



# Ngātiwai Trust Board

## Mandate Maintenance

Report on Objectives

For the Office of Treaty Settlements

### **MANDATE MAINTENANCE REPORT 5**

**Activity Period:** 1 November 2016 – 31 January 2017

**Report Date:** 23 February 2017

*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.*

| Contact Person   | Representative Body  |
|--|--|
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## Background Context

This is the fifth 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 2014.

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>  | Ngatiwai Trust Board          | <i>OTS</i>  | Office of Treaty Settlements      |
| <i>AGM</i>  | Annual General Meeting        | <i>SGM</i>  | Special General Meeting           |
| <i>AiP</i>  | Agreement in Principle        | <i>PSGE</i> | Post Settlement Governance Entity |
| <i>iDoS</i> | Initialled Deed of Settlement | <i>OIA</i>  | Official Information Act          |

## Issues Arising

### 1. Terms of Negotiation and Urgent Hearings

- Completion of Terms of Negotiations are paused pending the outcome of the Ngatiwai Mandate Inquiry by the Waitangi Tribunal.
- Urgent Hearings closing submissions were due to the Waitangi Tribunal on 23 December 2016 although the Tribunal accepted late filing of closing submissions up until 3 February 2017. Two claimant groups did not file closing submissions.
- The Board now awaits a report on the Tribunal's findings and any recommendations.

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

- The Board received and/or responded to a number of overlapping claims matters including redress that has been offered to the following groups by the Crown:
  - Ngati Rehua – Ngati Wai ki Aotea
  - Marutūahu collective joint settlement
  - Marutūahu collective individual Iwi settlements for:
    - Ngaati Whanaunga,
    - Ngati Maru,
    - Ngati Tamatera and
    - Te Patukirikiri
  - Hako - concerning their statement of association
  - Hauraki collective individual Iwi settlements for:
    - Hako,
    - Ngai Tai ki Tamaki,
    - Ngati Hei,
    - Ngati Maru,
    - Ngati Paoa,
    - Ngati Porau ki Hauraki,
    - Ngati Pukenga,
    - Ngati Rahiri Tumutumu,
    - Ngati Tamatera,
    - Ngati Tara Tokanui,
    - Ngaati Whanaunga and
    - Te Patukirikiri concerning –
      - proposed protocol area map for the Taonga Tuturu and Primary Industries protocols and
      - proposed area over which the Hauraki collective fisheries quota RFR applies
- The Minister made final decisions concerning Ngati Rehua-Ngatiwai ki Aotea and Marutūahu individual Iwi settlements during the period to which the Board objected.
- The Board is awaiting confirmation of hui with the Hauraki collective and Hako to discuss overlapping claims and redress proposals before submitting its views on these matters to the Crown in writing.

## Communications and Engagement with Ngatiwai Whanui

### 1. Open Door Policy and Face to Face Engagement Hui

Progress on this objective has been maintained despite the diversion of focused effort to the Ngatiwai Mandate Inquiry and work on overlapping claims (as outlined above).

### 2. Monthly Board Updates and Newsletters

A combined November/December and a January newsletter containing monthly Board meeting summaries were produced by the Board during the period.

These newsletters and Board meeting summaries were also posted to our facebook page and mailed to Kaumātua on our distribution list.

### 3. Trust Deed Review

The review group provided a report to the Board on 18 November 2016 which was discussed by the Board at its regular monthly meeting on 16 December 2016.

### 4. Wananga Planning for PSGE

At this point the wananga is to be held-off until the Waitangi Tribunal reports on its findings and any recommendations resulting from the Ngatiwai Mandate Inquiry. In the meanwhile Hui a iwi will continue to workshop PSGE representative options.

### 5. Quarterly Hui-a-Iwi

The AGM was held on 17 December 2016 at Toll Stadium. The Annual Report was posted to our facebook page and website and made available at the AGM and at the Boards office.

### 6. Finalise the Strategic Communications Plan

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

### 7. Review, refine and maintain the current database

Regular address updates and new registrations continue to be promoted and received.

The total number of registered members as at 31 January is 7555 with 38 pending registrations. This is an increase of 181 registered members within the quarter.

The percentage of registered members who are recorded as without a known postal or as gone-no-address (GNA) is 14.5%

## Report on Objectives

### Engagement Objective 1 a): Hui

| Date       | Details   | Supporting Documents                            |
|------------|---|---|
| 02/11/2016 | Nga Marae (all six marae located in Whangaruru) | G. Reti note of meetings dated 20 February 2017 |
| 11/11/2016 | Tuparehuia Marae                                | G. Reti note of meeting dated 20 February 2017  |
| 16/11/2016 | Punaruks Marae                                  | Personal communication with H. Edmonds          |
| 25/11/2016 | Punaruks Marae                                  | Personal communication with H. Edmonds          |
| 26/11/2016 | Tuparehuia Marae                                | G. Reti note of meetings dated 20 February 2017 |
| 03/12/2016 | Tuparehuia Marae                                | G. Reti note of meetings dated 20 February 2017 |
| 04/12/2016 | Ngunguru Marae                                  | Personal communications With M. Rundlett.       |
| 10/12/2016 | Otetao Reti                                     | G. Reti note of meetings dated 20 February 2017 |
| 14/12/2016 | Nga Marae                                       | G. Reti note of meetings dated 20 February 2017 |
| 17/12/2016 | AGM   | See objective 5 (below)                         |

### Engagement Objective 1 b): Correspondence

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

| Date                                   | To  | From  | Topic  |
|--|---|---|--|
| 13/10/2016<br>21/10/2016<br>09/11/2016 | <i>Marutūahu Iwi Negotiators</i><br>Paul Majurey and Waati Ngamane for <i>Ngati Maru</i><br>John McEnteer and Liane Ngamane for <i>Ngati Tamatera</i><br>Tipa Compain and Nathan Kennedy for <i>Ngati Whanaunga</i><br>David Williams and William Peters for <i>Te Patukirikiri</i> | Jonathan West – OTS<br>Cc'd Tania McPherson – NTB<br>and<br>Tania McPherson – NTB<br>Cc'd Jonathan West - OTS | Encouragement/Request to meet with NTB to discuss overlapping claims and redress the Crown has offered to these specific Iwi from the Marutūahu Collective on Aotea                |
| 02/11/2016                             | Tania McPherson - NTB   | Juliet Robinson - OTS   | OIA response <ul style="list-style-type: none"> <li>Ngati Rehua – Ngatiwai ki Aotea Ratification Strategy</li> <li>Marutūahu information on claims for redress on Aotea</li> </ul> |

|                           |   |   |   |
|---------------------------|---|---|---|
| 03/11/2016                | Leah Campbell and Juliet Robinson – OTS<br>Cc'd to:<br><ul style="list-style-type: none"> <li>Nicola MacDonald</li> <li>Terrance Hohneck</li> </ul> | Haydn Edmonds - NTB   | NTB response/objection to Marutūahu Collective Redress  |
| 11/11/2016                | Haydn Edmonds - NTB   | Hon Christopher Finlayson   | Final decision on overlapping claims between Ngatiwai and individual Marutūahu Iwi (on Aotea)   |
| 21/11/2016                | NTB TCC   | P. Armstrong on behalf of Ngati Rehua Ngatiwai ki Aotea Kuia Kaumatua | Communications and information relating to the Ngati Rehua Ngatiwai ki Aotea kuia Kaumātua and beneficiaries hui 18 <sup>th</sup> 19 <sup>th</sup> November 2016                |
| 22/11/2016                | Tania McPherson - NTB   | Leah Campbell - OTS   | OIA response in relation to Marutūahu information justifying claims and redress offered on Aotea  |
| 22/11/2016                | Haydn Edmonds - NTB   | Leah Campbell - OTS   | Hako – Tamaki statement of association (including Aotea) OTS request for NTB views.   |
| 07/12/2016                | Haydn Edmonds - NTB   | Hon Christopher Finlayson   | Ngati Rehua – Ngatiwai ki Aotea: Final overlapping claims decision to proceed.  |
| 09/12/2016                | Leah Campbell - OTS   | Haydn Edmonds - NTB   | NTB preliminary response to Hako statement of association (including Aotea)   |
| 16/12/2016                | Hon Christopher Finlayson   | Haydn Edmonds - NTB   | Response to Ministers letter dated 7/12/2016 correcting NTB's position on where matters stand in relation to overlapping claims discussions with Ngati Rehua Ngatiwai ki Aotea. |
| 16/12/2016                | Haydn Edmonds - NTB   | Emily Owen - OTS  | Confirmation of work plan with the OTS <ul style="list-style-type: none"> <li>ToN by December 2017</li> <li>AiP by March 2019</li> </ul>  |
| 22/12/2016<br>3 x letters | Haydn Edmonds - NTB   | Rama Rewi - CFRT  | Funding to be paused until OTS reengage   |
| 13/01/2017                | Haydn Edmonds - NTB   | Leah Campbell - OTS   | Hauraki Iwi - proposed Protocol Area map for the Taonga Tuturu and Primary Industries protocols – request for NTB views.  |

|            |   |   |   |
|------------|---|---|---|
| 18/01/2017 | Haydn Edmonds - NTB                     | Leah Campbell - OTS                     | Proposed area over which the Hauraki Collective Fisheries Quota RFR applies. Request for NTB views. |
| 19/01/2017 | Haydn Edmonds - NTB                     | Rama Rewi - CFRT                        | Reconfirmation funding to be paused.  |
| 20/01/2017 | Hon Christopher Finlayson               | Haydn Edmonds – NTB                     | Acknowledgement of NTB position as set out in NTB's letter dated 16/12/2016                         |
| 20/01/2017 | John Linstead and Josie Anderson - Hako | Tania McPherson – NTB                   | Overlapping claims meeting organisation to discuss Hako statement of association                    |
| 22/01/2017 | Tania McPherson - NTB                   | John Linstead and Josie Anderson - Hako | Response to meeting request. To be rescheduled.   |

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

| Date       | Details  | Supporting documents  |
|------------|--|---|
| 31/10/2016 | Waitangi Tribunal hearing pānui, offer of travel and accommodation with priority to Kaumātua | Posted to website and facebook  |
| 05/11/2016 | Analysis of responses to survey from Matapouri hui-a-iwi                                     | Posted to website and facebook  |
| 16/11/2016 | Annual General Meeting pānui.  | Posted to website and facebook.<br>Posted by mail to Kaumātua.  |
| 17/11/2016 | Venue confirmation from the Waitangi Tribunal  | Posted to website and facebook  |
| 23/11/2016 | Public Notice of Election of Trustees  | Advertised in the NZ Herald, Northern Advocate, website and facebook pages.   |
| 23/11/2016 | Ngāitwai Trust Board Annual Report published and posted                                      | Posted to website and facebook. Copies also made available at NTB and at AGM.   |
| 30/11/2016 | Ngāitwai Waitangi Tribunal hearing timetable   | Posted to website and facebook  |
| 01/12/2016 | Ngāitwai Waitangi Tribunal hearing live stream video link                                    | Posted to website and facebook. Whanau invited to come into the NTB office and watch on the big screen in the boardroom |
| 01/12/2016 | Ngāitwai Waitangi Tribunal hearing live stream video link – New Link from WT                 | Posted to website and facebook. Whanau invited to come into the NTB office and watch on the big screen in the boardroom |
| 01/12/2016 | Advised of an earlier start time of 8:30 am for the Ngāitwai Waitangi Tribunal hearing       | Posted to website and facebook.   |



|            |  |   |
|------------|--|---|
| 02/12/2016 | Ngāitwai Waitangi Tribunal hearing live stream video link – New Link from WT                                     | Posted to website and facebook. Whanau invited to come into the NTB office and watch on the big screen in the boardroom |
| 02/12/2016 | Panui to whanau that the Whangarei hearings have been completed and Northern Advocate story.                     | Posted to website and facebook.   |
| 03/12/2016 | Job Vacancy – Chief Executive Officer  | Advertised in the Northern Advocate, NZ Herald and NTB website.   |
| 08/12/2016 | <b>November monthly Board meeting summary</b>  | Posted to website and facebook and included in Nov/Dec newsletter (below).  |
| 08/12/2016 | NTB Christmas closure dates  | Posted to website and facebook  |
| 17/12/2016 | <b>November and December Newsletter <i>Te Tukaiaia</i></b><br><i>2016 Year in Review: Chairman Haydn Edmonds</i> | E-panui, posted to website and facebook. Posted by mail to Kaumātua.  |
| 11/01/2017 | Public Notice of Day of Election and SGM   | Advertised in the NZ Herald, Northern Advocate, NTB website and facebook pages. Included in the newsletter.             |
| 19/01/2017 | <b>December monthly Board meeting summary</b>  | Posted to website and facebook and included in Jan newsletter (below).  |
| 27/01/2017 | Reminder of Public Notice of Day of Election and SGM and election Timelines                                      | Posted to website and facebook.   |
| 08/02/2017 | Trustee Election Results Announced   | Posted to website, facebook and included in newsletter (below).   |
| 08/02/2017 | CEO appointment Announced  | Posted to website, facebook, media release included Jan newsletter (below).   |
| 10/02/2017 | <b>January monthly Board meeting summary</b>   | Posted to website and facebook and included in Jan newsletter (below).  |
| 16/02/2017 | <b>January Newsletter <i>Te Tukaiaia</i></b>   | E-panui, posted to website and facebook, Posted to Kaumātua by mail.  |

### Objective 3: Trust Deed Review

| Date       | Details   | Supporting Documents   |
|------------|---|--|
| 18/11/2016 | The review group provided a report to the Board     | Report and recommendations (submitted by the late Sarah Burkhardt) |
| 16/12/2016 | NTB received and discussed the review groups report | December monthly Board meeting summary (see objective 2 above)     |

#### Objective 4: PSGE Planning

Planning towards a wananga will recommence after the Ngatiwai Mandate Inquiry is completed and any recommendations received. Hui-a-iwi workshop discussions on PSGE representational options to continue in the intervening period.

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

| Date       | Details              | Supporting Documents  |
|------------|----------------------|---|
| 16/11/2016 | Public Notice of AGM | Published in the Northern Advocate, the NZ Herald, website and facebook page. |
| 23/11/2016 | Annual Report        | Posted to website and facebook and provided in hard copy at NTB and at AGM    |
| 23/02/2017 | AGM Minutes          | Minutes posted to NTB website   |

#### 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 for each Marae</li><li>• List of members who have no current postal address</li></ul>  |
| Ongoing  | Promote registration and postal address updating with Panui on the NTB website – Front page of website, Facebook, E-Panui and newsletter <i>Te Tukaiaia</i> (see objective 2 Panui)  |
| 17/12/16 | AGM: NTB Communication forms and registration forms were made available for the duration of the Hui. Attendance sheets distributed at the Hui are also checked for members updated contact details.  |
| Ongoing  | NTB communication and registration forms are made available onsite from the front desk at NTB offices – 129 Port Road, Whangarei.<br>NTB communication and registration forms are available online and are made available by direct request which are sent/received via post or email. |
| Outcomes |  |
| 31/01/17 | Total number of registered members 7555 with 38 pending registrations.<br>Total GNA's 1095 or 14.5% of registered members.   |
| 31/01/17 | Total number of registered members who have identified at least one Ngatiwai hapu on their registration form is 6250.  |