the 8 <sup>th</sup> mandate maintenance report
21/03/2018	OTS - Maureen Hickey	NTB – Tania McPherson	Feedback on NTB 8 <sup>th</sup> mandate maintenance report
23/03/2018	NTB – Haydn Edmonds	Ngati Paoa – Hauauru Rawiri	Request to engage in overlapping claims
23/04/2018	Ngati Hako – John Linstead	NTB – Tania McPherson	Request to discuss overlapping claims
24/04/2018	NTB – Tania McPherson	Ngati Hako – John Linstead	Agree to come to Whangarei to discuss overlapping claims and if necessary more than once
24/04/2018	Ngati Hako – John Linstead	NTB – Tania McPherson	Confirmation of meeting date and time
26/03/2018	Ngati Paoa – Hauauru Rawiri	NTB – Tania McPherson	Clarification of overlapping claims issues for discussion
28/03/2018	NTB – Tania McPherson	Ngati Paoa – Hauauru Rawiri	Open to discussing all overlapping claims including Marutuahu and Hauraki Collective
03/04/2018	Ngati Paoa – Hauauru Rawiri	NTB – Tania McPherson	Meeting organisation
04/04/2018	NTB – Tania McPherson	Ngati Paoa – Hauauru Rawiri	Meeting organisation

18/04/2018	OTS – Maureen Hickey	NTB – Tania McPherson	Feedback on NTB 9 <sup>th</sup> mandate maintenance report
20/04/2018	NTB – Haydn Edmonds	OTS - Maureen Hickey	Te Rununga o Ngati Whatua: overlapping claims consultation on proposed place name changes
21/03/2018	NTB, Ngati Manuhiri, Ngati Rehua Ngatiwai ki Aotea	OTS – Leah Campbell	Draft notes from the hui held in Auckland on 21 March 2018 to discuss preliminary matters re harbour negotiations
23/04/2018	NTB – Tania McPherson	Ngati Hako – John Linstead	Re phone call and request to engage in overlapping claims
24/04/2018	NTB – Haydn Edmonds	OTS – Leah Campbell	Preliminary discussions on harbour negotiations
26/04/2018	OTS – Leah Campbell	NTB – Tania McPherson	Draft minutes, request to be put in touch with Wai 262 roopu within OTS, additional information that appears to have been missed
27/04/2018	OTS – Craig McWilliams	NTB – Tania McPherson	Acknowledgement of further information
30/04/2018	OTS – Leigh McNicholl	NTB - Haydn Edmonds	Update on proposed protocol areas for Hauraki Iwi



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

Date	Details	Supporting documents
2/03/2018	<b>Summary of NTB Meeting of Trustees 23 Feb 2018</b>	Posted to website and Facebook and included in newsletter (below).
02/2/2018	Ngātiwai Kāhui Kaumātua pānui posted regarding a hui on 12 Feb 2018 to discuss the planning and agenda for the up-coming Hui-a-iwi to be held in March.	Posted to website, Facebook.
07/03/2018	<b>January/February Newsletter Te Tūkaiaia</b> <i>Treaty Settlement Update: Hui-a-iwi Wananga Tuparehuia 23 &amp; 24 March 2018; Overlapping Claims Ngai Tai ki Tamaki Settlement</i>	E-pānui, posted to website and Facebook.  Sent by mail to Ngātiwai kaumātua & Kuia 65+ on the Board's mailing list.
27/2/2018	Ngātiwai Kāhui Kaumātua pānui posted regarding a second hui on 1st March 2018 to discuss the planning and agenda for the up-coming Hui-a-iwi to be held in March.	Posted to website, Facebook.
1/03/2018	Pānui to advise of the Ngātiwai Trust Board Hui-a-iwi to be held 23rd and 24th of March at Tuparehuia Marae.	Posted to website, Facebook, included in Feb newsletter and mailout to Ngātiwai kaumātua & Kuia 65+ on the Board's mailing list.
1/03/2018	Treaty Settlement update: Update on the upcoming Hui-a-iwi on the 23rd of March and also update on Overlapping claims with Ngāi Tai Ki Tāmaki.	Posted to website and Facebook and included in Feb newsletter (below) and mailout to Ngātiwai kaumātua & Kuia 65+ on the Board's mailing list..
08/03/2018	Update on NTB's attendance at the Maori Affairs select Committee hearing to air our concerns regarding the Ngāi Tai ki Tāmaki Settlement Bill and our submission that we made expanding on our concerns.	Update and our submissions posted to website, Facebook.
20/03/2018	A reminder pānui to advise of the Ngātiwai Trust Board Hui-a-iwi to be held 23rd and 24th of March at Tuparehuia Marae.	Posted to website, Facebook
22/03/2018	A final reminder pānui to advise of the Ngātiwai Trust Board Hui-a-iwi to be held 23rd	Posted to website, Facebook

	and 24th of March at Tuparehuia Marae.	
09/04/2019	Pānui advising whānau that the NTB Education scholarships are now open.	Posted to website, Facebook
19/04/2018	<b>Summary of NTB Meeting of Trustees 06 April 2018</b>	Posted to website and Facebook.
30/04/2014	NTB show our ongoing support of Ngāi Te Rangi who continue to have issues with the Iwi collective of Hauraki regarding overlapping claim issues that have been ongoing for some time and have continued under the new Government.	Posted to Facebook.

Note: the March Board meeting was held in committee.

### **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)**

The Hui-a-iwi took place on 23 and 24 March at Tuparehuia Marae.

<b>Date</b>	<b>Details</b>	<b>Supporting Documents</b>
Various	Public Notice or Panui	(see objective 2 above)
23 & 24 March 2018	Information packs provided at the Hui-a-iwi	<ul style="list-style-type: none"> <li>• Business Unit Quarterly Reports</li> <li>• Annual Plan</li> <li>• <i>The Ngātiwai Mandate Report</i> and copies of Chapter 4 of the Report</li> <li>• Power-point presentation on the findings and recommendations of the Tribunal and Overlapping Claims</li> <li>• Copies of the November and December newsletter</li> </ul>
23 & 24 March 2018	Record of proceedings	<ul style="list-style-type: none"> <li>• Minutes of the Hui-a-iwi</li> <li>• Attendance Register</li> <li>• Video recordings</li> <li>• Workshop sessions report back</li> </ul>

### **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>
23-24/03/2018	Quarterly Hui-a-iwi NTB communications and registration forms made available to whanau for the duration of the AGM.
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 7985 including 33 pending registrations. Total number of “gone-no-address” identified for registered members were 1071 or 13.4% 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 6586. Total number of members who have identified more than one Ngātiwai hapu on their registration forms is 91.