



TO: Office of Treaty Settlements

FROM: Tūhoronuku Independent Mandated Authority

DATRE: 9 November 2014

SUBJECT: **Mandate Maintenance Report Three: 9 August - 9 November 2014**

PURPOSE

This Deed of Mandate (DOM) Maintenance report is provided to the Office of Treaty Settlements (OTS) from Te Rōpū o Tūhoronuku Independent Mandated Authority (Tūhoronuku IMA) as the group mandated by Ngāpuhi for negotiations with the Crown.

This report is also provided as a condition of the Crown's recognition of the DOM.

SUMMARY OF ACHIEVEMENT THROUGHOUT THE REPORTING PERIOD

Since our last report, dated 9 August 2014, Te Rōpū o Tūhoronuku Independent Mandated Authority (Tūhoronuku IMA) has:

- The Tūhoronuku IMA Trustees held their inaugural meeting on 22 August
- Raniera (Sonny) Tau was appointed as Tūhoronuku IMA Chairman
- Mandated Hapū Kaikōrero held their first hui, at Omapere on 23 August
- The Minister for Treaty of Waitangi Negotiations, Hon. Christopher Finlayson, met with Tūhoronuku IMA Trustees and Hapū Kaikōrero at Omapere, ahead of the September general election
- Nationwide advertising and communications activity was held throughout September to invite suitable settlement negotiators to apply
- Information Hui were held throughout the period: for Kaumatua and Kuia, Hapū Kaikōrero and Ngāpuhi A Rohe (Urban areas).
- The Waitangi Tribunal announced it was to hold an Urgent Hearing into the Crown's Tūhoronuku mandate process – Tūhoronuku responded to the announcement through a media statement and interviews that the mandate process was thorough and rigorous.
- In its communications throughout the period, Tūhoronuku IMA stressed that the “door was always open” for all hapū to join the process.

ACTIVITY

Developing Hapū Profiles for negotiations

Following the initial meeting of all Mandated Hapū Kaikōrero (MHK) at Omapere on 23 August 2014, the first of the regional hui for MHK were convened on 5th September and concluded on the 12th September.

MHK Hui schedule

Region:	Whangarei ki Mangakahia	Region:	Hokianga
Date:	5 th September	Date:	11 th September
Venue:	Cheviot Lodge, Whangarei	Venue:	Copthorne, Omapere
Region:	Kaikohe-Waimate-Taiāmai	Region:	Whangaroa
Date:	11 th September	Date:	12 th September
Venue:	TRAION Board Room	Venue:	Kaeo Rugby Club
Region:	Te Pewhairangi		
Date:	12 th September		
Venue:	Paihia Resort, Paihia		

Planning, Scheduling and Timetabling

During the reporting period focus has been engaging our mandated Hapū Kaikōrero within the five regions to commence developing their respective hapū profiles for negotiations purposes that will contribute to informing the scoping of a negotiations specific research programme.

Hapū Kaikōrero have planned to meet bi-monthly and will include:

- a. Regional Mandated Hapū Kaikōrero (MHK) planning hui
- b. Regional hapū hui (co-facilitated and convened by MHK in each region), also open to other hapū who have yet to appoint Hapū Kaikōrero
- c. MHK (hapū) meetings with negotiators – when appointed
- d. Hui with MHK across all regions

Redress

Hapū Kaikōrero are completing a questionnaire that will contribute to the scoping of a research proposal to support hapū develop their hapū profiles for negotiations purposes. At this stage a particular focus is being placed on cultural redress as a starting point. This will move into other negotiation areas in due course.

This requires the input of hapū representatives and we anticipate this taking at least 10 weeks to complete. Funding and Urgent Hearings will contribute to this timeframe being extended. That aside, a follow-up meeting of all MHK will be convened in November to assess progress thus far.

Future Hapū Kaikōrero Elections Process

The door remains open for those hapū who are yet to determine their representation. Our priority is increasing the number of hapū that are represented to ensure the best possible settlement for Ngāpuhi katoa with as many hapū as possible. This has always been the position of Tūhoronuku.

The Addendum provides (p 19) that a hapū can commence an election process by 10 members of that hapū giving notice to TIMA and the Independent Returning Officer (**IRO**) that is, Electionz.com.

Following that notice, there would be a 21 day nomination period and, if required, 21 days' notice of a hui-a-hapū would be given.

There are a number of hapū who wish to have a representative and who have commenced initiating this process as provided for in the addendum. The Tūhoronuku IMA have agreed the election and appointment process while thorough and successful, was an enormous task, stretched financial resources and involved lengthy timeframes.

At their board meeting (10 October 2014) the Tūhoronuku IMA Board formed a position that there will not be specific 'rounds of elections' but rather, the door shall remain open to those hapū wishing to participate in their time and that the process to initiate this will be as per the Deed of Mandate. The Tūhoronuku IMA Board discussed possibilities to streamline the Elections process which will be discussed with the Crown.

Urgent Hearings

The Waitangi Tribunal announced it was to hold an Urgent Hearing into the Crown's Tuhoronuku mandate process – Tuhoronuku responded to the announcement through a media statement and interviews that the mandate process was thorough and rigorous. In its communications throughout the period, Tuhoronuku IMA stressed that the "door was always open" for all hapu to join the process.

In line with this, Tūhoronuku IMA has a responsibility to Ngāpuhi by way of the Deed of Mandate. The issue is how we (Tūhoronuku IMA) can reasonably support witnesses during these hearings. The level of expectation placed on TIMA and the impact on our ability to deliver due to funding restrictions makes it difficult to meet these responsibilities regarding the Urgent Hearings.

Despite this, the preparation for these Hearings is a priority with a majority of Hapu Kaikorero indicating they wish to register as an interested party in support of Tuhoronuku IMA or provide evidence under the Tuhoronuku IMA umbrella.

In October, Hui were convened with Hapū Kaikōrero to discuss the preparation of to be placed before the Waitangi Tribunal. At the time of drafting this report hui had been convened in the five regions with a two day workshop held to provide any follow-up assistance.

Region: Whangarei ki Mangakahia
Date: 7th October
Venue: Settlers Motor Inn, Whangarei

Region: Hokianga	Date: Kaikohe-Waimate-Taiāmai
Date: 8 th October	Date: 8 th October
Venue: TRAION Board Room	Venue: Kaeo Rugby Club

Region: Te Pewhairangi & Whangaroa Combined
Date: 9th October
Venue: TRAION Board Room

Appointment of Negotiators

The Tūhoronuku IMA have put in place an Expression of Interests (EOI) process to appoint Negotiators. The release date of the Expressions of Interest was the 5th September 2014 by public notice and closed 5pm on the 26th September 2014.

During September, as part of the EOI process, advertisements were printed in the employment sections of national newspapers (refer Appendix one) to invite suitable candidates to apply for up to six positions as settlement Negotiators. These advertisements appeared twice in each of the following publications: Northern Advocate, Northern News, New Zealand Herald, Waikato Times, The Dominion Post, The Press and the Southland Times.

Confidentiality prevents the disclosure of applicants however we are able to advise that the process is running to schedule and we envisage having appointments confirmed by mid-December. The Deed of Mandate makes provision for the appointment of at least three and no more than six negotiators.

Updating Ngapuhi

The Tūhoronuku IMA remains committed to updating Ngapuhi on a regular basis. On the 16th October 2014, Tūhoronuku IMA updated our Ngapuhi Kaumatua Kuia. Following this hui, and as per previous rounds of hui, Tūhoronuku will continue to host hui throughout New Zealand and Australia.

The first hui was held in Wellington on the 5th November and will be followed by Nelson, Christchurch and Invercargill (refer Appendix two). These hui are scheduled to be completed by the end of November. A schedule of hui will be posted on the Tūhoronuku IMA website and Facebook as dates and venues are confirmed

Funding

The Project Team continues to work with CFRT to develop applications for CFRT funding. The following summarises the status of funding applications and approvals:

- *Crown Forestry Rental Trust (CFRT) – Rūnanga Reimbursement*
A contract for Deed of Mandate (DOM) expenditure reimbursement of up to \$608,100 to the Rūnanga was reviewed by CFRT Trustees at their September meeting. A reimbursement of \$599,451 was approved and payment has been received by the Rūnanga.
- *Crown Forestry Rental Trust (CFRT) – TIMA Funding for Terms of Negotiation (TON)*
A Business Plan to complete Terms of Negotiations (TON) was submitted to CFRT and considered at the CFRT September meeting. Total funding of \$268,130 was approved, this includes specialist advice of \$23,630, with the balance for operational funding.
- A research application for \$66,699 for research scoping for negotiations was declined. The proposal will be re-presented to CFRT Trustees again at their November meeting.

Agreed Deed of Mandate Conditions

DOM Condition	Comment	Status
<i>Develop detailed communication and negotiation plans that recognise specific Hapū interests</i>	A detailed one-year draft negotiations communication strategy has been approved by the Tūhoronuku IMA Board. A draft detailed Negotiations Plan has been completed.	Draft completed – and in discussions with Crown Officials before finalising.

<i>Provide Detailed and regular mandate maintenance reports</i>	Report 1: Completed Report 2: Completed Report 3: Completed	Maintenance Three Report due 9 November 2014
<i>Explore options for the post settlement governance entity early in the negotiations</i>	<ul style="list-style-type: none"> ▪ PSGE discussion introduced during March Information Hui. ▪ A 'think tank' to explore options to be scheduled including talking with other Iwi who have completed this process. 	Development of models delayed until Urgent Hearings have concluded
<i>Allow votes for elected Tūhoronuku IMA members only</i>	Tūhoronuku IMA Trust Deed addresses this. The Trust Deed defines meeting protocols and addresses this in clause 8.2 (i) of the Te Rōpū o Tūhoronuku Independent Mandated Authority Deed of Trust.	Completed
<i>Tūhoronuku IMA to confirm their claimant definition with overlapping Iwi</i>	<p>The following meetings have been completed:</p> <p>7 May 2014: Te Aupōuri 19 May 2014: Te Roroa: 26 June 2014: Ngāti Whātua o Kaipara:</p> <p><i>Comment</i></p> <p>Groups agree that Ngāpuhi have interests from Tāmaki Makaurau ki Te Rerenga Wairua and accept that Ngāpuhi will hold firm to the whakatauki in our DOM and Addendum. The Tūhoronuku IMA clarified with all groups that our intention is to keep our options open in terms of Ngāpuhi Interests and will do so without prejudice to these groups' claims and settlement.</p> <p>Groups were also advised that the Tūhoronuku IMA has no intentions to represent or speak on behalf of any other Iwi.</p>	Completed
<i>Tūhoronuku are required to agree the technical terms of the claimant definition with the Crown for inclusion in the Terms of Negotiations.</i>	In progress and on-going	To be completed by DoS

Communication

A detailed report on communication is attached (refer Appendix three).

Pānui (including website updates)	
The Tūhoronuku IMA has completed updates for this reporting period.	<p>The website has been refreshed, and e-pānui, Twitter and Facebook accounts are active and used when appropriate.</p> <p>Tūhoronuku Panui</p> <p>A new template has been developed, and from October it is being distributed on the first Friday of every month to a distribution list of 8,000. The panui is also posted on the Tūhoronuku website and Facebook page.</p>

Beneficiary Register	
The Tūhoronuku IMA has advised the Crown that it will not be developing and maintaining a beneficiary register. Te Rūnanga A Iwi O Ngāpuhi (Rūnanga) has agreed Tūhoronuku IMA may have access to its database of registered members (50,000) for the purpose of communicating major decisions. Provision for this is via the Memorandum of Understanding signed between the Rūnanga and the Tūhoronuku IMA.	<p>As per Report One and Two:</p> <ul style="list-style-type: none"> ▪ Access means that at any time the Tūhoronuku IMA has information to be sent to Ngāpuhi, this information will be provided to the Rūnanga for mailing to their members. ▪ Access does not mean, the Rūnanga will export or transfer their registration database details to the Tūhoronuku IMA. ▪ In lieu of a beneficiary register, the Tūhoronuku IMA does maintain a database of Ngāpuhi who have signed Hui attendance registers, for communication purposes.

Mandate Related Correspondence – Report 3

Copies of correspondence are provided in the accompanying book.

TUHORONUKU INDEPENDENT MANDATED AUTHORITY

Correspondence Inward: 01 August 2014 – 31 October 2014

Date Received	To:	From:	Regarding	Comments
1-Aug-14	TIMA Project Manager	Denis McCord	Protection Mechanism for Maori interests in surplus Crown-owned land / Sites of Significance Process	Not applicable to settlement area.
11-Aug-14	Representatives of Ngati Kuta Patukeha: Cc Tuhoronuku	Hon Christopher Finlayson	Re: Opposition to the Tuhoronuku Deed of Mandate	Noted.
13-Aug-14	Raniera (Sonny) Tau	Chief Judge Wilson Isaac	Re: Waitangi Tribunal Conference, Waitangi – 18-19 June	No further action taken.
18-Aug-14	To whom it may concern	Te Kerei TiaToa	Regarding Raniera (Sonny) Tau affidavit presented at Judicial Conference, Waitangi.	Noted.
22-Aug-14	Hon Chris Finlayson: Cc Tuhoronuku	Season Mary Downs	Re: Submission on Ngati Wai Deed of Mandate	Noted.
1-Sept-14	Honore Chris Finlayson: Cc Tuhoronuku	Waihoroi Shortland	Re: Opposition to the Tuhoronuku Deed of Mandate	Response in draft.
11-Sept-14	Raniera Tau	Darrin Sykes MNZM JP Chief Executive (CFRT)	Meeting of the CFRT Trustees on 9 September 2014	Confirming reimbursement to Te Runanga A Iwi O Ngapuhi.
11-Sept-14	Raniera Sonny Tau	Darrin Sykes MNZM JP Chief Executive (CFRT)	CFRT Trustee Meeting: 9 th September 2014	Confirming funding approval
12-Sept-14	Tauhia Te Tai: Cc Tuhoronuku	Nigel Fyfe	Te Hapu o Ngati Manu	Noted.
16-Sept-14	Tuhoronuku Board	Ngati Whakaeke	RE: Ngati Whakaeke Hapu Kaikorero	Presented Board 10/10/2014. Response letter attached (outward).
03-Oct-14	Project Manager Tuhoronuku Independent	Denis McCord (OTS)	Protection Mechanism for Maori interests in surplus Crown-owned land / Sites of Significance Process	Application to be completed.

	Mandated Authority			
09-Oct-14	Nigel Fyfe	Lorraine Toki	Proposed changes to Deed of Mandate and Hapu Kaikorero Election Process	Response from ST attached.
10-Oct-14	Hon. Chris Finlayson	Pita Tipene, Chairman Nga Hapu o Te Takutai Moana	Tuhoronuku Deed of Mandate	Copy forwarded from Office of Treaty Settlements
Oct-14	The Waitangi Tribunal; Cc Tuhoronuku	Koning Webster Lawyers	Memorandum of Counsel on Behalf of Certain Interested Parties	In support of Tuhoronuku opposing applicants to Urgent Hearing.
21-Oct-14	Minister for Treaty of Waitangi Negotiations	Te Kani Williams, Wackrow Williams & Davies Limited	Re: Withdrawal of Claims from Deed of Mandate - TIMA	
29-Oct-14	Pita Tipene	Hon Christopher Finlayson	Engagements between the Crown and Tuhoronuku.	Copy forwarded to Tuhoronuku.

TUHORONUKU INDEPENDENT MANDATED AUTHORITY

Correspondence Outward: 01 August 2014 – 31 October 2014

Date Received	To:	From:	Regarding	Comments
1-Aug-14	Mandated Hapu Kaikorero	R Tau	Mandated Hapu Kaikorero Induction Hui – Private Notice	Sent to all 47 mandated hapu kaikorero advising of their hui for an induction/update 23 August
7-Aug-14	Chief Judge Wilson Isaac	R Tau	Waitangi Tribunal Judicial Conference, Waitangi 18-19 June 2014	Concerns with Waitangi Tribunal proceedings at Judicial Conference.
18-Aug-14	Ngaire Wilson (CFRT)	L Toki	Terms of Negotiation and Research Proposal	Cover letter to CFRT application
25-Sept-14	Te Runanga o Ngati Hine	Raniera (Sonny) Tau	Acknowledging Receipt of Correspondence dated 1-Sept-14	Response to letter dated 1st September
1-Oct-14	Te Ururoa Flavell	Raniera (Sonny) Tau	Re: Re-election to Parliament	Congratulatory letter regarding General Election
1-Oct-14	Hon Christopher Finlayson	Raniera (Sonny) Tau	Re: Re-appointment to Parliament	Congratulatory letter regarding General Election
7-Oct-14	Ngaire Wilson (CFRT)	Lorraine Toki	Proposal AIP	Covering letter regarding Funding Proposal to CFRT
20-Oct-14	Evald Subasic (CFRT)	Lorraine Toki	Funding to Scope Research Requirements for Settlement Negotiations	Follow up on Research Proposal. Copy scanned to Ngaire Wilson.
20-Oct-14	Te Hapu o Ngati Whakaeke	Raniera (Sonny) Tau	Mandated Hapu Kaikorero Elections Process	Confirming process.
22-Oct-14	Nigel Fyfe	Raniera (Sonny) Tau	Mandated Hapu Kaikorero Elections Process Review	Meeting confirmed to discuss Elections Process Review.
27-Oct-14	ASB Bank	Ketan Panchal	Request for Audit Confirmation Report	
28-Oct-14	James Every-Palmer	PP: R. Toki (on behalf of Lorraine Toki)	Request for Audit Confirmation Report	
28-Oct-14	Russell McVeagh	PP: R. Toki (on behalf of Lorraine Toki)	Request for Audit Confirmation Report	

31-Oct-14	Waihoroi Shortland	Raniera (Sonny) Tau	Follow up correspondence in relation to letter addressed to Minister Finlayson, dated 1 September 2014.	Seeking request of correspondence sent to TIMA to consider whether a
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APPENDICES

Appendix 1 – Negotiators Expression of Interest Advertisement

Appendix 2 – Panui Wellington Update Hui

Appendix 3 – Communications Report



TŪHORONUKU
Independent Mandated Authority
Te Muna Aote A Bōhiri
SUPPORTING A NGĀPUHI SETTLEMENT

REQUEST FOR EXPRESSION OF INTEREST (EOI)
Tuhoronuku Independent Mandated Authority
(Tuhoronuku IMA)
Negotiators on behalf of Ngāpuhi

Tuhoronuku IMA invites expressions of interest from talented individuals who are able to take a lead role, on behalf of Ngāpuhi, in negotiating a fair and durable settlement of Crown Te Tiriti o Waitangi breaches and grievances against Ngāpuhi.

It is expected you will be experienced in the following:

- Negotiations
- Te Ao Māori (Tikanga Ngāpuhi)
- Proven leadership track record
- Relevant sector knowledge
- Ability to work with a range of key stakeholders, including hapu

It is expected the role will require a commitment of up to three days per week for up to three or four years. Up to six negotiators will be appointed.

An independent panel will evaluate all EOI applications received, and develop a shortlist for interviewing. Submitting an EOI will not guarantee shortlisting.

The official EOI application form is available on www.tuhoronuku.com

COMPLETE CONFIDENTIALITY IS ASSURED.

Applications close at 5pm, 26 September 2014.
No late submissions will be accepted.

*Applications must be received by post, courier or hand delivered.
Those received by email will not be accepted.*



TŪHORONUKU
Independent Mandated Authority
Te Mana Aotū ā Kāhiri
SUPPORTING A NGĀPUHI SETTLEMENT

He Pānui

He Pānui, He Pānui

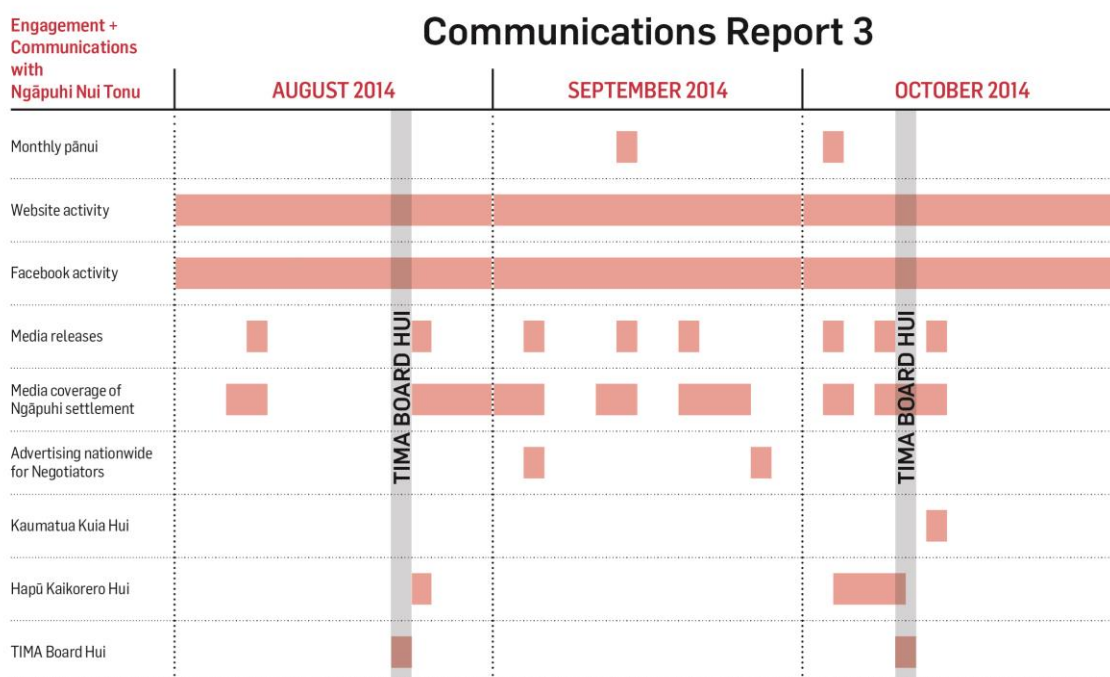
Te Rōpū o Tūhoronuku Independent Mandated Authority will be convening a Hui with Ngāpuhi residing in Wellington to provide an update on the Tūhoronuku mandate process thus far.

We invite you to attend the following Hui:

DATE: 5 November 2014
TIME: 6.00pm - 9.00pm
VENUE: Horouta Marae
Whitford Brown Ave
Papakowhai 5024
Wellington

For more information please contact:
Kipa Munro
Hapū Kaikōrero Facilitator
M: 027 555 3852
E: kpa.munro@tuhoronuku.co.nz

Report 3 – 1 August to 31 October 2014



Background

This communications framework is focussed on the world-class interactive www.tuhoronuku.com website, as **the primary source of all information about the Ngapuhi settlement**. The infrastructure also includes extensive Maori and mainstream media, Ngapuhi, Maori and Northland databases; Facebook page, e-panui and piggy-backing off the extensive databases, networks and communication vehicles of Te Rūnanga- a-iwi o Ngapuhi.

Our communications infrastructure allows us to reach Ngapuhi everywhere through multiple channels.

Website www.tuhoronuku.com

Our website is the primary source of all information and documents about the Ngapuhi settlement process. The site is updated regularly with news from or about the Ngapuhi settlement and the Tūhoronuku IMA, and with relevant documents. During September the website homepage focus was on inviting suitable settlement Negotiators to apply.

Facebook

The Tūhoronuku IMA Facebook site now has 4316 “likes”, and is managed internally by a communications specialist. It is updated regularly with Ngapuhi and Tūhoronuku IMA news, also statements and/or relevant media coverage.

Eight (8) Media Statements were written and distributed during the three month period, many of which have been picked up by Maori and mainstream media. They were posted on the Tūhoronuku and Te Rūnanga-a-iwi o Ngapuhi websites and the Tūhoronuku Facebook page. Also forwarded within Ngapuhi internet networks.

Te Rūnanga A Iwi O Ngapuhi media vehicles: all Tūhoronuku IMA media statements have been distributed through Rūnanga media vehicles, and featured in the weekly E Mara E Panui with a **database of 6000**. Some media statements are also featured on the Rūnanga website, and were distributed through the Tūhoronuku IMA Chairman’s database.

Radio, television and print coverage: Coverage has been given to the Ngapuhi settlement during the period by Maori and mainstream media. Many of these stories are on www.tuhoronuku.com and the Tūhoronuku Facebook page.

A freephone and email address is published on tuhoronuku.com website to give assistance to those Ngapuhi wanting more information about the Ngapuhi settlement.