

# Ngāi Te Ahi Settlement Trust

Annual Report

2012 – 2013



Figure 1: Taken from Waitaia

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Annual Report as presented at the Annual General Meeting held at the Hairini Marae, Tamahika Street, Hairini, Tauranga on SUNDAY 25 AUGUST 2013 at 10 a.m.

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# Contact Details

## Trust Management

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Address for Service:

The Village on 17<sup>th</sup> Avenue

Cameron Rd, Tauranga

Position	Name	Email	Phone
Chairperson	Matemoana McDonald	matemoana@gmail.com	0277345341
Vice Chair	Anthony Ririnui	anthony.ririnui@asb.co.nz	021909304
Trustee	Erle Reweti	erle.reweti@hotmail.com	021809247
Trustee	Avy Gardiner	Avy.Gardiner@ranginui.co.nz	544 3488
Trustee	Aroha Luttenberger	nteahi@xtra.co.nz	5789812
Administrator/ Secretary	Irene Walker	administrator@ntast.co.nz	579 -0900 0221762099

# Expressions of thanks to people and organisations

## *Whānau, Hapū*

Hairini Marae Management

Hairini Marae Trust

Hapū whanau

## *Local Authorities*

Western Bay of Plenty District Council

Bay of Plenty Regional Council

## *External Agencies and Consultants*

Anaru Timutimu, Profile Planner

Brett Keno, IWIinvestor

Eight Associates Ltd, Strategic Planners

BDO Accountants

RHB Auditors

Holland Beckett Maltby, Barristers and Solicitors

# Chairperson's Report

*E nga mana*

*E nga reo*

*E nga rau rangatira ma*

*Tēnā koutou katoa*

I'd like to welcome everyone to this inaugural meeting of the Ngāi Te Ahi Raupatu Settlement Trust. It is my pleasure to present to you the First Annual Report of the Trust for the year ended 30<sup>th</sup> June 2013.

The Trust was set up as the hapū post settlement governance entity (PSGE) to receive the hapū Treaty of Waitangi claim settlement and to administer these assets on behalf of the Ngāi Te Ahi beneficiaries. The Trust is also charged with maintaining the Ngāi Te Ahi Hapū Register.

Today, the Trust can report that it has been meeting monthly since holding its inaugural meeting in June last year.

We have been working diligently to secure our early release Treaty assets since the signing of the Ngāti Ranginui Deed of Settlement (DoS) at Te Ranga on the 24<sup>th</sup> June 2012.

The Ngāti Ranginui claim is a hapū centric claim. The Trust was the first of eight hapū to complete its documentation to receive its \$1 million post DoS signing. The return of rental monies from our shared properties with Ngāti Ruahine has not yet been achieved.

But a Memorandum of Understanding with Ngāti Ruahine was signed on the 25<sup>th</sup> July 2013 agreeing now to the equal sharing of our rental monies. This meant a small loss of income but we are moving forward on due diligence actions for those commercial properties.

In addition, we have been working at building robust governance and operational systems. The Trust has leased office space as its address for service at the Village on 17<sup>th</sup> Avenue, Cameron Road, Tauranga and has contracted a Senior Administrator to carry out the Trust's operational activities.

The Trust has undertaken two trustee training workshops and has completed its planning documents to raise the level of its Governance and Operations. The Trust members have not been remunerated since taking office and this is addressed later in the report.

I am pleased to report that the Trust received an unmodified opinion (previously called an unqualified opinion) from auditors, RHB Accountants. This is reported on separately in our financial report.

I would now like to take this opportunity to thank my vice chair, Anthony Ririnui and our administrator Irene Walker for their financial management of our Trust's business matters. I also thank my fellow trustees for their attendance at Trust meetings and their attendances at external hui to ensure that the voice of Ngāi Te Ahi on Treaty matters was heard.

In closing, I would like to express to the whānau that I will be standing down as Chair of the Trust. I will be replaced by the vice chair, Anthony Ririnui. I feel that it is important that we actively support succession planning as we move forward into a new era of development for the hapū. I encourage us all to foster our younger generation to moving into key leadership roles for our hapū. I wish Anthony well in his new role and am confident he has the skills to do the job.

No reira, tenei te mihi ki a koutou,

Tēnā koutou, tēnā koutou, tēnā tatou katoa

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Matemoana McDonald

Chair

## Governance

<b>Role:</b>	<b>Name:</b>	<b>Meetings attended:</b>	<b>Teleconference meetings:</b>	<b>Governance (2013) Assessment Attended:</b>	<b>Governance (2013) Training Attended:</b>
<b>Chairman</b>	Matemoana McDonald	17/18	1/1	1/1	4/4
<b>Secretary/Administrator</b>	Irene Walker	17/18	0/1	1/1	4/4
<b>Vice Chair/Treasurer/Trustee</b>	Anthony Ririnui	16/18	1/1	1/1	4/4
<b>Trustee</b>	Erle Reweti	18/18	1/1	1/1	4/4
<b>Trustee</b>	Aroha Luttenberger	15/18	1/1	1/1	3/4
<b>Trustee</b>	Avy Gardiner	18/18	1/1	1/1	2/4

# Trust Responsibilities

The Trust is primarily responsible for acquiring the settlement assets belonging to Ngāi Te Ahi and the protection and management of these assets for the benefit of its beneficiaries.

We are guided by our Deed of Trust and our strategic planning documents.

Together and through the services of a paid part-time administrator, we handle the day to day operations and activities that include:

- Payment of running costs, project development, general maintenance and equipment purchases
- Preparing to oversee the co-management of our early release commercial properties with Ngāti Ruahine
- Being a co-partner in the Puwhenua Forest joint venture
- Liaising with the Nga Hapū o Ngāti Ranginui Raupatu Settlement Trust for the return of settlement assets to the Trust.
- Building strong relationships and communications with the Trust's internal and external stakeholders
- Supporting the implementation of the Ngāi Te Ahi Hapū Management Plan

## Roles undertaken by Trust members 2012 – 2013

<p><b><u>Matemoana McDonald (Chairperson)</u></b>  <b>Chairing all trust meetings and representing Trust at external hui</b></p> <p><b>Co-ordinated and/or completed</b></p> <p><b>Development and completion – Strengthening Infrastructure</b></p> <p><b>Reporting on Trust business</b></p>	<p>Profiling of the Trust  Return of first cash settlement</p> <p>Acquisition of funding and development of Ngai Te Ahi Hapu Management Plan</p> <p>MoU development and signing with Ruahine.</p> <p>Policies and Procedures, Trust Charter, Strategic Plan, Annual Report, Risk Management Plan, Stakeholder Relationship Management Plan</p> <p>Kanohi ki te kanohi at monthly Hui a hapū</p>
<p><b><u>Anthony Ririnui (Vice Chairperson)</u></b>  <b>Liaised and co-ordinated</b></p> <p><b>Co-drafted and completed</b></p>	<p>Tendering process and acquisition of professional service providers, accountant, auditor and legal.</p> <p>Set up of banking services and processes; financial/banking</p> <p>Contractor Services (Administrator)  Lease of offices with Moana Moko  Communication Strategy &amp; Plan  Input in HMP (Economic)</p>
<p><b><u>Erle Reweti (trustee)</u></b>  <b>Liaised</b></p> <p><b>Co-Facilitated</b></p> <p><b>Co-Drafted</b></p>	<p>With Ngāti Ruahine over dispute of Rentals of Commercial properties.</p> <p>Lease for office space</p> <p>Communication Strategy and Plan</p>

<p><b><u>Aroha Luttenberger (trustee)</u></b>  <b>Advised and co-drafted</b></p> <p><b>Advice and peer review</b></p>	<p>On Cultural and Economic component of HMP.</p> <p>Of Trust’s Strategic Plan.</p>
<p><b><u>Avy Gardiner (Trustee)</u></b>  <b>Liaised</b></p>	<p>With Ngāti Ruahine over dispute of shared Commercial properties and Puwhenua JV.  Arrangements.</p>
<p><b><u>Irene Walker (Operations/Administrator)</u></b>  <b>Oversees</b></p> <p><b>Conduit</b></p> <p><b>Facilitation</b></p> <p><b>Liaising and Co-ordinated</b></p> <p><b>Co-Drafting, implementation</b></p>	<p>Minutes of Trust Meetings/Financial reports, administration and accounts</p> <p>Between Accountant, Auditors and the Trust for financial reporting</p> <p>Discussions on lease arrangements and documents  Meetings with external stakeholders</p> <p>Training workshops for trustees</p> <p>Policies and Procedures, Communication Strategy &amp; Plan, Stakeholder Relationship Plan, HMP, Code of Ethics Plan, Risk Management Plan</p>

## *Governance Achievements to date:*

The Trust has undertaken two trustee training workshops and has almost completed its planning documents required to raise the level of its Governance and Operations. The Trust has developed and completed the following key documents:

- Trust Profile
- Trust Charter
- Operational Policies and Procedures
- Code of Ethics
- Risk Management
- Stakeholders Relationship Plan
- Communication Strategy & Plan
- NTAST Strategic Plan 2012-2015

The Trust was also instrumental in seeking funding and co-ordinating the development and completion of the Ngāi Te Ahi Hapū Management Plan.

## *Trust Governance Assessment Undertaken*

Following the Trust's governance assessment training on the 22<sup>nd</sup> June 2013, the Assessment Report outlined what governance documents needed for the Trust to operate effectively and efficiently at a governance level. I can report that we have completed 100% of the recommendations, having undertaken further trustee training and then completing the required documents internally. Trustees and our Administrator were assigned specific pieces of work to complete.

## *Governance Challenges*

### *Effective sharing of responsibilities*

- Having a part-time contractor to perform the Trust's operational responsibilities
- Trustees not having the time to provide operational support to develop and establish Trust governance documents and planning.
- Trustees not having the time to attend extracurricular meetings outside their own trustee meetings.

### *Transparency and Accountability*

- In house indifferences on Trust matters and no Code of Ethics in place at time to address this.
- Conflicts of Interests not adequately addressed as no Code of Ethics in place at time to address this.

## *Remuneration Policy for Trustees*

There is no existing remuneration policy outlining payments and reimbursements for the trustees. The Trust has an Expenses Policy to cover trustee personal expenses but this has not been used to date. Instead the Trust chose to take up their roles on a voluntary basis for the first twelve months. Over the next twelve months the Trust will review this because certain operational work has had to be undertaken by trustees as the administrator is only contracted on a part time basis.

The Trust will look to seek external professional advice to obtain an appropriate level of remuneration for these Trust activities and to develop its Remuneration Policy.

## Contractors

Names and roles of the operations and independent contractors.

Role:	Name:
Administration	Irene Walker
Accounts	Irene Walker, Anthony Ririnui (signatory), Matemoana McDonald (signatory), Avy Gardiner (signatory)
Accountant	Wiwini Hakaraia, BDO Accountants
Auditor	RHB Accountants
Legal	Holland, Beckett, Maltby
Financial Investment Advisor	Still to be appointed

### *Operations and Contractor Responsibilities*

The operations and independent contractors handle the day to day operations of all trust activities including payment of running costs and contractor payments.

### *Trust Profile*

In October 2012 the Trust commissioned Anaru Timutimu to work with the Trust to help build a profile for the Trust. The profile allowed the new Trustees to clarify the Trust's purpose and to list its roles and responsibilities. The profile identified the hapū claim, its initial internal and external stakeholders and its focus and actions for the first twelve months in office.

### *Trust Charter Report*

The Trust Charter has been recently developed to map how the Trust manages itself and the work that it does. It sets out the Trust's Structure and identifies the different groups it will work with to achieve the Trust's goals and objectives.

The Charter can be amended by a resolution passed at an Annual General meeting of the Trust. The Charter shall be kept in the Trust Office and is available for inspection if requested by any beneficiary.

## *Policies and Operating Procedures Report*

On the 10<sup>th</sup> January 2013, the Trust completed its first set of policies and Procedures. Policies established to date include:

- Document Control and Maintenance
- Trust Governance and Operations
- Financial Policies and Procedures
- Human Resources

The Trust will continue to develop policies around its Strategic Planning, Annual Report, investments and others.

## *Code of Ethics*

The Trust's recently completed Code of Ethics provides a framework of our Trust's governance standards and best practices.

The framework sets out how the Ngāi Te Ahi Raupatu Settlement Trust expects its Trust, members, agents and staff to conduct their relationships.

We expect everyone representing the Ngāi Te Ahi Raupatu Settlement Trust to follow this code when dealing with all our stakeholders.

Breaches of the Code of Ethics will be reported to the Chair, adopted by the Trust and reported back at an Annual General Meeting.

## *Risk Management Report*

Risk Management Practices:

The implementation of the Trust's Risk Management Plan will see regular Administration reports to the Trust on its various Trust activities.

The Risk Management Plan identifies potential risks, how the Trust would address these risks, what it will do to respond and who will be responsible for managing the risks, and a set timeframe.

This plan is available for any beneficiary to view.

The Trust will consistently review its policies and procedures to ensure it supports the Risk Management Plan.

## *Health and Safety Report*

In the next twelve months the Trust will develop its Health and Safety Plan. The Trust currently has a rental Agreement with Moana Moko Consultants from whom it rents office space.

## *Communications Strategy and Plan report*

In its first twelve months in office the Trust has maintained close relationships with the Marae and hapū entities by attending the monthly hui-a-hapū held at the Hairini marae to provide regular reports back to the whānau who attend these meetings. The Trust has also used email and public advertising as other means of communication.

Over the next twelve months the Trust will look to maintain this relationship and to build on its relationships with external stakeholders.

The Trust's newly completed Stakeholders Communication Strategy and Plan sets out a more comprehensive communication plan as to how it intends to communicate and the means of communication it will use.

The Trust is also looking at the development of its website which it hopes will go live before the end of the year.

## *Stakeholders Relationship Report*

The Stakeholder Relationship Plan identifies who our key internal stakeholders and external stakeholders are. How they see us as the Trust, how we engage with our stakeholders, and our key lines of communication.

The Trust has developed and approved a Stakeholder Relationship plan as its guide to managing its relationships with its key stakeholders.

## *Crisis Management Report*

Immediately following the inaugural annual general meeting, the Trust will develop its Crisis Management report.

The report will look to identify how the Trust will deal with any crisis that befalls upon the Trust and who will be responsible.

Once completed any beneficiary may view the Plan on request.

## *Investment Strategy Report*

The Trust will also develop its Investment Strategy plan within the next twelve months.

The Trust is also looking to appoint a Financial/Investment advisor to assist the Trust in choosing the most viable options and opportunities to grow the assets of the Trust.

# Financial Report