



Ngātiwai Trust Board

Mandate Maintenance

Report on Objectives

For Te Arawhiti, the office for Maori Crown Relations

MANDATE MAINTENANCE REPORT 22

Activity Period: 1 January to 31 March 2021

Report Date: XX April 2021

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 twenty second quarterly mandate maintenance report produced by the Ngatiwai Trust Board (NTB) for the Crown (Te Arawhiti) 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 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>TA</i>	Te Arawhiti (Previously OTS)
<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

Strategic and Operational Change

1. AGM, CEO recruitment, Strategic Plan

Terms of Negotiation

2. Completion of Terms of Negotiations (ToN) were paused pending the outcome of the Ngātiwai Mandate Inquiry by the Waitangi Tribunal and remain paused until mandate mediation is complete.

Mandate Mediation

3. The Boards 21st Mandate Maintenance Report was submitted to Te Arawhiti on 26 February 2021.
4. A hui with Patuharakeke Trust Board representatives was scheduled to take place on 9 February 2021 at the Ngatiwai Trust Board to continue discussions. However, this hui had to be postponed until a later date due to lack of availability. The hui has now been scheduled to take place at Takahiwai Marae on 9 April 2021.
5. On 18 February 2021 the Whangaruru claimants provided a brief update. They had met over the Christmas period (12 January 2021) with a view to reviewing their current status, hear perspectives and ascertain next steps. A further update was provided on 18 March 2021, confirming that they have yet to hold another hui to finalise their proposed mediation plan to present to the Board. Agreeing a date is part of the challenge for the various claimant Whanaunga.

Overlapping Claims

Ngati Paoa

6. Following a series of exchanges with Ngati Paoa in relation to their draft Statement of Association between Tokatu/Takatu Point and Te Arai an amical outcome was agreed.
7. On 20 March 2021, the Board sent a delegation of Kaumātua, Trustees and Staff to tautoko the Ngati Paoa Deed signing ceremony held in Kaiaua, Thames.

Ngati Whatua

8. A hui scheduled with Ngati Whatua in Whangarei on 23 March was postponed due to lack of availability and reschedule for 31 March 2021.

Ngati Whanaunga

9. There has been no response from Ngati Whanaunga in relation to dates for a meeting.

Other Hauraki Iwi and Collectives

10. On 28 January 2021 a hui took place Ngunguru Marae outside of Whangarei.

Marine and Coastal Area Act (MACA)

Waitangi Tribunal Kaupapa Inquiry

11. On 5 March 2021, Henderson Reeves on behalf of Ngatiwai Trust Board filed the resource management act expert witness evidence of Sarah Shaw in the Tribunal. Sarah is scheduled to appear before the Tribunal on 26 May in Wellington for presentation of her evidence and cross examination.

High Court Application Process

12. Work continues on the research needed as evidence in the High Court. No hearings have yet been scheduled in the Northland or Auckland regions.

Communications and Engagement with Ngātiwai Whanui

Open Door Policy and Face to Face Engagement Hui

1. Progress on this objective has been maintained as set out table on the next page.

Monthly Board Updates and Newsletters

2. Monthly Board meeting summaries are posted to our website and Facebook pages following each Board meeting. They are also included in our Newsletter.

Trust Deed Review

3. The review of the Trust Deed is subject to the mandate mediation process.

Wananga Planning for PSGE

4. The PSGE planning is subject to the mandate mediation process.

Quarterly Hui-a-lwi

5. The AGM was held at Mokau Marae on 27 March 2021. There were approximately 70 people in attendance but not everyone 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 March 2021 is 8528 (including 61 pending registrations). This is an increase of 108 registered members since 31 December 2020.
9. The registered members who are recorded as without a known postal address or are recorded as Gone-No-Address (GNA) is xx or 14%.

Report on Objectives

Engagement Objective 1 a): Hui

Date	Details	Supporting Documents
Xx/01/2021		
Xx/01/2021		
Xx/01/2021		
Xx/01/2021		
Xx/02/2021		
Xx/02/2021		
Xx/02/2021		
24/02/2021	Tuparehuia Marae Committee Meeting (via Zoom)	Note of meeting R. Diamond
Xx/03/2021		
13/03/2021	Tuparehuia Marae Committee Meeting (via Zoom)	Note of meeting R. Diamond
Xx/03/2021		
27/03/2021	Ngatiwai Trust Board Hui A Iwi Mokau Marae	(see objective 5)

Engagement Objective 1 b): Correspondence

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

Date	To	From	Topic
Mandate Mediation			
02/01/2021	Patuharakeke Trust Board (PTB)	T. McPherson - NTB	Hui confirmation – mandate mediation
02/01/2021	T. McPherson - NTB	G. Gudex - PTB	Hui confirmation – 9 February, NTB
29/01/2021	T. McPherson - NTB	D. Haines - TA	Wai 745 claim status and Mediation
05/02/2021	T. McPherson - NTB	G. Gudex - PTB	Hui agenda items
09/02/2021	PTB	T. McPherson - NTB	Hui postponement
10/02/2021 18/02/2021	H. Lyndon – Whangaruru claimants	T. McPherson - NTB	Request for update
18/02/2021	T. McPherson - NTB	H. Lyndon	Whangaruru Claimant Mediation hui update
04/03/2021	G. Gudex - PTB	T. McPherson	Hui arrangements
04/03/2021	T. McPherson - NTB	C. Moore	Mahanga Road land banking
04/03/2021	NTB	D. Koetsier - LINZ	Matapouri school – lease consultation
10/03/2021	G. Gudex - PTB	A. Edwards	Hui arrangements
11/03/2021	A. Edwards - NTB	G. Gudex - PTB	Hui arrangements
11/02/2021	T. McPherson - NTB	D. Haines - TA	Wai 1479 claim status
18/03/2021	H. Lyndon – Whangaruru claimants	T. McPherson - NTB	Request for update
18/03/2021	T. McPherson	H. Lyndon	Whangaruru Claimant Mediation Hui – Next Steps
Overlapping Claims – Ngati Whanaunga			
22/01/2021	T. Compain - NW	T. McPherson - NTB	Hui organisation
28/01/2021	T. McPherson - NTB	T. Compain - NW	Hui organisation
Overlapping Claims - Crown			
24/02/2021	A. Edwards - NTB	L. Campbell – TA	Funding for costs of participating in Waitangi Tribunal Hauraki Inquiry
25/02/21	L. Campbell – TA	T. McPherson	Funding Reform request for update

Engagement Objective 1 b): Correspondence (continued)

Date	To	From	Topic
Overlapping Claims – Ngati Whātua			
10/02/2021	T. Richard - TA	T. McPherson	Map of Ngatiwai area of interest and adjacent RFR areas
10/02/2021	T. McPherson - NTB	T. Richard - TA	Maps to be ready in March
18/02/2021	A. Riwaka - TRONW	T. McPherson - NTB	Overlapping Claims Update
21/02/2021	B. Caldwell - NTB	H. Lyndon – Affected Hapu of the Upper Kaipara Catchment	Kaipara Moana Remediation Joint Committee
22/02/2021	T. McPherson - NTB	A. Riwaka - TRONW	Update and hui organisation
16/03/21	T. McPherson - NTB	D. Gravatt – TRONW	Zoom hui link for Tues 23 March 2021
18/03/2021	A Riwaka - TRONW	T. McPherson - NTB	Hui postponement and reorganisation
18/03/2021	T. McPherson - NTB	D. Gravatt - TRONW	Hui reorganisation
24/03/2021	R. Thomson - TA	T. McPherson - NTB	Ngati Whatua Overlapping Claims Maps
24/03/2021	T. McPherson - NTB	R. Thompson - TA	Te Uri O Hau Crown Land in potential Wellsford RFR area (Spreadsheets x 2)
24/03/2021	T. McPherson - NTB	R. Thompson - TA	Crown Land remaining for Right of First Refusal (RFR) Areas (jpeg Map)
24/03/2021	T. McPherson - NTB	R. Thompson - TA	Te Uri O Hau RFR area – Ngatiwai Aol (jpeg Map)
24/03/2021	D Gravatt - TRONW	T. McPherson - NTB	Hui confirmation 31 March 2021
Overlapping Claims – Ngati Paoa			
09/02/2021	H. Rawiri and M. Wilson - NP	T. McPherson - NTB	Ngati Paoa Deed Signing
09/025/2021	G. Tupuhi et al NP	H. Rawiri – NP	Ngati Paoa Deed Signing
23/02/2021	H. Rawiri	T. McPherson - NTB	Follow up
23/02/2021	T. McPherson, A. Edwards - NTB	H. Rawiri - NP	Follow up
24/02/2021	T. McPherson - NTB	H. Rawiri – NP	Statement of Association

Engagement Objective 1 b): Correspondence (continued)

Date	To	From	Topic
25/02/2021	L. Campbell – TA	T. McPherson - NTB	Urgent information request
26/02/2021	T. McPherson - NTB	L. Campbell - TA	Urgent information request
26/02/2021	T. McPherson - NTB	T. Rawiri - NP	Invitation to Deed Signing
01/03/2021	T. McPherson - NTB	L. McNicholl	Response to urgent information request, Deed Signing postponed due to Covid lockdown in Auckland
01/03/2021	L. McNicholl - TA	T. McPherson - NTB	Acknowledgement of information at short notice
11/03/2021	A. Edwards - NTB	Hon A. Little Minister for ToW Negotiations	Intention to sign the Ngati Paoa Deed of Settlement
11/03/2021	H. Rawiri and M. Wilson - NP	T. McPherson - NTB	Summary of context and options
11/03/2021	A. Edwards and T. McPherson - NTB	H. Rawiri - NP	Next course of action
12/03/2021	A. Edwards and T. McPherson - NTB	H. Rawiri - NP	Revised SoA
12/03/2021	NTB	M. Forbes - NP	Invitation to postponed Deed Signing
15/03/2021	M. Forbes - NP	T. McPherson	RSVP to invitation
15/03/2021	H. Rawiri - NP	B. Caldwell - NTB	Zoom meeting link
15/03/2021	H. Rawiri and M. Wilson - NP	T. McPherson - NTB	Summary of zoom hui
15/03/2021	T. McPherson - NTB	H. Rawiri - NP	Next steps
16/03/2021	T. McPherson - NTB	H. Rawiri – NP	Re-Revised SoA
Overlapping Claims – Ngati Maru, Tamaterā, Patukirikiri and Marutūāhu Collective			
24/01/2021	T. McPherson - NTB	P. Majurey – Marutūāhu et al (MEA)	Proposed hui agenda for 28 January 2021
26/01/2021	P. Majurey - MEA	A. Edwards - NTB	Tikanga based process and Disputed Redress
26/01/2021	A Edwards - NTB	P. Majurey - MEA	Tikanga based process and Disputed Redress
02/02/2021 – 30/03/2021	T. McPherson - NTB	P. Majurey - MES	Various e-mails concerning hui organisation
MACA			
There was no correspondence concerning MACA during the reporting period			

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

Date	Details	Supporting documents
18/01/2021	Summary of the NTB meeting of Trustees held on 11 December 2020	Posted to Facebook and website
25/01/2021	Media statement COVID-19: Ngatiwai calls for more resources into COVID19 Testing	Posted to Facebook and website
01/03/2021	Ngatiwai Trust Board Annual Report	(see objective 5)
12/03/2021	Raukura / Chief Executive Officer Vacancy	Advertisement posted to facebook, website, and Seek
19/03/2021	Summary of the NTB meeting of Trustees held on 29 January 2021	Posted to Facebook, included in newsletter
19/03/2021	February / March Te Tukaiaia Newsletter Updates in this Newsletter: <ul style="list-style-type: none"> • Treaty Claims Committee • Mandate Mediation • Marine and Coastal Area Act (MACA) • Overlapping Claims 	Posted to Facebook, website and e-mail out to all our beneficiaries with an e-mail, posted out to kaumātua over 65 years of age

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Objective 3: Trust Deed Review

The review of the Trust Deed is subject to the mandate mediation process.

Objective 4: PSGE Planning

The PSGE planning is subject to the mandate mediation process.

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

The AGM was held at Mokau Marae on 27 March 2021. There were approximately 70 people in attendance although not everyone signed the attendance register.

Date	Details	Supporting documents
01/03/2021	Panui for AGM held on 27 March 2021	Public Notice of AGM: NZ Herald and Northern Advocate
01/03/2021	Annual Report	Posted to website and available on request from the office
27/03/2021	Annual General Meeting Mokau Marae Whangaruru	Annual Report Attendance register Minutes of the 2019/2020 AGM

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-Pānui and newsletter <i>Te Tūkaiaia</i>
Ongoing	NTB communication and registration forms are made available online, onsite from the front desk at NTB offices – 129 Port Road, Whangarei and are made available by direct request which are sent out via post or email.
Outcomes	
30/09/2020	Total number of registered members is 8559 . There are 70 pending registrations. Total number of "gone-no-address" identified for registered members are 14% of the total number of registered members.
30/09/2020	Total number of registered members who have identified at least one Ngātiwai hapū on their registration form is 7251