



## Ngāti Mutunga o Wharekauri Iwi Trust Mandate Maintenance Report

23 August 2017

### Mandate Maintenance Report

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#### Introduction

This is the fourth mandate maintenance report by Ngāti Mutunga o Wharekauri Iwi Trust (Iwi Trust). It covers the period from 1 April to 30 June 2017.

The Iwi Trust faces unique set of challenges regarding engagement with whānau due to the distance between Wharekauri and New Zealand and the geographical spread of whānau across the motu.

The Iwi Trust is continuing to maintain its mandate by using a range of communication strategies to engage with Ngāti Mutunga o Wharekauri whānau on negotiations progress with the Crown. Negotiation information is shared through formal activities such as hui-ā-iwi and/or meetings; or through discreet kanohi ki te kanohi and informal discussions with whānau.

Discreet kanohi ki te kanohi engagement seems to suit on-island whānau particularly well and is an effective way to ensure accurate information is shared consistently. In support of these activities, the Iwi Trust uses its website and pānui to supplement the information being shared amongst whānau.

Ngāti Mutunga o Wharekauri whānau continue to take a keen interest in progress of negotiations with the Crown. The Negotiators and the Iwi Trust are actively sharing information about the settlement process and progress on negotiations with whānau on an on-going basis.

Whānau are encouraged to make contact the with the Iwi Trust's office or with Negotiators directly if they have any questions on settlement negotiations progress, or require an update, or wish to discuss negotiation matters further.

#### Summary of status of key issues

There have been three main mandate maintenance activities during this period. These were:

1. the Negotiators and the Iwi Trust conducted a round of hui-ā-iwi during May 2017 to discuss the Crown's Initial Offer which the Crown made to NMOW on 28 April; and to listen and consider the responses of NMOW whānau to the Crown's Initial Offer;
2. on-going meetings between Negotiators and whānau; and
3. website updates.

The Iwi Trust and the Negotiators are aware of conversations occurring amongst the NMOW community about negotiations with the Crown and the range of topics that are being discussed across the motu. The Iwi Trust considers this to be a healthy indicator of engagement with whānau regarding settlement negotiations with the Crown and the benefit from this kōrero is that it is used directly in negotiations with the Crown. The Iwi Trust is

unaware of any current or impending challenge to its mandate to engage in settlement negotiations with the Crown.

## **Engagement with Beneficiaries**

### *Hui-ā-iwi*

The Iwi Trust conducted a round of hui-ā-iwi held at Whakamaharatanga Marae, Wharekauri on 17 May 2017, at Commodore Hotel, Christchurch on 26 May 2017, at Novotel Auckland Airport, Auckland, on 27 May 2017, and at Brentwood Hotel, Wellington, on 27 May 2017. This was the main direct engagement activity conducted by the Iwi Trust during this quarter.

Tom McClurg facilitated each hui. He spoke to an overhead presentation at each hui and a copy of the presentation was made available to all hui attendees. A copy of the hui presentation is attached. Minutes of each hui were taken, which recorded hui-ā-iwi attendees, the questions asked, and answers provided. Copies of the minutes from each hui are attached.

The hui were conducted in a relaxed manner with attendees encouraged to ask questions or comment during the presentation and were given the time to do so. Attendees were provided with copies of the PowerPoint presentation, the Special Factors papers, Summary of Special Factors, and the Crown's Initial Offer dated 28 April 2017. At each hui, attendees were invited to contact the Negotiators, or the Iwi Trust's office directly, if they had any further questions about the presentation or wished to discuss further any negotiations matters.

All attendees were particularly interested in the Crown's Initial Offer in respect of what it meant for NMOW. The common themes discussed amongst attendees at each hui focussed on the insufficient redress package that the Crown had offered to NMOW; how the Crown's offer to NMOW aligns with the offer it has made to Moriori; the potential consequences for NMOW of rejecting the offer; unanimous agreement that NMOW has mana whenua on Wharekauri; progress on Taia, and the Hospital Block; the desire to have the unique story of NMOW told truthfully; and the next steps in the negotiations process for NMOW.

There were also a range of diverse topics discussed at each hui. Wharekauri attendees, understandably, are concerned about the realities of the settlement on-island and how it will impact them directly as NMOW. Some Christchurch attendees discussed the option of halting the negotiations and returning to the Waitangi Tribunal for a re-hearing of, and a fresh report on the claims. This concept lacked support from the other attendees at the hui. They also reminded Negotiators and Trustees that Ōtautahi has the largest NMOW population in New Zealand and they want to ensure that there are tangible outcomes from the settlement for the whānau that live there. There was also interesting kōrero around place names on Wharekauri.

The Auckland hui produced interesting kōrero about value-adding concepts to assist NMOW, including:

- the establishment of a Reconciliation Fund between the NMOW, Moriori, and the Crown;
- procurement, of Central and Local Government funding as a long-term income revenue generator that allows to build NMOW on-island business capacity;
- the establishment of a Crown Social and Economic infrastructure review on a five or ten-year cycle following the signing of the deed of settlement;
- the establishment of a regional development programme in which NMOW has a governance role over how that money is spent; and
- the concept of recognising Wharekauri as having its own legal personality.

The Wellington hui discussed the telling of the NMOW story truthfully, the fact that mana whenua underpins that story, the on-going relationship that NMOW has with Moriori, and the sharing of hui-ā-iwi information amongst whānau to provide a better context of the issues being discussed at the other hui. The topic of returning to the Waitangi Tribunal was

mentioned at this hui, but there was little appetite amongst hui attendees to support this notion. An attendee raised the concept of recognising Wharekauri as having its own legal personality but didn't discuss this in the same depth as it had been on the previous day at the Auckland hui.

All questions were answered directly by either the Negotiators or Trustees. As with all hui, there are participants that didn't necessarily agree with everything that was discussed, however at each hui participants were presented with up-to-date information on the progress of settlement negotiations with the Crown, and were given the opportunity to discuss their concerns with the Negotiators and Trustees. The minutes of each hui provide further details of these discussions.

Overall the Negotiators and Trustees are satisfied with the way all hui-ā-iwi have been conducted, the quality of the information shared and the engagement by whānau during the hui. Negotiators and Trustees have commented that it is noticeable the whānau are wishing to become involved in the process as they have become more informed, which will provide long-term benefits to NMOW.

The comment from the Wellington hui regarding the sharing of hui-ā-iwi information amongst whānau to provide a better context of the issues being discussed at the other hui has been taken on board. The Iwi Trust has responded by making a set of detailed minutes available from this hui-ā-iwi round to whānau on its website. The Iwi Trust also recognises that some of the issues it faces in communicating with Iwi members are due to the effects of distance between Wharekauri and New Zealand. Trustees and Negotiators consider there is always room for improvement in how they communicate with whānau both on and off-island and remain committed to actively communicating with whānau.

Table 1 reflects the importance that the Iwi Trust places on mandate maintenance through hui-ā-iwi and lists the Negotiators, Trustees, SGG members, and an AHC member who attended hui to engage with NMOW whānau.

**Table 1:** Hui-ā-iwi attendance

Name	Wharekauri	Christchurch	Auckland	Wellington
Tom McClurg	✓	✓	✓	✓
Hairoa Daymond	✓	✓	✓	✓
Geoff Mullen	✓	✓	✓	✓
Paula Page	✓	✓	✓	✓
John Kamo	✓	✓	✓	✓
Monique Croon	✓			
Mahara Gilsean	✓			✓
Steve Tuuta	✓	✓		

Raana Tuuta	✓	✓	✓	✓
Lois Croon	✓	✓	✓	✓
Gail Amaru	✓	✓	✓	✓
Joseph Thomas jnr		✓		
Miriama Patuwai		✓		
Tony Tumoana	✓	✓	✓	✓

### *Hui with Negotiators*

A small number of informal meetings have continued to occur between beneficiaries and the Negotiators. The general approach of negotiators is to respond positively to any requests for kanohi ki te kanohi meetings from beneficiaries.

### *Website Maintenance*

The Iwi Trust added the following information to its website during the reporting period:

1. Summary paper of Ngāti Mutunga o Wharekauri Special Factors;
2. NMOW to OTS on mana whenua position;
3. OTS response to Ngāti Mutunga o Wharekauri Cultural Redress Position paper and NMOW mana whenua position;
4. NMOW Negotiations presentation from February hui-a-iwi;
5. NMOW Settlement presentation to OTS (April 2017);
6. Mandate maintenance report (Sept 2016); and
7. Initial Crown Offer (April 2017)

The Deed of Mandate was published to the Iwi Trust's website on 8 August 2014. For ease, it can be located under the Settlement tab on the Iwi Trust's website.

### *Next round of hui-ā-iwi*

The Iwi Trust has yet to decide upon the dates for the next round of hui-ā-iwi.

### *Engagement*

The tables below summarise the engagement activities undertaken by the Iwi Trust during this reporting period.

**Table 2: Engagement activities**

Date	Details	Supporting documents
16 May	Hui-ā-iwi presentation of the Initial Offer by the Crown to NMOW	PDF
16 May	Hui-ā-iwi with Wharekauri whānau.	Hui minutes.
26 May	Hui-ā-iwi with Christchurch whānau.	Hui minutes.
27 May	Hui-ā-iwi with Auckland whānau.	Hui minutes.
28 May	Hui-ā-iwi with Wellington whānau.	Hui minutes.

28 May	Evelyn Tuuta submission on Initial Crown Offer – tabled at Wellington hui.	Submission
7 June	Iwi Trust to Evelyn Tuuta Invitation to discuss submission with Negotiators.	Letter
7 June	Tom McClurg follow up response to a question by Matakiwi Wakefield at the Christchurch hui-a-iwi.	Email

**Table 3: Pānui (including website updates)**

Date	Details
Apr	Summary paper of Ngāti Mutunga o Wharekauri Special Factors.
	NMOW to OTS on mana whenua position.
	OTS response to NMOW Cultural Redress paper and NMOW mana whenua position.
	NMOW Negotiations presentation from February hui-a-iwi.
	NMOW Settlement presentation to OTS (April 2017).
	Mandate maintenance report from Sept 2016.
May	Initial Crown Offer.
	Pānui for hui in New Zealand to discuss the Crown's initial offer.
	Notice of Special Resolution by Trustees in Respect of Ahi-Kaa Tuturu Beneficiary Status.

**Table 4: Other mandate related correspondence**

Date	To	From	Details
			(none sent or received)

### Beneficiary Register

- *Details of any attempts to encourage enrolments.* Registration application forms were made available at all hui-ā-iwi. Enrolment forms are available on-line or from the Iwi Trust's office.
- *Current number on beneficiary roll:* 1,227 compared with Census population of 1,827 in the quantum factors. Registration application forms continue to be received at a steady pace.