

TO: Office of Treaty Settlements

FROM: Tūhoronuku Independent Mandated Authority

DATE: 9 May 2015

SUBJECT: **Mandate Maintenance Report 5: March – May 2015**

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 fulfils the requirements of the Office of Treaty Settlements for Tūhoronuku IMA to report on DoM maintenance for the period March – May 2015.

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

Summary of achievement throughout the reporting period

Since the last report dated 9 February 2015, Tūhoronuku IMA has:

- Prepared and presented evidence to the Waitangi Tribunal Urgent Hearing as an interested party to the Crown regarding the Crown’s mandate process;
- Appointed three negotiators;
- Finalised drafting Terms of Negotiations; and
- Finalised the Engagement Plan.

ACTIVITY

Updating Ngāpuhi

The Tūhoronuku Independent Mandated Authority (Tūhoronuku IMA) remains committed to updating Ngāpuhi on a regular basis through updates on our website, monthly newsletters and regular pānui and regional hui with all our stakeholders.

A schedule of all Tūhoronuku IMA Board of Trustee meetings and mandated Hapū Kaikōrero (MHK) meetings have been confirmed for 2015. This schedule includes meetings with the Tūhoronuku IMA, mandated Hapu Kaikorero, Negotiators, regional updates, redress working parties, urban hui, hui with our Kaumātua Kuia and Crown officials.

As reported in Mandate Maintenance Report Four hui were held in urban areas to update Ngāpuhi on progress however preparations for the Waitangi Tribunal's Wai 2490 Urgent Inquiry impacted on our ability to complete these hui in Te Whare Tapu o Ngāpuhi (five Tai Tokerau regions) and Australia - these are scheduled to be completed by May 2015.¹

Update hui scheduled in each of the five (5) Tai Tokerau regions Hokianga, Kaikohe-Waimate-Taiāmai, Whangaroa, Te Pewhairangi and Whangarei ki Mangakahia have been confirmed and will be facilitated by the Tūhoronuku IMA (see schedule below)

Te Whare Tapu o Ngāpuhi Hui (Regional) schedule

Region:	Hokianga	Region:	Kaikohe-Waimate-Taiāmai
Date:	12 May 2015	Date:	12 May 2015
Venue:	Whakamāramatanga Marae	Venue:	Kohewhata Marae

Region:	Whangaroa	Region:	Te Pewhairangi
Date:	13 May 2015	Date:	13 May 2015
Venue:	Tapui Marae	Venue:	Te Tiriti o Waitangi Marae

Region:	Whangarei ki Mangakahia
Date:	14 May 2015
Venue:	Whangarei Terenga Paraoa Marae

All Hui will be advertised in all the local papers, notices posted onto our Website, Facebook and pānui distributed to all our stakeholders.

The timing of these hui also provides an opportunity to discuss the new round of Hapū Kaikōrero elections and nominations proposed for the end of May, early June.

Hapū Kaikōrero Elections

We reported in November 2014 and again in February 2015 that our commitment to keeping the door open for those Hapū who are yet to determine their representation is a priority to ensure the best possible settlement for Ngāpuhi katoa.

The consistent message conveyed to hapū is the Tūhoronuku IMA commitment to remain open to dialogue to those engaged in the settlement process and those who are yet to determine their representation.

¹ Hui Ā Rohe (urban) hui were held in Wellington (5 Nov), Invercargill (18 Nov), Nelson (19 Nov), Christchurch (20 Nov), West and Central Auckland (9 Dec), and South Auckland (10 Dec)

Tūhoronuku IMA considered streamlining and improving the nominations and elections process with the outcome being to implement nomination and election processes as per the first round.

The second round of hapū nominations and elections for hapū who do not currently have a mandated Hapū Kaikōrero will commence in second half of May with Public Notices calling for Hapū Kaikōrero nominations. The process will be implemented as per the first round of hapu elections.

Horizon Research Ngāpuhi Survey 2015

Tūhoronuku IMA recently commissioned Horizon Research to survey Ngāpuhi for the purpose of hearing from them their views on the settlement of Ngāpuhi's historical Te Tiriti o Waitangi land claims. This survey builds on past research undertaken by Horizon Research in 2011 and 2013 on key issues for Ngāpuhi that will frame settlement negotiations.

The 2015 survey is based on previous surveys using many of the same questions. Additionally, there is a specific focus on Ngāpuhi knowledge and views on post settlement governance entity models (PSGE). Survey themes include:

- the most important issues for Ngāpuhi
- the top priorities for Treaty Settlement spending
- the ways Ngāpuhi living overseas should benefit from settlement
- which entities, if any, you think would best suit and serve the interests of Ngāpuhi post settlement?
- how Ngāpuhi would most like to be kept informed.

At the time of writing this report the survey was still in the field. Results will be available at the end of May.

Appointment of Negotiators

The Deed of Mandate makes provision for the appointment of at least three and no more than six negotiators.

The Tūhoronuku IMA extended the announcement of Negotiators to the end of February. During this time a robust interview process was completed resulting in the announcement of the appointment of three negotiators: Alison Thom, Hemi Toia and Joseph Davis.

Terms of Negotiation

During the previous reporting period, draft Terms of Negotiations were submitted to the Office of Treaty Settlements for comment. At the recommendation of the Crown, Tuhoronuku IMA agreed to extend the signing of Terms of Negotiations from December 2014 to the end of February 2015.

As well as this, Tūhoronuku also developed a draft Engagement Plan (*Te Pae Herenga*). The draft is now finalised and has been submitted to the Crown for comment before placing on our website www.tuhoronuku.com and printing for distribution.

Engaging Ngapuhi Hapu - Developing Hapū Profiles for Settlement Negotiations

Twelve regional hui have been held with Ngapuhi hapu. The focus continues to be engaging our mandated Hapū Kaikōrero within the five regions to commence developing their respective hapū profiles for negotiations purposes. This work is being done in parallel with the research and mapping scoping project that will inform a fuller research and mapping programme to support the development of Ngapuhi cultural redress package.

Research and Mapping for Settlement Negotiations

Preliminary work began in late February to scope and assess research requirements to inform the settlement of Ngāpuhi's historical Tiriti o Waitangi land claims. Several rounds of engagement hui have been held with hapū kaikōrero separately in the five regions and collectively, all five regions together. Overall, these meetings have been well attended and the discussion focused on research and mapping to inform cultural and historical redress themes, gap filling research needs and the development of the historical account, acknowledgements and apology.

Another round of hui with hapū kaikōrero is planned for mid- late May and the final scoping report will be completed by the end of May at which time a funding proposal will be prepared for CFRT's consideration at their July 2015 Trustees meeting.

Funding

The Project Team continues to work with the Crown Forestry Rental Trust (CFRT) to complete activities on approved contracts and develop applications for further funding. The following is a summary of the status of funding applications and approvals:

Crown Forestry Rental Trust (CFRT) – TIMA Funding for Terms of Negotiation (TON)

- Total funding of \$268,130 was approved in August 2014, this includes specialist advice of \$23,630, with the balance for operational funding. This contract is currently in progress with an extended completion date of mid-May 2015.

Crown Forestry Rental Trust (CFRT) – TIMA Funding to Scope Research Requirements for Settlement Negotiations (TON)

- Total funding of \$66,699 was approved for research scoping for negotiations. The contract is currently in progress with an extended completion date of end May. It is anticipated a proposal for research and mapping to support settlement negotiations will be submitted to CFRT in July 2015.

A funding application of \$4.7m was submitted to the Crown Forestry Rental Trust (CFRT) to support Agreement in Principle (AIP) activities and contribute to the approved allocation from the Crown.

- Total funding of \$1,065,800 was approved in March 2015 resulting in a significant shortfall of \$3.6m to support the completion of AIP activities.
- The expectation the Crown has on the Tuhoronuku IMA engaging with the Ngāpuhi, the largest iwi in the world, on all manner of redress components and PSGE consultation is compromised. Some Ngāpuhi hapū have a population larger than iwi who have settled and these iwi have benefited with significant funding allocations than is being provided to the Tuhoronuku IMA to complete AIP.

Communications

The three month reporting period saw intense communications activity, with a focus on:

- keeping Ngāpuhi-Nui-Tonu fully abreast of settlement developments;
- introducing the appointed negotiators to Ngāpuhi;
- reaching those hapū not yet in Tūhoronuku IMA; and
- engaging in the settlement debate generated by the Northland by-election campaign during March.

A detailed communications report has been prepared (see **Appendix I**). Also attached is the 7 April Open Letter introducing the three settlement negotiators to Ngāpuhi-Nui-Tonu (**Appendix II**).

Pānui (including website updates)	
<p>The Tūhoronuku IMA has completed updates for this reporting period.</p>	<p>E-pānui, Twitter and Facebook accounts are active and used when appropriate.</p> <p>Tūhoronuku Panui An e-pānui is distributed to a distribution list of 8,000 on the first Friday of every month. The panui is also posted on the Tūhoronuku website and Facebook page.</p> <p>E-Pānui were distributed in March, April and May</p>

Beneficiary Register	
<p>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>	<p>As per previous reports:</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 5

Copies of correspondence are provided in the accompanying book

TUHORONUKU INDEPENDENT MANDATED AUTHORITY

Correspondence Inward: 09 February 2015 – 06 May 2015

Date Received	To:	From:	Regarding	Comments
05-Feb-15	Chairperson of Tuhoronuku C/o Counsel Russell McVeagh	Tu Pono Legal Ltd	TIMA Criminal History Checks	
10-Feb-15	Ra Toa; Cc Raniera (Sonny) Tau	Hon Christopher Finlayson	WT hearing and referring the Minister to his proposal to the Crown to establish a new mandated entity to facilitate the Ngāpuhi settlement.	
16-Feb-15	Raniera Tau	Becca Nesus	Acknowledgement of applications received for the protection of surplus Crown owned properties	
23-Feb-15	Tuhoronuku IMA	Tekerei Tia Toa, Cc Hon Winston Peters; Hon John Key; Hon Christopher Finlayson	Recounting the tradition of Tūhoronuku and Taurapoho	
24-Feb-15	Raniera (Sonny) Tau	Darrin Sykes (CFRT)	CFRT Trustees decision to defer consideration of TIMA's funding application for AIP activities until their 19 Mar 15.	Board meeting held 19 February
24-Feb-15	Alana Thomas; Cc Tuhoronuku	Russell McVeagh	TIMA Criminal History Checks	
27-Feb-15	Raniera (Sonny) Tau, Chair Te Runanga A Iwi o Ngāpuhi	Hon Christopher Finlayson	On-account payment to Ngāpuhi in advance of its Treaty settlement	
04-Mar-15	Raniera (Sonny) Tau	Jamie Manley	Thank you re letter dated 2 March 2015.	

04-Mar-15	Raniera (Sonny) Tau	Keith Mason	Thank you re letter dated 2 March 2015.	
09-Mar-15	Cc Tuhoronuku IMA	Russell McVeagh	Memorandum of Counsel – 9 March 2015	
09-Mar-15	Raniera (Sonny) Tau	Tim Townsend (OTS)	Refined Agreement in Principle between Ngati Kahu ki Whangaroa and the Crown	
17-Mar-15	Sonny Tau	Hinemoa Pourewa, Secretary Whangaroa Papa Hapu	Invitation to attend hui with Whangaroa Papa Hapu	
20-Mar-15	Raniera (Sonny) Tau	Rakihia Tau	CFRT Trustee meeting on 19 March 2015	Confirming funding for specialist advice, \$49,800 and operational funding \$1,016,000.
23-Mar-15	Alana Thomas; Cc Tuhoronuku IMA	Adrian Olney	Tuhoronuku IMA Criminal History Checks	
24-Mar-15	Raniera (Sonny) Tau	Nigel Fyfe	Variation to funding milestone allocations re Terms of Negotiation.	
25-Mar-15	Sonny Tau	Hinemoa Pourewa, Secretary Whangaroa Papa Hapu	Invitation to attend next Whangaroa Papa Hapū Board meeting	Meeting confirmed for 15 May
25-Mar-15	Raniera (Sonny) Tau	Jamie Manley, Office of Hon Christopher Finlayson	Acknowledging receipt of letter dated 24 March 2015.	
30-Mar-15	Raniera (Sonny) Tau	Hon Christopher Finlayson	Acknowledging update on progress with the Ngāpuhi settlement, progress with Terms of Negotiation and growing hapū support for the mandate.	
31-Mar-15	Sonny (Raniera) Tau	Keith Mason, Office of Hon Louise Upston	Acknowledging receipt of letter dated 24 March 2015.	

2-April-15	Project Manager	Denis McCord	Protection Mechanism for Maori interests in surplus Crown-owned land / Sites of Significance Process	
07-April-15	Tuhoronuku IMA	Joseph Robert Kingi	The conduct by the Waitangi Tribunal of aspects of the Te Paparahi o Te Raki (Northland) Inquiry (WAI 1014).	Filing for 'strike out'
13-April-15	Tuhoronuku IMA	David Manuel (Ngati Kahu ki Whangaroa Trust Board)	Additional Redress over Conservation sites	
24-April-15	Raniera (Sonny Tau)	Leah Campbell	Ngati Kahu ki Whangaroa: additional redress over cultural sites	
01-May-15	Raniera (Sonny) Tau	Bev Cassidy-Mackenzie	EEO Trust Diversity Awards 2015	
04-May-15	Raniera (Sonny) Tau	Rakihia Tau	Trust Funding for Agreement in Principle Activities	
06-May-15	Cc Tuhoronuku IMA	Joseph Robert Kingi	Notice of Demand (Affidavit); Commercial Lien (Affidavit)	

TUHORONUKU INDEPENDENT MANDATED AUTHORITY

Correspondence Outward: 09 February 2015 – 06 May 2015

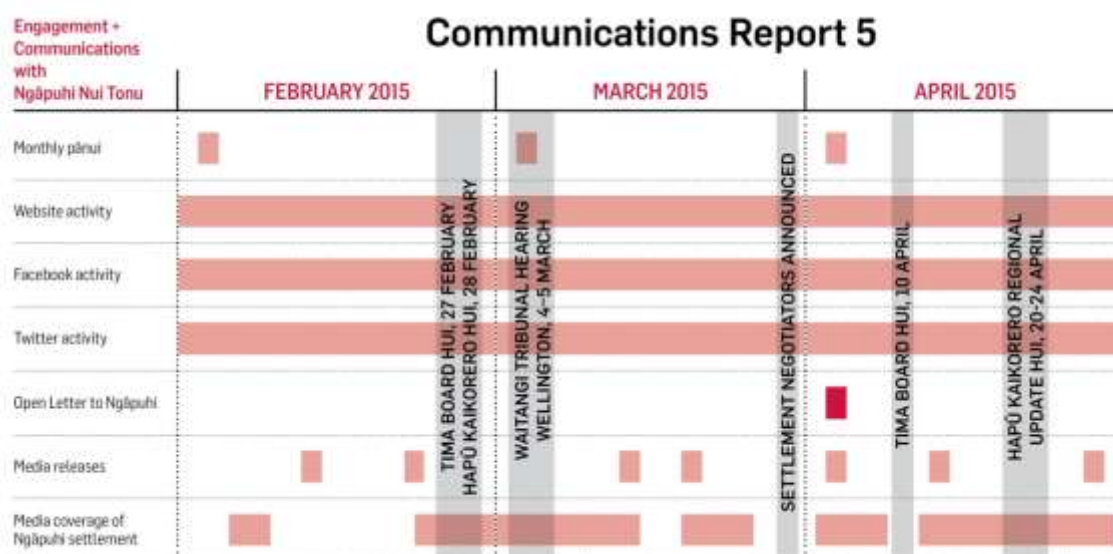
Date Received	To:	From:	Regarding	Comments
17-Feb-15	Ian Hicks (By Email)	Lorraine Toki	Acknowledging receipt of 3 Feb 15 letter and Tūhoronuku IMA response regarding Hapū Kaikōrero election process	
18-Feb-15	Shayne Currie, Editor NZ Herald	Raniera (Sonny) Tau	Publication of the <i>This is the year of Ngāpuhi</i> article in the New Zealand Herald.	
24-Feb-15	Rakihia Tau (By Email)	Raniera (Sonny) Tau	CFRT's deferral at their 19 Feb 15 Board meeting re the Tūhoronuku IMA AIP Business case.	Request to convene a meeting before the end of Feb 15 to consider the proposal declined.
02-Mar-15	Rt Hon John Key Cc Hon Bill English Hon Steven Joyce Hon Christopher Finlayson Hon Dr Nick Smith Hon Nathan Guy Hon Maggie Barry Hon Louise Upston Hon Te Ururoa Flavell	Raniera (Sonny) Tau	Highlighting key milestones in the coming year in the advancement of the Ngāpuhi settlement.	
24-Mar-15	Rt Hon John Key Cc Hon Bill English Hon Steven Joyce Hon Christopher Finlayson Hon Dr Nick Smith	Raniera (Sonny) Tau	Update to the Prime Minister	

	Hon Nathan Guy Hon Maggie Barry Hon Louise Upston Hon Te Ururoa Flavell			
29-Mar-15	Rakihia Tau (By Email)	Raniera (Sonny) Tau	Raising concerns about CFRT contracting expectations limiting TIMAs ability to undertake AIP activities approved by CFRT Trustees.	
31-Mar-15	RT Hon Winston Peters (By Post & Email)	Raniera (Sonny) Tau	Letter congratulating Rt Hon Winston Peters' win in the Northland by-election.	
2-Apr-15	Genevieve Meyer (By Email)	Raniera (Sonny) Tau	OTS advising TIMA of amended Ngati Kahu ki Whangaroa AIP	TIMA support the hapū position regarding issues related to Ngāti Kahu ki Whangaroa's Agreement in Principle
17-April-15	David Manual (By Email), Ngati Kahu ki Whangaroa Trust Board (NKKWTB)	Raniera (Sonny) Tau	Acknowledging receipt of letter dated 13 April regarding Agreement in Principle	TIMA reconfirmed supporting the hapū position regarding additional redress over Conservation sites
20-April-15	Nigel Fyfe (By Email)	Raniera (Sonny) Tau	Process for Ngāpuhi to signal its interest in lands under discussion with other settlement groups in the Ngāpuhi-nui-tonu area of interest where there thus far there has been no input from Ngāpuhi.	
05-May-15	Hon Christopher Finlayson	Raniera (Sonny) Tau	Endowment Lands – Whangarei District Council	

APPENDICES

Appendix 1 – Communications Report Huria Anders

Appendix 2 – Open Letter to Ngāpuhi-Nui-Tonu introducing the three settlement negotiators to

Report 5 – 1 February 2015 to 30 April 2015**Communication Report 5 – 1 February to 30 April 2015**

During the reporting period, our communications infrastructure continued to reach Ngāpuhi everywhere, with the focus during the reporting period being:

- **Engaging with Ngāpuhi hapu**, encouraging them to join Tuhoronuku IMA. In its communications throughout the period, Tuhoronuku IMA stressed that the “door is always open” for all hapu to join the process
- **Keeping Ngāpuhi informed**, through monthly e-panui, regular media statements and Facebook and Twitter activity.
- **Listening to Ngāpuhi** – in April a new Horizon Research poll was commissioned to hear from Ngāpuhi katoa what their thinking was on priorities for their iwi post settlement and how they wished to be communicated with
- **Introducing the three prominent Ngāpuhi appointed as settlement negotiators**
- **Reaching Ngāpuhi through mainstream media.** On the eve of Waitangi Day, the New Zealand Herald published an article “*This is the year of Ngāpuhi*” written by Tuhoronuku IMA chairman Raniera (Sonny) Tau.
- **Preparing for the final Waitangi Tribunal Hearing session**, which was held in Wellington from 4-5 March.

A record of Tuhoronuku IMA communication activity: from 1 February to 30 April 2015**1. Website www.tuhoronuku.com**

Our website is the primary source of all information and documents about the Ngāpuhi settlement process.

The site is updated almost daily with news from or about the Ngāpuhi settlement, Tuhoronuku IMA, and the posting of relevant documents.

All media statements, relevant media items and panui are posted on www.tuhoronuku.com

The website’s homepage focus from February to April was the New Zealand Herald article

"This is the year of Ngapuhi", the Open Letter introducing the three settlement negotiators and information about the new Horizon Research poll.

2. Facebook

The Tuhoronuku Facebook site has 4262 "likes", and is managed internally by a communications specialist. It is updated regularly with Ngapuhi and Tuhoronuku IMA news, also statements and/or relevant media coverage.

3. Twitter

All statements and panui were tweeted on Tūhoronuku's Twitter page.

4. Hui

12 Tuhoronuku IMA related hui were held during the reporting period.

5. *"This is the year of Ngapuhi"* – New Zealand Herald leading article

This 800 word article was written by Tuhoronuku IMA Chairman Raniera (Sonny) Tau and published on the op-ed page of the New Zealand Herald in the week before Waitangi Day. The focus of the article was to imagine the advancement to Ngapuhi and Northland if Ngapuhi had settled 15 years ago, at the same time as Ngai Tahu and Tainui. This article was also posted on the New Zealand Herald website, and re-posted on many other sites and blogs.

6. Horizon Research Poll

In 2011 and 2013 Tuhoronuku commissioned Horizon Research poll to survey Ngapuhi, finding out what their priorities were from settlement.

In April 2015 a third survey was commissioned, which is still in the field at the time of writing this report. A report on this survey will be available in mid-May. A feature of the 2015 poll are questions on how Ngapuhi receive their news, and how they wish to be communicated with.

7. Open Letter to Ngapuhi Nui Tonu – 7 April

Open Letter to Ngāpuhi Nui Tonu – 7 April



Ngāpuhi *this is our time* nō tātou tēnei wā!

Open letter to Ngāpuhi Nui Tonu Three prominent Ngāpuhi appointed as settlement negotiators

Three prominent Ngāpuhi have been appointed as negotiators for the historic Te Tiriti o Waitangi settlement negotiations to begin soon between the Tūhoronuku Independent Mandated Authority (Tūhoronuku IMA) – representing all Ngāpuhi – and the Crown.

The three negotiators are:



Alison Thom (Ngāti Horahia, Ngāti Toki)

For the last ten years Alison has held senior management roles with Te Puni Kokiri, the Department of Corrections and the Ministry of Education. Prior to this Alison was the inaugural CEO for Te Runanga-a-iwi o Ngāpuhi. She is a social worker by profession, having worked in a range of roles with Child, Youth and Family and as director of SAFE Network – a community based programme for sex offenders.



Joe Davis (Ngāti Kopaki)

A specialist in Māori development, he is currently a trustee of the Hauraki Māori Trust Board, Pare Hauraki Fishing Trust and sits on other iwi trusts and committees.

For 15 years he was a researcher of his iwi's claim, and for the past five years he has been a settlement negotiator. Joe is a mechanical engineer by trade.



Hemi Toia (Te Māhurehure)

Has held senior management and advisory roles with government agencies, including the State Services Commission and ACC. He is a former chair of Taitokerau Forests Limited, and has lectured in accountancy and Māori resource management at Victoria University and at the University of Auckland. He is currently CEO of Te Rūnanga o Ngāti Rarua.

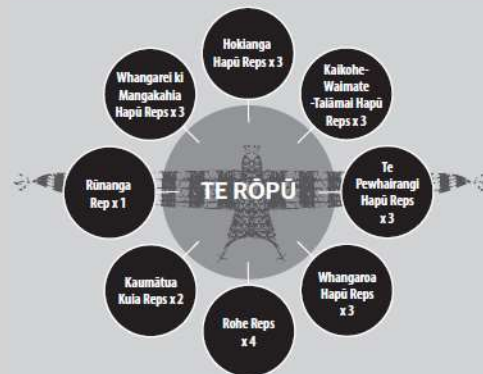
The three negotiators were appointed by the Trustees of Tūhoronuku IMA after a lengthy nation-wide advertising and recruitment process. The Tūhoronuku IMA Trust Deed provides for a minimum of three negotiator positions and a maximum of six.

“Delighted at the calibre of our negotiators”

“We are delighted with the calibre of our first three negotiators, all Ngāpuhi leaders in their own right who have a wealth of experience in management, iwi development and working with Government and government agencies at the highest level,” said Raniera (Sonny) Tau. He said work had begun in earnest in preparing for the negotiations and initially the negotiators would be focussed on the hapu of Ngāpuhi to establish their settlement aspirations.

The Tūhoronuku IMA structure

The number of representatives on the Tūhoronuku IMA has increased from 15 to 22, with hapū representatives forming the majority.



The Tūhoronuku IMA Trustees are:

- | | |
|------------------|-------------------|
| Sonny Tau | Mere Mangu |
| John Klaricich | Te Huranga Hohala |
| Nora Rameka | Sam Napia |
| Hōne Sadler | Moana Tuwhare |
| Tina Barclay | Toko Tahere |
| Anne Phillips | Helene Leaf |
| Erin Shanks | Te Tuhi Robust |
| Janelle Beazley | Cheryl Turner |
| Vivienne Bristow | Raniera Kalo |
| Tame Te Rangī | Jason Lovell |
| Kara George | William Hori |

NEXT STEPS

Following the Waitangi Tribunal Urgent Hearing (whose report could take up to a year), Tūhoronuku will continue to engage Ngāpuhi hapū who are yet to mandate their Hapū Kaikōrero for the purposes of settlement negotiations – the door will remain open to all those hapū who are still to decide.

Nō reira e Ngāpuhi, kua taea anō ki te wā hei hakaaro kotahi ngā hakaaro, kia anga mua ai tātou katoa i runga i te hakaaro kotahi, hei painga mō te Iwi.

Mauri Ora

Tūhoronuku Independent Mandated Authority

For further information: EMAIL: tuhoronuku@ngapuhi.iwi.nz | FREEPHONE: 0800 101 084 | MAIL: PO Box 263, Kaipōhe 0440