

Ngāti Mutunga o Wharekauri Iwi
Wharekauri Iwi Trust

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NGĀTI MUTUNGA O WHAREKAURI IWI TRUST DEED OF MANDATE

MAY 2014

**Wharekauri te moutere
Noninga remu Taiko e
He pā akeake
Ngana hau au e**

**Puhia ra e te hau
Uaina e te ua e
Ko Matipo, ko Kopi
Hei whakamāurutanga e**

**Korihi te Tui korari
Koē te Weka one e
Ngā mihi whakatau
Maioha e**

**Whakatau mai ki Te One
Te iti, te rahi e
Ki te takapou whāriki
Whakamaharatanga e**

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NGĀTI MUTUNGA O WHAREKAURI IWI TRUST DEED OF MANDATE

This Deed of Mandate formally demonstrates that the Ngāti Mutunga o Wharekauri Iwi Trust is obtaining the mandate to represent Ngāti Mutunga o Wharekauri in negotiations with the Crown to settle the Ngāti Mutunga o Wharekauri Historical Claims.

BACKGROUND

Ngāti Mutunga o Wharekauri Makes Submissions to the Waitangi Tribunal

Ngāti Mutunga o Wharekauri has longstanding claims against the Crown. Claims against the Crown have been expressed through protests made by Ngāti Mutunga o Wharekauri. In particular, those protests have related to the allocation of lands during the sitting of the Native Land Court in 1870 and the subsequent loss in relation to:

- Lands through alienation
- Fishing rights through various acts of Parliament up to 2004
- Reo
- Ngā Tikanga o Ngāti Mutunga.

Section 6 of the Treaty of Waitangi Act 1975 enabled Maori (including Ngāti Mutunga o Wharekauri) to submit claims to the Waitangi Tribunal in respect of acts or omissions on or after the 6th of February 1840 by or on behalf of the Crown that were inconsistent with the principles of Te Tiriti o Waitangi / the Treaty of Waitangi.

- Grouped for Inquiry: Wai 65, 181, 460
- Not Heard But Lodged: Wai 1382

The Waitangi Tribunal between 1994 and 1995 investigated 5 claims concerning Ngāti Mutunga o Wharekauri made to the Waitangi Tribunal under section 6 of the Treaty of Waitangi Act (the "Rekohu Claims").

The Wai 64 Report of the Waitangi Tribunal

The Waitangi Tribunal issued in May 2001 a report called the "Rekohu Report" giving its preliminary views on the Ngāti Mutunga and Moriori Claims.

Views of the Waitangi Tribunal in Wai 64 Report

The Waitangi Tribunal, in the Wai 64 Report, expressed the following views:

1. The tenure reform brought about by the Native Land Court was contrary to the Treaty. Ngāti Mutunga o Wharekauri suffered prejudicial effects including:
 - Promoting individualism at the expense of whānau / hapū based tikanga
 - Undermining of economic power as a consequence of individualisation of land
 - Fragmentation of ownership and by definition the cultural fabric of Ngāti Mutunga o Wharekauri society

- Application of the 10 owner rule creating a class of privileged Ngāti Mutunga at the expense of the broader Iwi society
 - Social division as a result of the implementation of the 10 owner rule
 - Accelerating migration from the island
 - Rendering land in to a ‘mosaic of strips’ creating: fragmented shares, uneconomic interests, useless partitions, exposure to public works act alienation.
2. Continuing crown administration of the island led to the following findings:
 - Wrongful taking of land for public works (see WAI 181 claim – hospital block)
 - Housing provision as a result of the titling system was prejudiced.
 3. The Tribunal recommended the Crown fund process to promote the development of a new Maori land law specific to Wharekauri.
 4. The Tribunal also recommended that in light of the importance of fishing and the past history of mainland ‘plunder’ that a case may exist for enlarged subsistence marine reserves.

Ngāti Mutunga o Wharekauri Iwi Trust

Since its ratification in 2004, the Ngāti Mutunga o Wharekauri Iwi Trust has been the governing body for Ngāti Mutunga o Wharekauri. The Trust is also the Mandated Iwi Organisation (“MIO”) as set out in the Fisheries Act 1996.

The Ngāti Mutunga o Wharekauri Iwi Trust was established following a hui and postal vote held on 28 September 2004. Ngāti Mutunga o Wharekauri members approved and mandated the Ngāti Mutunga o Wharekauri Iwi Trust to be the MIO and also approved the provisions of the Ngāti Mutunga o Wharekauri Iwi Trust deed.

In 2004 the Trust, in accordance with the Maori Fisheries Act 2004 established an Asset Holding Company (“AHC”), Ngāti Mutunga o Wharekauri Fisheries Limited, to receive, hold, and manage the fisheries assets allocated by Te Ohu Kaimoana.

The Ngāti Mutunga o Wharekauri Iwi Trust Deed provides for up to 7 Trustees and the current trustees are Trust Chair Paula Page, John Kamo, Melodie Fraser, Monique Croon, Dallon Gregory-Hunt, Gail Amaru, and Joseph Thomas.

Following a comprehensive mandating process (outlined in this Deed of Mandate) Ngāti Mutunga o Wharekauri Iwi Trust now seeks the mandate from Ngāti Mutunga o Wharekauri Iwi to negotiate a Proposed Settlement Package and Proposed Post Settlement Governance Entity for ratification by Ngāti Mutunga o Wharekauri. To that end, it is the intention of the Ngāti Mutunga o Wharekauri Iwi Trust to settle all Ngāti Mutunga o Wharekauri Historical Claims.

Definitions

For the purposes of this Deed of Mandate, the following terms have been defined as follows:

Mandate Group

Means the group appointed by Ngāti Mutunga o Wharekauri Iwi, the functions and operations of which shall be set out in the Mandate Group Terms of Reference.

Mandate Group Terms of Reference

Means the rules, as approved by Ngāti Mutunga o Wharekauri Iwi Trust governing the functions and operations of the Mandate Group.

Crown

Means the Sovereign in right of New Zealand.

Kaumātua / Kaunihera Kaumātua

Means the group(s) and individuals comprising Ngāti Mutunga o Wharekauri elders who shall provide guidance and advice to the Mandate Group and Ngāti Mutunga o Wharekauri Iwi Trust from time to time.

Mandate

Means the authority given by Ngāti Mutunga o Wharekauri Iwi to the Ngāti Mutunga o Wharekauri Iwi Trust to negotiate an initialled Deed of Settlement to be presented to Ngāti Mutunga o Wharekauri for ratification.

Mandating Hui

Means the series of hui detailed at page 24 of this Deed of Mandate.

Mandated Representatives

Means the trustees from time to time of the Ngāti Mutunga o Wharekauri Iwi Trust.

Deed of Mandate

Means this document, including all schedules attached hereto.

Minister for Treaty of Waitangi Negotiations

Means the Government minister responsible for Treaty of Waitangi settlement negotiations.

Negotiators

Means individuals appointed by the Ngāti Mutunga o Wharekauri Iwi Trust to conduct settlement negotiations with the Crown.

Ngāti Mutunga o Wharekauri

Means all those who affiliate to Ngāti Mutunga o Wharekauri by virtue of the Ngāti Mutunga o Wharekauri Claimant Definition.

Office of Treaty Settlements

Means the body responsible for the conduct of settlement negotiations on behalf of the Crown.

Proposed Settlement Package

Means the deed outlining the draft Settlement Redress negotiated by Ngāti Mutunga o Wharekauri Iwi Trust and the Crown.

Proposed Post Settlement Governance Entity

Means the proposed body to be established to receive, manage and administer the Settlement Redress.

Ratification

Means approval by Ngāti Mutunga o Wharekauri Iwi (over 18 years old) of the Proposed Deed of Settlement and Proposed Post Settlement Governance Entity.

Rohe o Ngāti Mutunga o Wharekauri

Means the area described and illustrated at pages 9-11 of this Deed of Mandate.

Settlement Redress

Means the various elements of redress negotiated between the Ngāti Mutunga o Wharekauri Iwi Trust and the Crown to settle the Historical Claims.

Ngāti Mutunga o Wharekauri Claimant Definition

Means the collective group described at pages 8 and 9 of this Deed of Mandate.

Ngāti Mutunga o Wharekauri Historical Claims

Means every claim of Ngāti Mutunga o Wharekauri that is founded on a right arising from the Treaty of Waitangi or its principles, under legislation, at common law, or from a fiduciary duty, or otherwise and relates to acts or omissions committed by or on behalf of the Crown prior to 21 September 1992, whether or not registered with the Waitangi Tribunal, and includes the following Waitangi Tribunal claims outlined at paragraph 6 of this Deed of Mandate.

Ngāti Mutunga o Wharekauri Iwi Trust

Means the trust established by trust deed dated 28 September 2004 (attached as **Schedule 6**) as the Mandated Iwi Organisation for Ngāti Mutunga o Wharekauri to receive and administer fisheries assets allocated under the Maori Fisheries Act 2004 and also means the body that is mandated under this Deed of Mandate.

Terms of Negotiation

Means the rules and objectives for the formal negotiations between the Crown and Ngāti Mutunga o Wharekauri Iwi Trust.

Treaty Settlement Negotiations

Means the negotiations conducted between Ngāti Mutunga o Wharekauri Iwi Trust and the Crown for the purpose of settling the Ngāti Mutunga o Wharekauri Historical Claims.

Trustees

Means the trustees from time to time of the Ngāti Mutunga o Wharekauri Iwi Trust.

Trust Deed

Means the Deed of Trust for Ngāti Mutunga o Wharekauri Iwi Trust

GUIDING PRINCIPLES

In undertaking its functions in relation to negotiating a settlement of the Ngāti Mutunga o Wharekauri historical Treaty claim, the Trust will be guided by the following principles:

- ***Tuatahi***
The mandate will be held by the Trust on behalf of Ngāti Mutunga o Wharekauri.
- ***Tuarua***
The mandate sought is to negotiate a Proposed Settlement Package and a Proposed Post Settlement Governance Entity on behalf of and for the benefit of all Ngāti Mutunga o Wharekauri.
- ***Tuatoru***
In undertaking its functions under this Deed of Mandate, the Trust will maintain a policy of inclusiveness.
- ***Tuawha***
Ngāti Mutunga o Wharekauri Iwi Trust will ensure that it communicates widely with Ngāti Mutunga o Wharekauri and conveys all relevant information at every opportunity.
- ***Tuarima***
Ngāti Mutunga o Wharekauri Iwi Trust will, to the best of its collective ability, endeavour to negotiate outcomes that are to the greatest possible benefit of Ngāti Mutunga o Wharekauri Iwi.

COMPREHENSIVE NEGOTIATIONS

The Trust on behalf of Ngāti Mutunga o Wharekauri seeks to enter into negotiations to settle the Ngāti Mutunga o Wharekauri historical claims. The settlement negotiated by Ngāti Mutunga o Wharekauri Iwi Trust, for ratification by Ngāti Mutunga o Wharekauri Iwi, will settle all Historical Claims of Ngāti Mutunga o Wharekauri whether registered or unregistered.

CLAIMANT DEFINITION

Ancestry

For the purposes of Treaty settlement negotiations, **Ngāti Mutunga o Wharekauri** means all individuals and whānau who descend from the tīpuna:

- Mutunga and Te Rerehua; and,
- One or more of the following tīpuna named in the 1870 Native Land Court orders¹ or hearings:

Kekerione Ngawharewhiti Kawae Toenga Te Poki Retimana Ngamate Wiremu Naera Pomare	Otonga Apitea Punga Ihakara Ngapuke Paina Te Poke Te Kati Watene Tipunaia Te Umu Toenga Te Poki Wiremu Wharepa	Rangiauria Apitea Punga Manuera (Hamuera) Koteriki Remihana Tapae Toenga Te Poki Wi Te Tahuhu Wiremu Naera Pomare Wiremu Wharepa
Te Awapatiki Apitea Punga Hamuera Koteriki Watarore Pihuka Wiremu Naera Pomare	Te Matarae Apitea Punga Epiha Kawhe Ihakara Ngapuke Matene Te Karamu Ngahiwi Ngawiwi Pamariki Raumoa Rakataau Katihi Tamati Makarati Te Kati Watene	Wharekauri Epiha Kawhe Heremaia Katene Herewini Ngakiki Koeti Ihaka Mokena Huriwhenua Pamariki Raumoa Ropata Te Uruotu Toenga Te Poki Watikini Te Rangihiroa Wi Tahuhu
Subsequent Native Land Court Orders		
Mangere² Paina Te Poki Riakio Wharepa Rihania Wharepa Tipunuia Toenga	Rangātira³ Paina Te Poki Riakio Wharepa Rihania Wharepa Takuri Hiku Mapu Tipunaia Toenga	Rangitutahi Anikamu Naera Hamuera Koteriki Naera Pomare

Males

- Ani Kamu
- Apitia
- Arapera Puta
- Enoka Te Poki
- Hapua

¹ Original name spellings from the Chatham Island Minute Books (CIMB) have been included in brackets even where those spellings may have been recorded incorrectly. This is to assist those claiming an uri right and may use the CIMB as a source of research.

² 18 January 1898, Chatham Islands Minute Book No.2, pp.74-75.

³ 14 February 1894, Chatham Islands Minute Book No.2, p.15; 2 March 1900, Chatham Islands Minute Book No.3, p.180.

- Hare Petere
- Hare Te Uenuku
- Haringa te Tomo
- Hamuera Koteriki
- Henare Reriti
- Henare Te Tarata
- Heremaia Ngamate
- Heta Namu
- Hetaraka Rangituataka
- Hetarakau (Heteraka) Tipene
- Hori Muru Ahi
- Ihaka Tini
- Ihakara Ngapuke
- Ihakara Te Rerengahuia
- Inia Ngamate
- Kati Watene
- Kereopa Puanaki
- Ketu
- Kirihipu Roire
- Korewharewha
- Makarini Hohepa
- Mangere
- Manuera Hohepa
- Matene Wairua
- Matiaha Te Whitu
- Mitai Pomare (Pupu)
- Mokena Pene
- Muruahi
- Naera
- Natanahira Ngapeinga
- Ngamate
- Ngaurupa
- Ngawharewhiti
- Paiuru Tipene
- Pana Ngaue
- Pangapanga (Pangopanga)
- Pene Tamahuhu
- Pirika Rangi Puahoaho
- Pitiroi Ngamate
- Pomani Rangikatohau (Ranikutohau)
- Rakataau
- Rangihiroa (Watakina Rangihiroa)
- Raniera Pewa
- Rawiri Te Rakataau
- Reriti Hipa
- Retimana (Retimona)
- Ritatone Paewhenua

- Ropata Retimana (Retimona)
- Taanga
- Tamati Makarati
- Tamati Muruahi
- Tauru Mateora (Matioro)
- Te Ahi Rata
- Te Hiko
- Te Hau Kowhaki
- Te Hutuna Are
- Te Karetu (Kareti)
- Te Kawhaki
- Te Meihana Ngamate
- Te Oti
- Te Oti Kerei
- Te Poranga
- Te Tahana
- Tepania
- Tiopira Rewha
- Tipene Mihirau
- Titore
- Toenga (Te Poki)
- Ture Naera
- Tutere Tuta
- Tutairau Maranamu (Tatairau Karanama) (Tatairau Raranama)
- Watakina Rangihiroa
- Wata Rore
- Wawe
- Wi Naera
- Wi Tamihana
- Wi Te Tahuhu
- Wiremu Tewi
- Wiremu Hohepa
- Wiremu Kingi Naera
- Wiremu Piti Tamihana
- Wiremu Tamihana Reokore
- Wiremu Te Teira Te Rakataura
- Wiremu Wharepa

Females

- Ana
- Ane
- Ani Kareti
- Ani Muta
- Aramaera Hohepa
- Arirota Pana
- Ema Heta
- Ema Hetaraka

- Haena (Haeana)
- Hana Hohepa
- Haringa Te Tomo
- Harota
- Haurangi
- Heni Hanuera (Hamuera)
- Heni Naera (Naero)
- Henrietta (Henerieta)
- Henrietta (Henerieta) Haimona
- Hera
- Hera Hana
- Hera Waitaoro
- Hewa
- Hokiopera
- Horiaana Hamuera
- Horina
- Horina Toki
- Ihipera Hohepa
- Kaata
- Kareti
- Kawhena
- Maea Henare
- Maina Ngamate
- Makareta Tamihana
- Maikara Henare
- Mapere
- Marereira Te Peke
- Mereana (Merana) Reriti
- Mere Ihakara
- Mere Rakatau
- Miriana
- Muruahi
- Ngahiwi
- Ngawiwi
- Ngarata (Ngaroto) Muruahi
- Ngapera Tapirirua
- Ngarenaera
- Ngaroto
- Ngatau
- Ngatere
- Ngatere Retimana
- Ngatuhinga
- Ngawhanga Ahenata
- Onepu
- Paipa
- Paranihi
- Paraere

- Piriha Toenga
- Rakera Hamuera
- Ranauwhe
- Peti Hohepa
- Rea Rakataau
- Rihania
- Ritihia Hare
- Rohi
- Roera Rakataau
- Ruhia
- Ruihana
- Ruterā Piripi
- Rutu Te Tomo
- Te Ahi Rata
- Te Ahi
- Te Haina
- Te Hau Kowhaki
- Te Pahi
- Te Pahi Tamihana
- Tiripi (Tiripa)
- Unaiki
- Urianā
- Waitangi

Hapu

The hapū included in this definition of Ngāti Mutunga o Wharekauri are those who descend from the tīpuna described and include the following groups:

- Ngāti Mutunga
- Ngāti Haumia
- Kekerewai; and,
- Ngāti Tama

The hapū listed above migrated to Wharekauri in the 1830s along with Ngāti Mutunga. The tīpuna listed in the Ancestry section are also the tīpuna of the listed hapū.

Marae

Ngāti Mutunga o Wharekauri marae include:

- Te Pa a Tangaroa (Wharenui tuturu o Ngāti Mutunga o Wharekauri)
- Whakamaharatanga
- Ngā Kainga Whare o Ngāti Mutunga o Wharekauri whanau

Wai Claims

The Wai claims to be settled by Ngāti Mutunga o Wharekauri Iwi Trust are:

- Wai 65 Chatham Islands & Fisheries Claim – a claim by James Pohio and Others.
- Wai 181 Kekerione No 1 Hospital Land Claim – a claim by Ngawata Eliza Page & Others.
- Wai 460 Chatham and Auckland Islands Claim – a claim by Albert Tuuta and Others.
- Wai 1382 Ngāti Kekerewai of Ngāti Mutunga – A claim by Theresa McDonald.⁴

The following Wai claim is included in this deed as a claim to be settled insofar as it relates to Ngāti Mutunga o Wharekauri. This Wai claim relates to the historical claims of all Taranaki Iwi in Taranaki, Kāpiti, Te Upoko o Te Ika, Te Tau Ihu and Wharekauri, and will only be settled by Ngāti Mutunga o Wharekauri Iwi Trust in part:

- Wai 54 Ngā Iwi o Taranaki Claim – Makere Rangiatea Ralph Love and Others.

Area of Interest / Rohe

The area of interest/rohe of Ngāti Mutunga o Wharekauri includes:

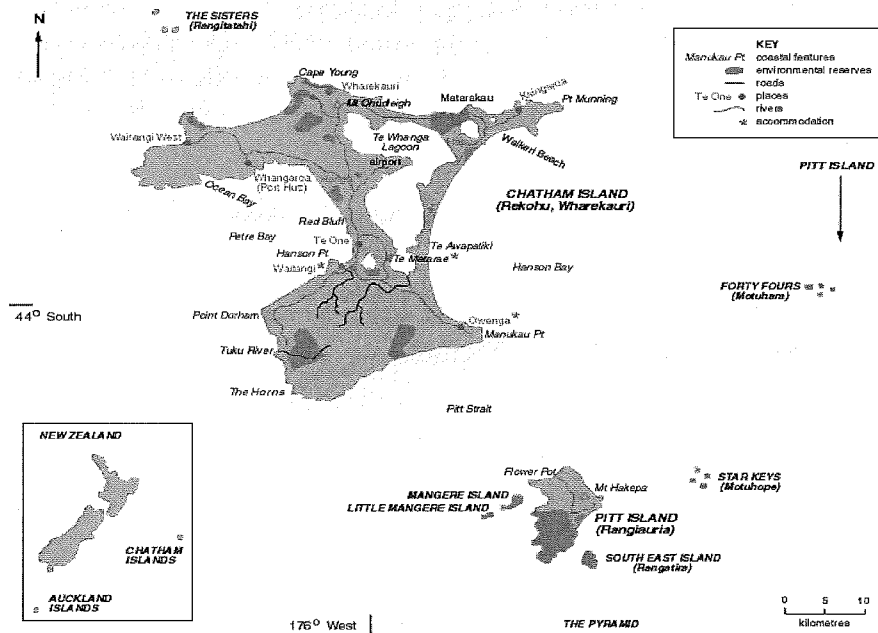
- Wharekauri/Rekohu
- Rangiauria (Pitt Island)
- Rangatira (South East Island)
- Mangere (The Fort)
- Tapuenuku (Little Mangere)
- Motuhohe (Star Keys)
- Rangitatahi (The Sisters)
- Motuhara (The Forty Fours)
- Tarakoikoia (The Pyramids)
- Maungahuka (Auckland Islands) including:
 - Adams Island
 - Enderby Island
 - Disappointment Island
 - Ewing Island

⁴ Wai 1382 has not been heard by the Waitangi Tribunal.

- Rose Island

Ngāti Mutunga o Wharekauri Iwi Trust does not claim the area of interest/rohe as an exclusive area of interest/rohe.

The area of interest/rohe of Ngāti Mutunga o Wharekauri is illustrated by the following maps:



- **Figure 1.** The area of interest/rohe of Ngāti Mutunga o Wharekauri.

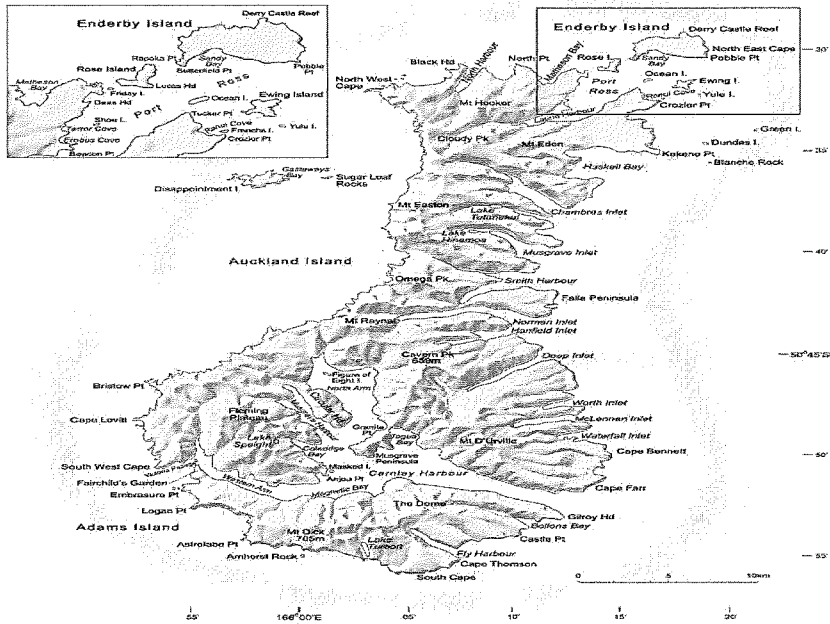


Figure 2. The area of interest/rohe of Ngāti Mutunga o Wharekauri.

Other ancestral rohe of Ngāti Mutunga include:

- Urenui
- Kāpiti Coast,
- Te Upoko o Te Ika
- Te Tau Ihu

The ancestral rohe described in above are expressly excluded in the historical claims of Ngāti Mutunga o Wharekauri and are not covered by this deed for the purposes of Treaty settlement negotiations.

Overlapping Claims

Ngāti Mutunga o Wharekauri Iwi Trust recognises the separate Treaty claims of Moriori. Moriori are a tangata whenua group and have established legitimate claims on Wharekauri, known to them as Rekohu.

Ngāti Mutunga o Wharekauri Iwi Trust is responsible for communication with Moriori on overlapping Treaty claim issues. Initial conversations have occurred between Ngāti Mutunga o Wharekauri Iwi Trust and Hokotehi Moriori Trust (**HMT**). Formal discussions will begin following mandate recognition.

Ngāti Mutunga o Wharekauri Iwi Trust also acknowledges the overlapping interests of Ngāi Tahu for Maungahuka (Auckland Islands). The Ngāti Mutunga o Wharekauri Iwi Trust will work with Te Rūnanga o Ngāi Tahu to open dialogue on a way forward. Ngāti Mutunga o Wharekauri Iwi Trust acknowledges the importance of this dialogue to the hapū of the Murihiku rohe.

Ngāti Mutunga o Wharekauri Historical Claims Issues

Following is a list of historical claim issues that will be included in the proposed settlement negotiations. These issues were discussed by the Trust at each of the Mandating Hui (see **Schedule 3**), but do not necessarily comprise all historical claim issues to be included in the settlement negotiations.

- | | |
|--------------------------------------|--|
| • Early Purchases; | • Fishing rights; |
| • 1870 Native Land Court alienation; | • Land Tenure; |
| • New Zealand Settlements Acts; | • Lack of recognition of the unique circumstances of living on Wharekauri; |
| • Te Whaanga Lagoon; | • Public Works Acquisitions; |
| • Compensation Process; | • Natural Resources; and |
| • Acts of Parliament; | • Late Purchases. |

Large Natural Grouping

The Office of Treaty Settlements (OTS) has recognised Ngāti Mutunga o Wharekauri as a viable Large Natural Grouping for the purposes of Treaty Settlement Negotiations.

MANDATED BODY – NGĀTI MUTUNGA O WHAREKAURI IWI TRUST

Ngāti Mutunga o Wharekauri Iwi Trust is the body mandated by Ngāti Mutunga o Wharekauri Iwi to enter into negotiations with the Crown regarding the comprehensive settlement of all Ngāti Mutunga o Wharekauri Historical Treaty Claims and the establishment of an appropriate Post Settlement Governance Entity.

Mandating Process

The mandate of the Trust is being achieved as a result of fair, open, and transparent process.

Preliminary Steps

During June, July, August, and September 2013, various discussions took place at a hui on Wharekauri to discuss the progression of the Historical Claims of Ngāti Mutunga o Wharekauri to settlement negotiations with the Crown. As a result of those discussions, a Mandate Group comprising:

- Philip Seymour (Chair)
- Theresa Lanauze,
- Andrew Hough
- Nick Cameron
- Peter Reriti,
- James Whaitiri was convened.

The Ngāti Mutunga o Wharekauri Iwi Trust put forward Trust Chair Paula Page and John Kamo (Deputy Chair) as the Iwi Trust representatives. The Mandate Group was tasked with developing a proposal to achieve the following objectives:

1. To obtain a mandate from Ngāti Mutunga o Wharekauri authorising the Trust to negotiate a Proposed Settlement Package and Proposed Post Settlement Governance Entity for Ratification by Ngāti Mutunga o Wharekauri; and
2. To obtain recognition of that mandate from the Crown.

The history of the Iwi Trust in relation to the settlement of historical grievances stems as far back as its establishment in 2004. In any case, the tables below outline the recent chronology of events and hui relating to the confirmation of the Mandate. That said the events date right back to 2004 with the establishment of the Claims Working Group and the work done up to 2009. The historical record under the settlement process will provide a full outline of the history both of Ngāti Mutunga o Wharekauri as an iwi back to 1835, and the work of the Iwi bodies (The Wharekauri Maori Committee, Te Rūnanga o Wharekauri / Rekohu and Ngāti Mutunga o Wharekauri Trust) from the 1980s onwards.

Formally Notified Mandating Hui

The Mandating Hui were held as follows:

Location	Venue	Date / Time
Wharekauri	Whakamaharatanga Marae	8 February 2014, 10:30am
Auckland	Jet Park Hotel Auckland Airport	27 February 2014, 5:30pm
Waitara	Owae Marae	1 March 2014, 10:30am
Wellington	Hongoeka Marae – Plimmerton	2 March 2014, 10:30am
Christchurch	Rēhua Marae – Springfield Road	3 March 2014, 5:30pm
Wharekauri	The Den – Wharekauri – Rangatahi Hui	20 March 2014 – 6:00pm
Wharekauri	Whakamaharatanga Marae	15 March 2014, 10:30am (note, due to Tangi, hui postponed to 22 March 2014, at 9:30am)
Postal Ballot	Returning Officer (Electionz.com)	15 March 2014, 5:00pm (note, due to Tangi, vote date extended to 22 March 2014, at 5:00pm)

Note – the March 20, 2014, hui was an unscheduled hui. TPK observers were present at this hui.

Advertisements

The Mandating Hui were publicly and widely advertised in the following media:

- Ngāti Mutunga o Wharekauri Iwi Trust Pānui *Posted 27 January 2014*
- Te Ao Hou – Ngāti Mutunga o Wharekauri Mandate Strategy *Posted 27 January 2014*
- Ngāti Mutunga ki Urenui letter to members *Posted 27 January 2014*
- Ngāti Mutunga o Wharekauri Iwi Trust e-mail notification list

Iwi Trust Wide Email sent 27 January 2014

Newspapers:

New Zealand Herald	24 January 2014
Taranaki Daily News	24 January 2014
Dominion Post	24 January 2014
Christchurch Press	24 January 2014
The Chatham Islander	28 December 2013

- Ngāti Mutunga o Wharekauri Iwi Trust Website *27 January 2014*

Copies of the advertisements noted above (which include the Mandating Hui agenda) are attached at **Schedule 2**.

Presentation

A standard and consistent presentation was developed for the Mandating Hui, with the presentation being given by the Mandate Group. The presentation outlined the purpose of the hui, a background to the Iwi Trust (including an explanation of the reasons behind the Trust seeking the mandate and its proposed accountabilities to Ngāti Mutunga o Wharekauri Iwi), a discussion on the definition of Ngāti Mutunga o Wharekauri and the Ngāti Mutunga o Wharekauri Historical Claims (including broad claim issues), a detailed discussion on the scope and context of the mandate being sought and a general outline of the negotiation process. In addition, an opportunity was provided for attendees to ask questions of the presenters.

At the end of each Mandating Hui, the following resolution was outlined to the hui:

'That the Ngāti Mutunga o Wharekauri Iwi Trust is mandated to represent Ngāti Mutunga o Wharekauri in negotiations with the Crown, regarding the comprehensive settlement of Ngāti Mutunga o Wharekauri historical Treaty of Waitangi claims.'

The presentation made at the Mandating Hui (along with a complementary document entitled *Te Ao Hou – Ngāti Mutunga o Wharekauri Mandate Strategy – Important Elements*) is attached as **Schedule 3**.

Minutes

Minutes were taken at each of the Mandating Hui. Amongst other things, the minutes record questions asked by attendees and answers provided by the Trustees and/or Mandate Group members. These minutes are attached as **Schedule 4**.

Attendees

The lists of attendees at each Mandating Hui are attached in the body of the Mandating Hui minutes.

Mandating Voting Process

Voting for the Mandate was carried out by postal ballot. Those wishing to vote were required to be at least 18 years old and affiliate to Ngāti Mutunga o Wharekauri by virtue of the claimant definition provided.

It was made clear members voting for the mandate did not need to be registered to the Iwi Trust – they need merely be Ngāti Mutunga o Wharekauri uri. In order to verify whakapapa, non-registered members were required to fill a modified Iwi Trust registration form that included a tick box that members could signify their desire NOT to be registered to the Iwi Trust. Bona fides were verified by the Management of the Iwi Trust in consultation with Kaumātua on Wharekauri.

Voting Results

The result of the voting was overwhelming support of the mandate being held by the Iwi Trust with some 76% of voters voting in favour of the resolution:

‘That the Ngāti Mutunga o Wharekauri Iwi Trust is mandated to represent Ngāti Mutunga o Wharekauri in negotiations with the Crown, regarding the comprehensive settlement of Ngāti Mutunga o Wharekauri historical Treaty of Waitangi claims.

The details of the voting results are included in **Schedule 5**.

THE MANDATE & SETTLEMENT STRUCTURE

For the purposes of this Deed of Mandate, the Ngāti Mutunga o Wharekauri Iwi Trust is representative of Ngāti Mutunga o Wharekauri Iwi. As such, it is the appropriate body to obtain the mandate sought.

The Trust acknowledges that its functions as the proposed mandated body are for the purposes of negotiating a Proposed Settlement Package and Proposed Post Settlement Governance Entity. Receipt and management of the Settlement Redress will be the responsibility of the Post Settlement Governance Entity which will eventually be established for that purpose.

All relevant functions and obligations of the Trust are set out in the Trust Deed for Ngāti Mutunga o Wharekauri Iwi Trust. It is not proposed that the terms of the Trust Deed be amended for the purpose of this Deed of Mandate.

The election process followed by Ngāti Mutunga o Wharekauri Iwi Trust is detailed at Schedule 3 of the Trust Deed.

Role, Responsibility and Accountabilities of the Trust

Under this Deed of Mandate, it is proposed that Ngāti Mutunga o Wharekauri Iwi Trust establish a structure capable of achieving the settlement objectives of Ngāti Mutunga o Wharekauri Iwi. It is anticipated that the involvement of specialists in the process will help to achieve those objectives.

Key points to note are:

- The Trust will hold the mandate given by Ngāti Mutunga o Wharekauri;
- The Trust will delegate authority for the day to day running of the settlement process to the Settlement Governance Group (formally the Mandate Group)
- The Trust will develop an operating charter with delegations and the full functions of divisions within the structure;
- The Trust will appoint and remove parties within the structure subject to Terms of Reference and delegated authorities between the mandated Iwi Trust and the Settlement Governance Group. Where possible, decisions relating to the overall management of the settlement process (including appointment and removal of parties inside the settlement structure) will be made by consensus of the Trustees, but in the event that consensus cannot be reached, by majority;
- The Trust will appoint qualified and specialist parties to perform specific tasks subject to terms of reference and delegated authorities to the Settlement Governance Group;
- Under the Trust Deed, the Trust holds a beneficiary register. Beneficiary registration forms are completed by applicants and assessed by the Trust management acting in the registrar role before formal registration takes place.

Disputes

If a dispute arises in relation to the matters outlined in this Deed of Mandate, the following process shall be followed to resolve that dispute:

- Within 15 working days of the dispute being notified to the Trust, the Trustees shall meet with the complainant(s) and attempt to resolve the dispute in good faith;
- If the dispute remains unresolved, the dispute shall be referred to mediation. The mediator shall be agreed by the Trust and the complainant(s);
- If, within 15 working days, the Trust and the complainant(s) fail to agree on a mediator, such mediator shall be appointed by the Registrar of the Maori Land Court;
- If, following mediation, the dispute remains unresolved, it shall then be referred to the Kaunihera Kaumātua / Kaumātua for consideration. The Kaunihera Kaumātua / Kaumātua shall consider the dispute and make a recommendation to the Trustees;
- The Trustees shall consider the recommendation of the Kaunihera Kaumātua / Kaumātua and make a finding in relation to the dispute. That finding shall be binding on the parties to the dispute.

Mandate

If the Trust becomes aware of an issue that may impact on the purpose, scope and/or meaning of the mandate as described in this Deed, that issue shall be brought to the attention of the Crown. The Crown shall also, upon becoming aware of any such issue, bring that issue to the attention of the Trust.

In the event that such issue(s) are raised by the Trust or Crown, the parties shall agree a process for dealing with that or those issues.

Mandate Amendment or Withdrawal

The manner in which Mandate is conferred will be the manner in which Mandate is amended or withdrawn.

1. A letter must be written by Ngāti Mutunga o Wharekauri Iwi representatives to the Chair of the mandated body identifying the nature and extent of their concerns and also seeking a meeting within a reasonable time frame to discuss these matters.
2. The letter must be co-signed by the same number of adult registered members on the tribal register (aged 18 years and over) who voted for the mandate to be conferred (205).
3. If the meeting between the Ngāti Mutunga o Wharekauri representatives and the Chair of the mandated body does not resolve the concerns, then the Ngāti Mutunga o Wharekauri Iwi may organise a series of publicly notified hui. The publicly notified hui should follow the same process and procedures that conferred the mandate including:
 - a public notice/pānui must outline the kaupapa of the notified hui;
 - the public notice must provide at least 21 days' notice of the hui in national and regional print media;
 - Seven hui must be held both nationwide and within the rohe or Area of Interest in the same locations and order as the hui to confer mandate occurred;
 - A consistent presentation must outline the background to the concerns and the parties involved;

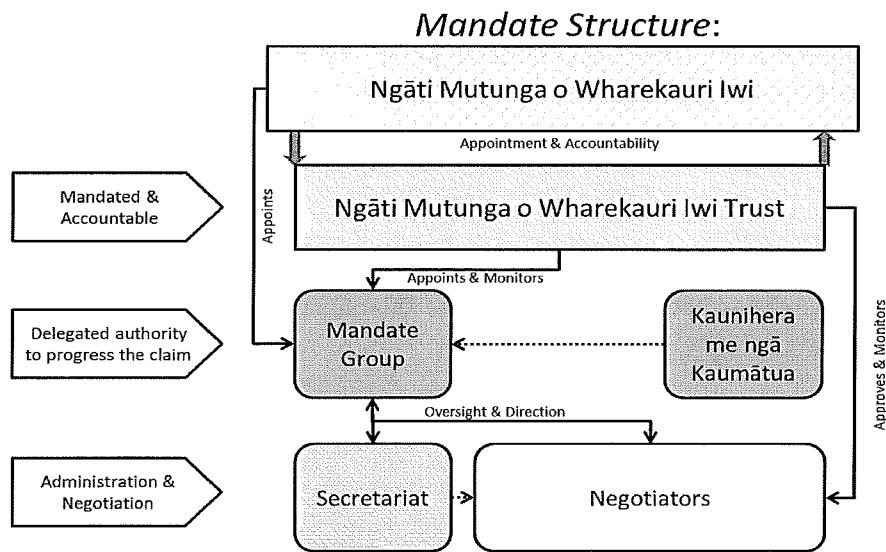
- A detailed paper must be provided (similar to this one) outlining any alternative proposals or amendments;
 - The resolution(s) to put to the claimant community must be consistent at each hui;
 - Resolution to be voted on by way of secret postal ballot that concludes after the final information hui is run on Wharekauri
 - An independent returning officer must be employed to oversee the voting process and notify results; and
 - An observer from Te Puni Kōkiri must be invited to observe and record proceedings.
4. Once the hui are completed and the outcome of the voting process determined, then the Ngāti Mutunga o Wharekauri representatives that held the hui must inform the OTS by way of letter about the result and to discuss next steps for settlement negotiations. This may involve some changes to the mandated body or another process to be undertaken as agreed with officials.

Structure Outline

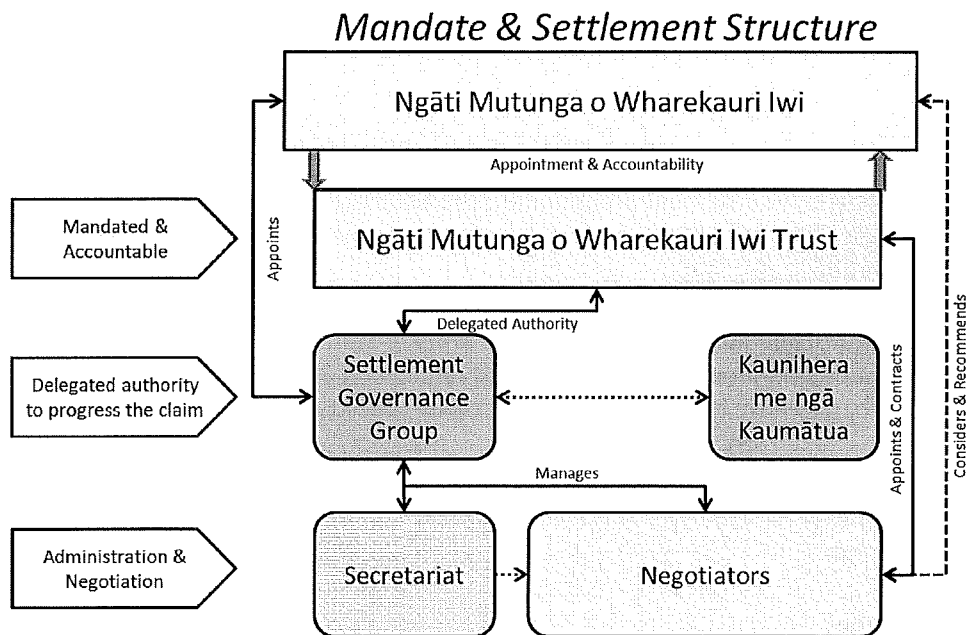
The structure is outlined in the diagram overleaf. The structure is enhanced from that originally proposed for the mandate process. The conclusion of the mandate process, with the ratification of this Deed of Mandate, sees the structure move to the settlement phase. The original Mandate Group now progresses through into the Settlement Governance Group as a consequence of the Deed of Mandate ratification. An enhanced Terms of Reference is under development for the Settlement Governance Group.

The enhanced structure also responds to issues raised during the mandate hui rounds where further input by the Iwi was called for in the consideration of the negotiators, and to ensure greater autonomy and ability to make day-to-day decisions was given to the Mandate Group - all the more so as the Iwi had a direct hand in the appointment of the Mandate Group members.

Original Structure for Mandate



New Structure for Settlement



Meetings of Ngāti Mutunga o Wharekauri Iwi Trust

The Trust ordinarily meets once per month to conduct the business of the Trust including all matters relating to the settlement negotiations (see schedule 5 section 3 of the Trust Deed).

Reporting process

The Ngāti Mutunga o Wharekauri Iwi Trust and / or the Settlement Governance Group will report to the Ngāti Mutunga o Wharekauri community about the Treaty settlement negotiation and its progress, in a number of ways, including:

- Annual general meetings;
- Monthly hui
- Quarterly pānui/newsletter;
- Specific discussions with original claimants
- Specified hui with ngā Kaumātua and the Kaunihera Kaumātua;
- Website – www.nmow.lwi.nz

Decision making processes

For all decisions to be made by the Trustees (including decisions relating to issues arising in negotiations), the Trust will seek to achieve consensus. However, in the event that consensus cannot be reached, such issues will be decided by majority (see clause 4.7(b) of the Trust Deed). In addition all Ngāti Mutunga o Wharekauri Iwi (over 18 years old) can participate in the decision making process by attending and voting on resolutions put at annual general meetings and other hui-a-Iwi (outlined above) held by Ngāti Mutunga o Wharekauri Iwi Trust.

Mandate Group

The Ngāti Mutunga o Wharekauri Iwi Trust originally established the Mandate group to enhance its representative structure. The Mandate Group, under its terms of reference, acted in an advisory role to the Iwi Trust in respect of its Treaty settlement programme. The Mandate Group enhanced the representation of constituent claimant community members by representing their interests to both the Iwi as a whole and the Iwi Trust.

The Mandate Group has also provided primary input into the development and finalisation of the Deed of Mandate for Iwi consultation and Crown agreement. Upon ratification of the Deed of Mandate the Mandate Group role will progress through to the Settlement Governance Group.

Current members of the Mandate Group are:

- Philip Seymour
- Andrew Hough
- Peter Reriti
- Nick Cameron
- Trust Chair Paula Page (Iwi Trust chair)
- John Kamo (Iwi Trust deputy chair)

Settlement Governance Group

The Settlement Governance Group continues the mahi of the Mandate Group and will become the body with the delegated authority to govern the day to day progress of Settlement Negotiations. It will have a coordination role throughout the settlement process organising the various Treaty settlement work streams as required. This may include recommendations to the Trustees, and subject to delegations, the ability to establish and appoint other committees and roles such as a research unit or a team of

negotiators. In its delegated capacity the Settlement Governance Group will either approve or make recommendations to the Trustees for sign off at key decision points (Agreement in Principle, Deed of Settlement, Ratification, PSGE etc).

The Settlement Governance Group will also be a further link between negotiators and the Ngāti Mutunga o Wharekauri claimant community by promoting an open and transparent process (subject to confidentiality at key points for negotiation purposes).

Composition: The Settlement Governance Group is an arm of the Iwi Trust sitting inside the Trust's structure. The Settlement Governance Group is able to include representation of:

- Iwi Trust Trustees;
- Iwi members as recommended through tribal forum;
- Kaunihera Kaumātua / Kaumātua as recommended through tribal forum
- Registered Waitangi Tribunal Claimants

The individuals who made up the Mandate Group, and wish to continue to the Settlement Governance Group will do so without impediment but subject to:

- The Settlement Governance Group Terms of Reference
- The Delegated Authorities from the Iwi Trust to the Settlement Governance Group
- The terms of the Independent Contractor Agreements with the Iwi Trust

The Settlement Governance Group will provide strategic direction and leadership on the development and implementation of the Ngāti Mutunga o Wharekauri Iwi Vision for Settlement by receiving, considering and approving or recommending (as per delegated authorities) documentation prepared by the Chair of the Settlement Governance Group ("Chair") and Secretary of the Iwi Trust ("Secretary") or the Lead Negotiator, including but not necessarily limited to the following:

- Relevant information required for negotiation purposes;
- Comprehensive negotiation aspirations strategy;
- Comprehensive Negotiations plan;
- Negotiations communications strategy;
- Terms of Reference for working parties;
- Reports and recommendations from the working parties; and
- Post settlement governance entity options.

Recommendation & Advice

The Settlement Governance Group will, subject to delegated authorities:

- Recommend the appointment of negotiators;
- Recommend the adoption of a comprehensive negotiation strategy;
- Appoint specialist advisors;
- Appoint personnel to working parties;
- Adopt a day-to-day negotiations plan;
- Adopt a communications strategy;
- Develop and confirm Terms of Reference for working parties;
- Recommend the adoption of post settlement governance entity options;
- Recommend the adoption of an Agreement in Principle;

- Recommend the adoption of a Deed of Settlement;
- Provide advice and make other recommendations as necessary.

Reporting Framework

The Settlement Governance Group will:

- Provide a Monthly report of progress in achieving the Vision for Settlement and the Settlement Governance Group's activities to the Iwi Trust. These updates will advise on progress on particular issues, work progress, financial budget, programmes and other matters of interest;
- Wānanga and / or Report at a minimum quarterly to the Ngāti Mutunga o Wharekauri Iwi
- Report and meet with the Iwi Trust as required from time to time. The purpose of the meetings are to provide to the Trust:
 - i. progress to date against an agreed negotiations plan and budget; and
 - ii. any other issues that might arise from time to time in relation to settlement negotiations

Accountabilities of Negotiators

The Settlement Governance Group will recommend the appointment of negotiators to the Trust to negotiate a settlement of the Ngāti Mutunga o Wharekauri Iwi Historical Claims.

Negotiation Team Protocol

A Negotiation Team Protocol will be developed by the Settlement Governance Group ("Protocol"). This Protocol will set out the key principles to guide the conduct of the Negotiation Team.

Lead Negotiator

The proposal is that the Settlement Governance Group will recommend to the Trust the appointment of a Lead Negotiator and Negotiators. This will occur in tandem with hui-a-iwi to consider who the negotiators will be. The Lead Negotiator will report directly to the Settlement Governance Group in the first instance, then to the Iwi Trust as per contractual requirements. The primary responsibility of the Lead Negotiator will be to lead the implementation of the negotiation strategy and approach, lead the negotiation team and lead the negotiations communication strategy.

In carrying out their primary responsibilities, the Lead Negotiator will be required to:

- Be the lead representative for Ngāti Mutunga o Wharekauri Iwi in negotiations with the Crown (except where the leadership of the Ngāti Mutunga o Wharekauri Iwi Trust is necessary);
- Work with the Chair of the Settlement Governance Group to ensure that they are apprised of the progress of negotiations and the key issues arising within the negotiations (or in respect of any significant matter);
- Lead the negotiation team, including delegating tasks to the negotiators;
- Work with the Settlement Governance Group, Iwi Trust and Ngāti Mutunga o Wharekauri Iwi to understand the nature of their claims and of their settlement aspirations;
- Develop and implement a negotiation approach to settle those claims and (as far as possible) to meet the settlement aspirations of Ngāti Mutunga o Wharekauri Iwi;
- Lead the communication strategy (including at hui a-iwi and meetings with key stakeholders);

- Maintain the confidentiality of confidential material in carrying out, or incidental to their functions;
- Act in accordance with the provisions set out in the Negotiation Strategy document;
- Act in accordance with the provisions set out in their individual Independent Contractor Agreement; and
- Act in accordance with the agreed Negotiation Team Protocol.

Negotiators

The negotiators will report to the Settlement Governance Group. They may receive their instructions directly from the Lead Negotiator and be bound by the negotiation strategy, approach, and Negotiation Team Protocol.

Their primary responsibility is to assist the Lead Negotiator to implement the negotiation strategy and approach, in particular to:

- Assist the Lead Negotiator to represent Ngāti Mutunga o Wharekauri Iwi in negotiations;
- Provide detailed assistance on specific negotiation issues (as directed by the Lead Negotiator);
- Work co-operatively with the negotiation team;
- Work with Ngāti Mutunga o Wharekauri Iwi to understand the nature of their claims and of their settlement aspirations;
- Assist in implementing the communication strategy (including at hui a-iwi and meetings with key stakeholders).
- Maintain the confidentiality of confidential material in carrying out, or incidental to their functions;
- Act in accordance with the provisions set out in the Negotiation Strategy document;
- Act in accordance with the provisions set out in their individual Independent Contractor Agreement; and
- Act in accordance with the agreed Negotiation Team Protocol.

Reporting process for the Settlement Governance Group & Negotiators

The Settlement Governance Group and any appointed negotiators are accountable to the Iwi Trust and will be required to report at least monthly or as otherwise required by Ngāti Mutunga o Wharekauri Iwi Trust. Written progress reports on the Treaty settlement negotiations will be provided at the hui-a-Iwi.

Replacement, Removal and Appointment of Negotiators

The Iwi Trust will appoint, replace, and remove negotiators by way of resolution after recommendation from the Settlement Governance Group and subject to consultation with the broader Ngāti Mutunga o Wharekauri Iwi on Wharekauri.

Decision making process of the Negotiators

The negotiators will report to the Settlement Governance Group on a monthly basis or as otherwise required regarding progress on Treaty settlement negotiations.

Availability of the Deed of Mandate

The Deed of Mandate together with the supporting material may be made available by the Crown to any Ngāti Mutunga o Wharekauri (provided that he/she is more than 18 years old) who requests the same.

Therefore, we the mandated representatives of the Ngāti Mutunga o Wharekauri Iwi Trust agree to the Crown making the Deed of Mandate known through a public notification process. We also agree that the Crown may provide the Deed of Mandate to any Ngāti Mutunga o Wharekauri Iwi members (provided that he/she is more than 18 years old) who requests the same.

We also acknowledge the Deed of Mandate with the supporting material maybe released under the Official Information Act. We request that the Trust are informed and included in all correspondence.

APPENDIX ONE – ALL WAI 64 REPORT CLAIMS

Wai 54 Ngā Iwi O Taranaki claim.

Claimant: Makere Rangiatea Ralph Love and another Organisation:
Date Received: 23-Dec-1987 Town/City/Settlement: Taranaki/Chatham Islands Rangahaua District:
Taranaki (10), Chatham Islands (15) Date Registered: 21-Mar-1989
Grouped for Inquiry: Wai 64, 65, 181, 308, 417, 460
Aggregation:
Consolidation: Consolidated with Wai 64, 143
Status: Tribunal issued interim report on aspect of claim (Taranaki aspect of claim (30.4.96)), Tribunal writing report (Chatham Islands aspect)

Wai 64 Chatham Islands claims

Claimant: Maui Solomon and others
Organisation: Date Received: 15-Mar-1988 Town/City/Settlement: Chatham Islands
Rangahaua District: Chatham Islands (15) Date Registered: 29-May-1989
Grouped for Inquiry: Wai 54, 65, 181, 308, 417, 460
Aggregation: Aggregated record of inquiry for 65, 181
Aggregated with Wai 307 Consolidation: Consolidated record of inquiry for 54
Status: Tribunal issued report on aspect of claim (Fisheries settlement, 4.11.92), Tribunal writing report

Wai 65 Chatham Islands and Fisheries claim

Claimant: James Pohio and others
Organisation:
Date Received: 08-Apr-1988 Town/City/Settlement: Chatham Islands
Rangahaua District: Chatham Islands (15) Date Registered: 30-May-1989
Grouped for Inquiry: Wai 54, 64, 181, 308, 417, 460 Aggregation:
Aggregated with Wai 64
Consolidation: Status: Tribunal writing report

Wai 181 Kekerione No.1 - Hospital Land claim

Claimant: Ngawhata Eliza Page and others
Organisation:
Date Received: 16-Oct-1990
Town/City/Settlement: Chathams
Rangahaua District: Chatham Islands (15)
Date Registered: 13-Mar-1991
Grouped for Inquiry: Wai 54, 64, 65, 308, 417, 460
Aggregation: Aggregated with Wai 64
Consolidation: Status: Tribunal writing report

Wai 308 Rekohu Lands and Fisheries claim

Claimant: Gary Alister Solomon (deceased) and others
Organisation:
Date Received: 04-Sep-1992
Town/City/Settlement: Chatham Islands
Rangahaua District: Chatham Islands (15)
Date Registered: 29-Sep-1992

Grouped for Inquiry: Wai 54, 64, 65, 181, 417, 460
Aggregation: Consolidation: Status: Tribunal writing report

Wai 417 Chatham Islands claim

Claimant: Benjian Solomon and others
Organisation:
Date Received: 14-Dec-1993
Town/City/Settlement: Chatham Islands
Rangahaua District: Chatham Islands (15)
Date Registered: 10-Feb-1994
Grouped for Inquiry: Wai 54, 64, 65, 181, 308, 460
Aggregation:
Consolidation: Status: Tribunal writing report

Wai 460 Chatham and Auckland Islands claim

Claimant: Albert Tuuta and others
Organisation:
Date Received: 21-Feb-1995
Town/City/Settlement: Chatham/Auckland Islands
Rangahaua District: Chatham Islands (15)
Date Registered: 10-Mar-1995
Grouped for Inquiry: Wai 54, 64, 65, 181, 308, 417
Aggregation:
Consolidation: Status: Tribunal writing report

SCHEDULE 1 – PRE MANDATE EVENTS

Pre Mandate Events

Date	Meeting	Venue	Relevant Details/Resolution(s)
9 November 2009	Ngāti Mutunga o Wharekauri Iwi Trust Trustees AGM	Whakamaharatanga Marae, Wharekauri	AGM supports Iwi Trust move to seek mandate
20 April 2010	Ngāti Mutunga o Wharekauri Iwi Trust Ordinary Hui	Iwi Trust Office, Wharekauri	Trustees resolve to seek mandate
19 May 2010	Ngāti Mutunga o Wharekauri Iwi Trust / Hon Chris Finlayson	Minister's Office, Wellington	Iwi Trust outlines its intention to seek mandate to settle Ngāti Mutunga o Wharekauri claims.
September 2011	Ngāti Mutunga o Wharekauri Iwi Trust AGM	Whakamaharatanga Marae, Wharekauri	AGM resolves that Ngāti Mutunga o Wharekauri Iwi Trust should proceed to seek mandate.
14 July 2012	TPK information hui	Whakamaharatanga marae, Wharekauri	Overview of mandate process to Iwi by Te Puni Kōkiri
17 July 2012	TPK Information Hui	Rēhua Marae, Otautahi	Overview of mandate process to Iwi by Te Puni Kōkiri
18 July 2012	TPK Information Hui	TPK Offices, Wellington	Overview of mandate process to Iwi by Te Puni Kōkiri
21 July 2012	TPK Information Hui	Urenui Marae, Urenui	Overview of mandate process to Iwi by Te Puni Kōkiri
22 July 2012	TPK Information Hui	Auckland Airport	Overview of mandate process to Iwi by Te Puni Kōkiri
1 September 2012	TPK Information hui	Norman Kirk Memorial, Wharekauri	Overview of mandate process to Iwi by Te Puni Kōkiri
May 2013	Ngāti Mutunga o Wharekauri Iwi Trust whānau quarterly hui	Whakamaharatanga Marae, Wharekauri	Agreed that the Iwi Trust would draft a mandate strategy that would include capacity for all whānau to participate through a formalised Mandate Group
17 June 2013	Ngāti Mutunga o Wharekauri Iwi Trust Special Hui	Ngāti Mutunga o Wharekauri Iwi Trust Office	Iwi Trust resolves to: <ul style="list-style-type: none"> <i>1. To forward the mandate strategy directly to the Minister of Treaty of Waitangi Negotiations;</i> <i>2. To accompany the mandating strategy with a cover letter from trustees to the Minister of Treaty of Waitangi Negotiations;</i> <i>3. To ask the Minister to authorise the mandate strategy as a matter of</i>

			<i>urgency.</i>
25 June 2013	Ngāti Mutunga o Wharekauri Iwi Trust whānau quarterly hui	Whakamaharatanga Marae, Wharekauri	Agreed that the Iwi Trust would provide mandate strategy to any and all whānau who wished to assist in drafting the document
27 June 2013	Correspondence to Minister of Treaty of Waitangi Settlements, the Hon Chris Finlayson		Ngāti Mutunga o Wharekauri Iwi Trust formally notifies Minister of Treaty Settlements of intention to seek mandate. First draft mandate strategy submitted for Crown consideration.

Pre-Mandate Hui

Date	Meeting	Venue	Relevant Details/Resolution(s)
27 August 2013	Notified pre-mandate hui	Whakamaharatanga Marae	Presentation of mandate strategy in preparation for formation of whānau nominated Mandate Group
10 September 2013	Notified pre-mandate hui	Whakamaharatanga Marae	Presentation of mandate strategy in preparation for formation of whānau nominated Mandate Group
11 September 2013	Notified pre-mandate hui	Whakamaharatanga Marae (Morning)	Presentation of mandate strategy in preparation for formation of whānau nominated Mandate Group
11 September 2013	Notified pre-mandate hui	Whakamaharatanga Marae (Evening)	Presentation of mandate strategy in preparation for formation of whānau nominated Mandate Group
28 September 2013	Ngāti Mutunga o Wharekauri Iwi Trust AGM / notified Mandate Hui follows AGM	Whakamaharatanga Marae (Wharekauri)	Whānau nominate members to newly formed Mandate Group. Iwi Trust submits two trustees to Mandate Group.
16 January 2014	Hui with Hon Chris Finlayson, Minister of Treaty Settlements	Whakamaharatanga Marae, Wharekauri	Discussion on mandate and settlement process with Ngāti Mutunga o Wharekauri Iwi
28 January 2014	Notified pre-mandate hui	Whakamaharatanga Marae	Calls for further nominations for mandate group membership. Specific discussion with Kaumātua at 5:30pm. Confirmation of

			travelling Kaumātua
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Following formal engagement with OTS, the Trust worked in a relationship with Te Puni Kōkiri between June and December 2013 to agree a strategy to be followed in order to obtain the mandate from Ngāti Mutunga o Wharekauri Iwi. Following OTS approval of the Ngāti Mutunga o Wharekauri Iwi Trust Mandate Strategy in November 2013, the Trust embarked on a series of hui (Mandating Hui) with Ngāti Mutunga o Wharekauri Iwi. The purpose of the Mandating Hui (as noted at the outset of the presentation given by the Trust at each hui) was to confirm the resolution:

‘That the Ngāti Mutunga o Wharekauri Iwi Trust is mandated to represent Ngāti Mutunga o Wharekauri in negotiations with the Crown, regarding the comprehensive settlement of Ngāti Mutunga o Wharekauri historical Treaty of Waitangi claims.’

SCHEDULE 2 - MANDATING HUI ADVERTISEMENTS

Ngāti Mutunga o Wharekauri Iwi Trust

Public Notice Mandate Hui

Notice of Mandate Hui

The members of the Mandate Group and the Ngāti Mutunga o Wharekauri Iwi Trust will be undertaking a round of hui to confirm mandate to settle our longstanding treaty claim with the Crown. The schedules of hui are:

Location	Venue	Date / Time
Wharekauri	Whakamaharatanga Marae	8 February 2014
Auckland	Jet Park Hotel Auckland Airport	27 February 2014
Waitara	Owae Marae	1 March 2014
Wellington	Hongoeka Marae - Plimmerton	2 March 2014
Christchurch	Rēhua Marae – Springfield Road	3 March 2014
Wharekauri	Whakamaharatanga Marae	15 March 2014
Postal Ballot	Returning Officer (Electionz.com)	15 March 2014

Whānau are asked to vote and confirm the resolution:

‘That the Ngāti Mutunga o Wharekauri Iwi Trust is mandated to represent Ngāti Mutunga o Wharekauri in negotiations with the Crown, regarding the comprehensive settlement of Ngāti Mutunga o Wharekauri historical Treaty of Waitangi claims.’

Registered members of the Iwi Trust will receive ballot papers through the mail. Copies of the mandate documentation are available on request from the following locations:

- Ngāti Mutunga o Wharekauri Office – phone 03 3050500 or email Iwitrust@nmow.iwi.nz
- Te Rūnanga o Ngāti Mutunga Urenui – phone 06 7523247 or email office@ngatimutunga.iwi.nz
- Te Puni Kōkiri Wellington – phone 04 819600 or email mandatesubs@tpk.govt.nz

Please note – you do not have to be registered with the Ngāti Mutunga o Wharekauri Iwi Trust to exercise your whakapapa right to vote on the resolution. Ballot forms will be available at each hui for you to cast your vote. Alternatively you may request ballot forms from the Independent Returning Officer. You will need to provide proof of your Ngāti Mutunga o Wharekauri whakapapa and proof of identity.

Voting closes 15 March 2014 at 5pm.

Warwick Lampp
Independent Returning Officer - Ngāti Mutunga o Wharekauri Iwi Trust
0508 666 103 or elections@electionz.com

Insertions:	NZ Herald	Thursday
	Dominion Post	Thursday
	Taranaki Daily News	Thursday
	Christchurch Press	Thursday
	The Chatham Islander	Thursday

SCHEDULE 5 - MANDATING HUI VOTING RESULTS



Ngati Mutunga o Wharekauri Iwi Trust

2014 Deed of Mandate

FINAL DECLARATION OF RESULT

I hereby declare the result of the 2014 Deed of Mandate, which closed on Saturday 22 March 2014.

Resolution:

That the Ngāti Mutunga o Wharekauri Iwi Trust is mandated to represent Ngāti Mutunga o Wharekauri in Treaty settlement negotiations with the Crown, regarding the comprehensive settlement of Ngāti Mutunga o Wharekauri historical Treaty of Waitangi claims.

	Votes Received
YES/AE	205
NO/KAO	63
INFORMAL	0
BLANK VOTING PAPERS	1

The majority (being 76.21%) of those that voted, voted 'Yes/Ae' to the Resolution.

I therefore declare that the Resolution is accepted.

The voter return was 39.50%, being 269 voting papers received from 681 eligible voters, of which 59.85% voted by post or at Hui and 40.15% voted on the internet.

Dated at Christchurch this 28th day of March 2014.

Warwick Lampp
Returning Officer - Ngati Mutunga o Wharekauri Iwi Trust
0508 666 103