



TO: Office of Treaty Settlements

FROM: Te Rōpū o Tūhoronuku Independent Mandated Authority

DATE: May 2016

SUBJECT: Mandate Maintenance Report 9: February to May 2016

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 OTS for Tūhoronuku IMA to report on DOM maintenance for the period 10 February – 9 May 2016.

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 2016, Tūhoronuku IMA has undertaken the following activity:

Project Team

In line with the Management Audit (Cost Review) recommendations, changes to the Project Team were made.

The Communications Coordinator position has also been dis-established. The Tūhoronuku IMA has acknowledged the work of Isobel Naera in this role.

In addition on 14 April 2016, Kipa Munro (Interim Project Manager) resigned effective 12 May 2016 and Nicole Anderson was appointed Interim Project Manager by the Tūhoronuku IMA Board at the meeting held on 15 April 2016, effective 12 May 2016. This interim arrangement will be reassessed following the outcome of the Hapū Engagement process.

In light of these changes and further environmental changes expected as a result of the final Maranga Mai Report, the Tūhoronuku IMA continue to maintain practical and cost efficient solutions to ensure the capacity and capability of the Tūhoronuku IMA project team is maintained.

Hapū Engagement Process

The Waitangi Tribunal released its urgent report on the Ngāpuhi Mandate on Friday 11 September 2015.

On 11 September 2015, the Tūhoronuku IMA board agreed to establish a committee of Trustees to engage with hapū who are in opposition to Tūhoronuku IMA. This committee has been led by Moana Tuwhare. Members who have attended these engagement meetings include Helene Leaf, Bill Hori, Mere Mangu and Nora Rameka. Other Board members who have attended meetings at various times throughout the engagement process include Kaumātua John Klaricich, the Chair Hōne Sadler, Deputy Chair Kara George and the Chair of the Audit & Risk Committee Erin Shanks.

At the 4 December 2015 Tūhoronuku IMA Board meeting, the Board unanimously resolved to adopt the Terms of Engagement and proceed to support and prioritise the Hapū Engagement process (HEP) between three groups - Te Kotahitanga o Ngā Hapū Ngāpuhi Taiwhenua, the Tūhoronuku Independent Mandated Authority and the Crown (the Office of Treaty Settlements and Te Puni Kōkiri).

At the time of writing this report the tripartite groups (coming together as the HEP group) had held a considerable number of hui to develop the draft Maranga Mai Report which was then released for discussion and to stimulate feedback.

Following this, hui were held with each of the five regions and urban centres (Auckland, Hamilton, Wellington and Christchurch). At each hui, the report has been presented and a standard presentation shared with attendees. Feedback was gathered in the form of detailed notes by OTS staff.

Following these hui, hapū were then afforded the opportunity to hui and discuss the draft Maranga Mai Report in order to also provide feedback. A number of Ngāpuhi hapū have taken up this opportunity.

All feedback has been collated by the Office of Treaty Settlements through the email address ngapuhifeedback.govt.nz. On 25, 26, 31 May 2016 and 1 June 2016 the HEP group are meeting to analyse and review all submissions received. As well as this the HEP group will consider the issues raised in the draft Maranga Mai report and agree to adopt changes resulting from the feedback received. A final report will then be released.

The report and communications in relation to hui notices and important dates has been distributed widely to Ngāpuhi utilising the communications networks of all the three parties involved in the engagement process.

Negotiators

In this reporting period, Alison Thom resigned as one of the Tūhoronuku IMA Negotiators. Hemi Toia and Joe Davis in their roles as Ngāpuhi Negotiators, have maintained a watching brief while the Hapū Engagement Process has progressed.

Updating Ngāpuhi

As per the Terms of Engagement relating to media statements i.e. shall be by agreement between all parties, Tūhoronuku IMA have also agreed not to distribute updates on our website, monthly newsletters and regular pānui, but rely on the fortnightly HEP reports to update their stakeholders.

Hapū Kaikōrero

There were no hui of mandated Hapū Kaikōrero held during this DOM Maintenance Reporting period as the focus was on the Hapū Engagement process. Many mandated Hapū Kaikōrero attended regional or hapū Hui held to formulate or consider the draft Maranga Mai Report.

The Tūhoronuku IMA Board met three times during this DOM Maintenance Reporting period in order to ensure regulatory, financial and contractual arrangements were maintained. The Hapū Engagement Process was also a primary consideration at Board meetings.

There have been no changes to Hapū Kaikōrero since the last reporting cycle [refer **Appendix One**].

Independent Management Audit & Cost Review

The Independent Management Audit (the Audit) was initiated primarily in response to Minister Finlayson's letter of 21 September 2015, in which he raised concerns about financial matters.

The purpose of commissioning the Audit was to undertake a review with a focus on the management of expenditure and any governance implications. The Board considered the report's recommendations at their 19 February 2016 Tūhoronuku IMA meeting and all recommendations have now been implemented.

Since December 2015, as a result of the importance placed on the HEP and given the extended timeframe through to 3 June 2016, the Tūhoronuku IMA have worked to ensure this process is its principal priority.

The Office of Treaty Settlements (OTS) have indicated to Tūhoronuku IMA that this principal priority approach will be taken into consideration when analysing the mandate maintenance reporting requirements.

Crown Financial Monitor

On 24 December 2015 the Tūhoronuku IMA Chair responded to correspondence from the Minister of Treaty of Waitangi Negotiations dated 1 December 2015 regarding the offer by the Crown to provide the Tūhoronuku IMA with a Crown Financial Monitor.

Ulf Shoefisch of Strategas Consulting was appointed to the position of Crown Financial Monitor.

This has assisted positively and has also ensured that the recommendations within the Audit Report are effectively implemented.

Communications Report

During the reporting period 10 February – 9 May 2016, our communications infrastructure was entirely focused on the HEP. In accordance with the HEP Terms of Engagement all other pānui and communications has been limited until the completion of the process.

The Tūhoronuku IMA website continues to provide a plethora of information in regard to the settlement journey.

Pānui (including website updates)	
Website: www.tuhoronuku.com	<p>The website's homepage focus from February to May 2016 was based entirely around the Ngāpuhi engagement process reporting. A new document tab "<i>Ngāpuhi Engagement Process</i>" was maintained on the website for easy access to the reports.</p> <p>A freephone and email service is available via the www.tuhoronuku.com website to give assistance to those Ngāpuhi wanting more information about the Ngāpuhi settlement journey. A Contact Us tab is accessible on the website homepage for all enquiries.</p> <p>Website and social media activity has been low due to the focus on the current Hapū Engagement process.</p> <p>The website is the primary source of all information and documents about the Ngāpuhi settlement journey.</p>
Facebook: Tūhoronuku Ngāpuhi Twitter: #tūhoronuku The Tūhoronuku IMA has completed updates for this reporting period.	<p>Facebook Activity was based entirely around the engagement process for the period of this report.</p> <p>Twitter Activity was based entirely around the engagement process for the period of this report.</p>
Media Activity	Activity was based entirely around the engagement process for the period of this report.
Hapū Engagement Process	<p>Hapū Engagement process reports and the draft Maranga Mai Report were distributed during this period.</p> <p>Distribution via Tūhoronuku IMA website, email and social media networks and Ngāpuhi networks (E Mara e-pānui circ 8000).</p>
Tūhoronuku Monthly Pānui	A Tūhoronuku IMA pānui, giving an overview of the month's activity will not be distributed until after the final Maranga Mai Report is released, in accordance with the HEP Terms of Engagement.

A summary of mandate-related correspondence is included [refer **Appendix Two**].

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 (approx. 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.

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 Agreement in Principle (AIP)

- Operational funding of \$1,016,000 and specialist advice funding of \$382,250 has been approved. This contract is currently in progress through to June 2016. Timeframes will be reviewed in line with the Crown agreed workplan following the completion of the Hapū Engagement Process.

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

- Total funding of \$54,948 was approved. This contract was completed on 26 August 2015. A business case that requests funding from the Crown Forestry Rental Trust for research and mapping to support settlement negotiations with the Crown will be submitted once the Hapū Engagement Process outcomes are implemented.

Crown Forestry Rental Trust (CFRT) – TIMA Specialist Advice Funding for Agreement in Principle (AIP)

- A funding proposal for specialist advice funding to support negotiations and a 'top up' operational funding application will be submitted once the Hapū Engagement Process outcomes are implemented.

Updated List of Mandated Hapū Kaikōrero

Hokianga Hapū

Item	Hapū	Surname	First names
1	Te Ngahengahe	Kingi	Tepania
2	Ngāti Wharara	Klaricich	John
3	Ngāti Kairewa	Leaf	Helene
4	Te Mahurehure	Mokaraka	Matiu
5	Ngāti Korokoro	Moore	Piripi
6	Ngāti Kaharau	Pikaahu	Stephen
7	Te Hikutu	Robust	Te Tuhi
8	Ngāti Pākau	Ruka	Te Porohau
9	Te Pouka	Turner	Cheryl Louise
10	Ngāti Hao	Clyde	James
11	Ngai Tūpoto	Morrell	Graeme Duncan
12	Te Whānau Whero	Morunga	Steve
13	Ngāti Tere	Harris	Mita
14	Te Uri Mahoe	Otene	Stewart

Whangaroa Hapū

Item	Hapū	Surname	Firstnames
1	Ngāti Kura	Epiha	Nau
2	Ngāti Ruamahue	Gavala Murray	Tahua
3	Ngāti Kāwau	Hori	William
4	Te Uri o Te Aho	Kaio	Daniel
5	Te Aeto	Lovell	Jason Riki Matarae
6	Ngāti Pou	Tauroa	Patricia
7	Ngāti Pakahi	Te Waru-Rewiri	Kura
8	Kai Tangata	Tua	Hokinga Mae Mai Waitai
9	Ngāti Uru	Heta	Arena William
10	Ngāti Hāiti	Smith	Launa-Anne
11	Ngāti Kahuiti	Tauroa	Terry
12	Ngāti Miro	Rudolph	Martin
13	Ngāti Mokokohi	Heta	Ruth
14	Te Tahawai	Smith	Terry
15	Whānau Pani	Roberts	Anaru Heke

Te Pewhairangi

Item	Hapū	Surname	First names
1	Patukeha	Bristowe	Joe
2	Te Kapotai	George	Kara Paerata
3	Ngāti Rahiri	Harawira	Hinewhare
4	Ngāti Hine	Hau	Marcia Mahara

5	Ngāti Rēhia	Hohaia	Te Huranga
6	Tekau I Mua	Mangu	Mere
7	Matarahurahu	Tane	William Lesley
8	Ngāti Kawa	Tane	Renata Paora
9	Ngāti Te Ara	Baker	Mary-Anne Cherly Tapu Augustine
10	Ngāti Kopaki	Smith	Jenny

Whangarei ki Mangakahia

Item	Hapū	Surname	Firstnames
1	Ngāti Toki	Beazley	Janelle
2	Te Uriroro	Bristowe	Vivienne
3	Te Parawhau	Fletcher	Marina
4	Ngāti Hau	Pittman	Benjamin Frank
5	Ngāti Kahu o Torongare	Shepherd	Richard (Dick)
6	Ngāti Te Rino	Te Rangi	Tame
7	Ngāti Horahia	Riki-Heke	Powhiri Wharemārama
8	Ngāti Moe	Te Rangi	Turi
9	Ngāti Taka	Bruce Kingi	Waimarie
10	Ngāti Whakahotu	Leach	Winne
11	Te Waiāriki	Mahanga	Te Mawe Murphy

Kaikohe Waimate Taiamai

Item	Hapū	Surname	First names
1	Te Uri Taniwha	Himiona	Hinerangi
2	Ngai Tuteauru	Kopa	Tau
3	Ngāti Korohue	Lomax	Terence
4	Ngāti Hineira	Mihaka	Hone
5	Te Whiu	Napia	Sam
6	Ngāti Moerewa	Sadler	Hone
7	Te Ngare Hauata	Stokes	Graham Wayne
8	Ngāti Tautahi	Tahere	Toko
9	Te Pōpoto	Tuwhare	Moana
10	Te Takoto Kē	Wihongi	Hamiora Paratere
11	Te Uri o Hua	Wihongi	Ted
12	Ngai Tāwake	Taungapeau	Adrienne
13	Ngāti Kiriahi	Matene	Mitai
14	Ngāti Māhia	Poa	Te Ropu
15	Ngāti Rangi	Matene	Hohipa
16	Ngāti Whakaeke	Kapa	Babe
17	Te Wahineiti	Parker	Kiharoa
18	Ngāti Hinemutu	Matene	Reverend Kuini

Mandate Related Correspondence – Report 9

Copies of correspondence are provided in the book couriered under separate cover.

TŪHORONUKU INDEPENDENT MANDATED AUTHORITY

Correspondence Inward: 10 February 2016 – 9 May 2016

Date:	To:	From:	Regarding	Comments
15-Feb-2016	Sam Napia, Kipa Munro, Pita Tipene, Pat Tauroa	Gray Theodore	Re: Ngāpuhi settlement process	Noted
16-Feb-2016	Rāniera (Sonny) Tau	Stuart Anderson (Ministry for Primary Industries)	Update on the proposed National Environmental Standard for Plantation Forestry	Noted
24-Feb-2016	Tūhoronuku IMA; Te Kotahitanga Taiwhenua; Office of Treaty Settlements	Peter Glen Lehu	Re: Ngāti Korokoro and the Ngāpuhi settlement process	Noted
26-Feb-2016	Tūhoronuku IMA	Ngāti Whātua Orakei Trust	Re: Hearings – Ngāti Whātua Orakei Trust	Noted
1-Mar-2016	Hone Sadler	Alison Thom	Resignation from the role of Negotiator	Noted; refer to Board Meeting
23-Mar-2016	Hone Sadler	Justin Graham (Chapman Tripp)	Ngāti Whātua Orakei Trust V Attorney-General	Noted
30-Mar-2016	Tūhoronuku IMA	Rhonda Taylor (Office of Treaty Settlements)	Re: deadline for applications from iwi, hapū and whanau for recognition of customary rights under the Marine & Coastal Area Act 2011.	Noted
1-April-2016	Project Manager	Denis McCord (Office of Treaty Settlements)	Protection Mechanism for Maori interests in surplus Crown-owned land / Sites of Significance Process	Noted
2-May-2015	Tūhoronuku IMA	Office of Treaty Settlements	Parameters For Treaty Settlement Negotiations Over	Noted, circulated to Board and Hapū Kaikōrero

			Harbours and Other Parts of the Coast	
9-May-2016	Tūhoronuku IMA	Hon Christopher Finlayson	Parameters For Treaty Settlement Negotiations Over Harbours and Other Parts of the Coast	As above

TŪHORONUKU INDEPENDENT MANDATED AUTHORITY

Correspondence Inward: 10 February 2016 – 9 May 2016

Date Sent	To	From	Regarding	Comments
No OUTWARD correspondence recorded.				