



# **NGĀTI PĀOA MANDATE STRATEGY**

March 2011

## TABLE OF CONTENTS

1.0 INTRODUCTION.....	3
1.1 Purpose of this Strategy .....	3
1.2 Statement of Intent.....	3
2.0 BACKGROUND .....	4
2.1 Ngāti Pāoa.....	4
2.2 Claimant Definition .....	5
2.3 Rohe – Area of Interest .....	6
2.4 Ngāti Pāoa WAI Claims .....	6
3.0 MANDATED BODY.....	8
3.1 The Ngāti Pāoa Trust .....	8
3.2 Replacement and removal of Trustees from the Ngāti Pāoa Trust.....	9
3.3 Role of the mandated body.....	9
3.4 Meeting of the Ngāti Paoa Mandated Negotiators.....	10
3.5 Operations.....	10
3.6 Decision Making, Accountability and Reporting .....	12
4.0 MANDATING PROCESS .....	13
4.1 Mandating Approach .....	13
4.2 Mandating Process.....	13
4.3 Mandating Hui .....	14
4.4 Standardised Presentation.....	14
4.5 Voting on Resolutions & Eligibility.....	15
4.6 Public Notice and Advertising .....	15
4.7 Process of Debate and Discussion on Resolution .....	15
4.8 Voting on Resolutions and Eligibility .....	15
4.9 Record Keeping .....	16
4.10 Attendance Registrar.....	16
4.11 Communication with OTS and TPK.....	16
4.12 Mandate Outcome .....	16
5.0 THE DEED OF MANDATE.....	16

# 1.0 INTRODUCTION

## ***1.1 Purpose of this Strategy***

The purpose of this strategy is primarily to outline the process to be undertaken by the Ngāti Pāoa Trust, to obtain a mandate from the people of Ngāti Pāoa. The mandate will be to enter into negotiations with the Crown regarding the comprehensive settlement of Ngāti Pāoa historical Treaty of Waitangi claims. Secondly this strategy will outline the process by which the Ngāti Pāoa Trust will select and appoint negotiators to act on behalf of the Board in these negotiations.

The mandate is to be achieved through a fair, open and robust process, and that is recognised by Ngāti Pāoa and the Crown. This strategy is not for the purposes of describing specific details, part or full of the claim, nor of the settlement to be sought, as these are significant matters to be further discussed, negotiated and communicated directly between Ngāti Pāoa and the Crown through its negotiators.

The contents of this strategy are without prejudice, and should in no way disadvantage or jeopardise any claimant group nor be used as a reference for the process of negotiations or settlement. That is the right of each claimant group at the appropriate time, to disclose such information to the Crown themselves.

## ***1.2 Statement of Intent***

The intent of this strategy is to achieve a mandate that provides for the co-ordinated and collaborative approach of Ngāti Pāoa to settlement discussions with the Crown.

Specifically, the intention is to seek a mandate that authorises the Ngāti Pāoa Trust to enter into negotiations with the Crown, on behalf of Ngāti Pāoa regarding the settlement of the Ngāti Pāoa historical Treaty claims. Such a mandate will be subject to the structure and accountabilities as outlined later in this document.

The Ngāti Pāoa Trust will be undertaking hui a iwi at three locations and times during March 2011. Information on the mandate and voting process will be communicated at the hui a iwi. Ngāti Pāoa people will vote on the following resolution by show of hands. These hui will be facilitated by an independent person contracted for the purpose of providing objectivity to the process.

Resolutions:

*"That the Ngāti Pāoa Trust Board be the mandated authority of Ngāti Pāoa in negotiations with the Crown regarding the comprehensive settlement of Ngāti Pāoa historical Treaty claims"*

Following the endorsement of this mandated authority the Ngāti Pāoa Trust will convene a further hui a iwi to enable Ngāti Pāoa people to nominate and elect the two mandated negotiators to represent Ngāti Pāoa people in negotiations with the Crown.

## 2.0 BACKGROUND

### 2.1 *Ngāti Pāoa*

The ancestor Pāoa came from the central Waikato region and was a younger brother of the well-known Mahuta. He had a number of children by his first wife Tauhākari, but eventually left his home near Taupiri and moved to Hauraki. At Hauraki Pāoa married Tukutuku a granddaughter of Tamaterā, and they had two sons. Hence, over the years, Ngāti Pāoa have enjoyed relationships with both the Waikato and Hauraki peoples.<sup>1</sup>

Through Hauraki tribal connections the Ngāti Pāoa exercised exclusive and shared rangatiratanga over a substantial corridor of land and coastal margins, from Matakana and Katikati in the Tauranga Moana region to Matakana (near Liegh) in the north.

Through Waikato tribal connections Ngāti Pāoa exclusive and shared rangatiratanga from Te Hoe-o-Tainui westward to the Waikato river, Ngati Koura daughter of Pāoa to the south, northward to the Manukau harbour Tipa son of Pāoa to the west and into Tamaki Makaurau. Ngāti Pāoa also settled on a number of Hauraki islands including Waiheke. Until European contact, Ngāti Pāoa occupied most of the land from the Thames estuary, the Hūnua Ranges, east Tāmaki, Waiheke Island and the coast northward to Whangaparāoa.

Subsequent history was not kind to Ngāti Pāoa. Having once occupied some of the most strategic land holdings in the Auckland, northern and eastern Waikato and western Hauraki regions, Ngāti Pāoa were forced to seek refuge amongst kinsmen in the Waikato hinterland following the invasion by northern tribes in 1821. This warfare, combined with successive waves of epidemics and the land confiscations of the 1860s, conspired to seriously deplete the tribes influence over its former estate. Proximity to the European settlement in Auckland during the 1850s initially gave the tribe a commercial advantage in trade; however, this same proximity brought the tribe under enormous pressure to sell land. Consequently, by 1900, the tribe had been significantly impoverished. However, Ngāti Pāoa began to rally themselves to assert their existence as an independent iwi.

Various Waitangi Tribunal cases in the early 1980's marked the beginning of a lengthy struggle to reassert the mana of the iwi throughout its historical domain. In this respect, the tribe owes a substantial debt to the labours of a committed few, under the guidance of kaumatua Te Kaaho Andrews and kuia Hera Kahi, who were pillars of support in the rebuilding process. The tribe also acknowledges the selfless sacrifices of a handful of dedicated people including Hariata Gordon and Andy Andrews.

Following a landmark Maori Land Court hearing in 1994 and at the direction of the Maori Land Court Ngāti Pāoa did significant work on creating a single governing entity that would represent the interests of Ngāti Pāoa. That entity "The Ngāti Pāoa

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<sup>1</sup> Te Ahukaramū Charles Royal. 'Marutūahu tribes - Ngāti Maru and Ngāti Pāoa', Te Ara - the Encyclopedia of New Zealand, updated 4-Mar-09. URL: <http://www.TeAra.govt.nz/en/marutuahu-tribes/3>

Trust” was established in 2004 and the inaugural trustees were elected by postal ballot in November 2004.

The Ngāti Pāoa Trust received recognition by the Maori Land Court as the single governance representative entity for the Iwi of Ngāti Pāoa in 2009.

This mandate strategy outline the process by which the Ngāti Pāoa Trust proposes to seek and secure mandate from its people to enter into and complete negotiations with the Crown regarding the comprehensive settlement of Ngāti Pāoa historic Treaty claims.

## ***2.2 Claimant Definition***

The claimant group includes all individuals and whānau of Ngāti Pāoa that trace descent from their tūpuna Pāoa. Ngāti Pāoa acknowledge strong historical connections through whakapapa to other Hauraki, Waikato and Tamaki based iwi.

The detail of the claimant definition will be developed further over the course of negotiations.

### **Nga Hapu**

- Ngati Rauwhea/Rauhea
- Ngati Omakau
- Ngati Pare/Parengaherehere
- Ngati Raukura
- Waihina
- Ngati Rapu
- Te Hingawaka
- Te Mate Tokeroa
- Ngati Kahu
- Ngati Hura
- Ngati Huruhuru
- Te Uri o Haupa
- Ngati Ringatahi
- Ngati Te Hiko
- Ngati Tahuna
- Ngati Tipa
- Ngati Whata
- Ngati Rurangi
- Ngati Tarao
- Matekiwaho
- Ngati Te Aute
- Ngati Kauahi
- Ngamuri
- Te Uri Karaka
- Ngati Ngamuri
- Ngati Horowhenua
- Ngati Tuwhanga
- Te Rapupo
- Ngati Taharoku
- Ngati Wharetuoi
- Ngati Kohua
- Ngati Huia
- Ngati Te Aho
- Ngati Mahia
- Ngati Koura
- Te Rerekau

### **Nga Marae**

#### *Direct links*

- Wharekawa Marae at Whakatiwai, Kaiaua
- Raungaunu Marae at Waiti, Morrinsville
- Rangimarie Marae at Makomako, Miranda

#### *Associated links*

There are other marae that Ngāti Pāoa on the shared tribal estate that Ngāti Pāoa either whakapapa to or are acknowledged by the marae beneficiaries as one of the mana whenua Iwi

## **2.3 Rohe – Area of Interest**

### ***" Mai Matakana ki Matakana "***

The rohe of Ngāti Pāoa is spread across Mahurangi, Tamaki Makaurau, extending out into the islands of the Hauraki Gulf, Hunua, Hauraki ki Matakana.

### ***" Waikato Taniwharau he piko he taniwha "***

Ngāti Pāoa also has customary interests extending into the Waikato and beyond including Te Hoe O Tainui. This identifies the boundary between Hauraki and Waikato, From Tahuna to Taupiri where our eponymous ancestor Paoa resided at Kaitotehe at the eastern foot of Hakarimata. From there north along the river to Manukau Harbour which covers our whakapapa to Ngati Tipa.

Ngāti Pāoa acknowledges the overlaps with other iwi - Kaipara, Tamaki, Hauraki, Waikato and Tauranga Moana Iwi. In the greater Tamaki Makaurau settlement arena Iwi are collectivized into the Marutuahu, Wai O Hua and Ngati Whatua groupings that make up the Tamaki Collective.

## **2.4 Ngāti Pāoa WAI Claims**

The WAI references are clustered as Iwi generic claims or hapu claims. There may be other WAI references that are not yet included in this strategy. The inclusion of these claims in the settlement negotiations is subject to receiving approval through the mandating process outlined in this document.

The Claims and negotiations process will seek to settle, and therefore will include, but not be limited to:

- All historical claims which are made on the basis of Ngāti Pāoa whakapapa, whether registered or unregistered;
- Other claims lodged with the Waitangi Tribunal as far as they relate to Ngāti Pāoa, as listed below:

<b>Wai No.</b>	<b>Claim Title</b>	<b>Claimants</b>
Wai 72	Ngāti Pāoa	Hariata Gordon
Wai 100	Hauraki Claims	Huhurere Tukukino for and on behalf of Hauraki iwi and the Hauraki Maori Trust Board
Wai 808	Ngati Horowhenua	David James Peka Raumiria Mihiao Katipa
Wai 810	Waiheke Island Lands	Moana Te Aria Te Uri Karaka Te Waero
Wai 345	Ngati Tipa Hapuu of Ngāti Pāoa	Maude Moengarangi Rawiri Turiakotahi Julia Susan Rawiri

Wai 563	Wharekawa Pingao Estate claim	Andrew Anaru Andrews and others
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Wai Number	Claimant	Iwi	Claim
Wai 1530	Te Rina Hetaraka	Ngāi Tai, Ngāti Wai	Area of interest spread throughout the Hauraki rohe
Wai 1901	Wahiao Raymond James Gray	Thames area	Section 15B3 Block VIII Tairua survey district and the associated school site which is currently defined as section 5 Block VIII Tairua S.D.
Wai 1696	James Ponui Nicholls	Ngāti Whanaunga, Ngāti Maru, Ngāti Tamatera, Ngāti Paoa	Ngaromaki Block Trust in respect of Tararu land
Wai 1702	Teddy Andrews	Ngāti Pāoa	Matai Kapua and Mahurangi
Wai 1807	Tipa Compain	Ngāti Whanaunga, Ngāti Maru, Ngāti Tamatera, Ngāti Paoa	South Auckland-Franklin-Papakura-Manukau confiscations, Native Land Court, no reserves. Central Auckland, Native Land Court, no reserves. Mahurangi-North Shore-Rodney, no reserves. Tikapa moana and ngā motu, Native Land Court, no reserves.
Wai 1825	Deborah Kapa on behalf of Hetaraka Takapuna	Ngāti Pāoa	Clevedon, Kawakawa Bay, Maraetai, Tamaki Makaurau, Ihumatao, Orakei, Kaiaua, Hunua, Thames, Hauraki, Takapuna, Waiheke, Motutapu, Whangaparaoa, Otamatea, Kaipara, Piha, Muriwai, Waitakere and Whakanekeneke
Wai 1889	Teddy Andrews	Ngāti Pāoa	Mataikapua, Mahurangi and Pukorokoro
Wai 1891	James Ponui Nicholls	Ngāti Whanaunga, Ngāti Maru, Ngāti Tamatera, Ngāti Pāoa	Ngaromaki Block Trust
Wai 2007	Matin Mikaere and Toko Renata	Ngāti Pukenga, Ngāti Maru, Ngāti Whanaunga.	Not a land based claim. Education and Tikanga
Wai 2300	Korohere Ngapo	Descendants of Marutūahu ki Harataunga and Ngāti Tamaterā	Kennedy Bay/Harataunga
Wai 2298	Airini Tukerangi	on behalf of WT Nicholls whānau	Oamaru Bay, Koputauaki Bay, Oahuru Bay

		and estate	
Wai 2272	Hone Hawkins	Ngāti Tamaterā and Marutūahu confederation	Moehau district
Wai 2169	Matiu Hetaraka	Ngāti Pāoa, Ngāi Tai	Various areas throughout the Hauraki district (land blocks located within Ngāti Paoa rohe and are part of the South Auckland inquiry)
Wai 2080	Mary Rangitunoa Lawson-Nuri and Norman Carter on behalf of Emere Apanui Whanau Trust	Ngāti Maru	Rangitaiki Lot 28b No. 2E and any other blocks of land in which we and our tūpuna have interest.
Wai 2039	Ben Katipa	Ngāti Pāoa	Onepoto mountain- Port Waikato, Te Werenga Kapu
Wai 2037	David Te Rare	Ngāti Pū	Whangamata blocks 1 and 2 [and Carolyna Farms known as Simpson Block]
Wai 2035	Joseph Heta	Ngāti Naho and Te Paina Hapū	Not a specific area of land, rather the general land alienation and policies and practices of the Crown

## 3.0 MANDATED BODY

### *3.1 The Ngāti Pāoa Trust*

It is proposed that The Ngāti Pāoa Trust Board (“the Trust”) will be the mandated representative for Ngāti Pāoa in respect of the negotiations with the Crown. This proposed mandate is subject to accountabilities to hapu and whanau. The Trust is viewed as an appropriate entity as it:

- was established in 2004 as the single governing entity for Ngāti Pāoa.
- is the mandated iwi organisation for Ngāti Paoa pursuant to a Te Ture Whenua section 30 determination of Maori Land Court in November 2009 for the purposes of Local Government engagements and Resource Management matters;
- has sufficient capacity and resources to facilitate the negotiations process;
- is the only Ngāti Pāoa entity that has transparent election processes and accountabilities ;
- has credibility with the Crown and CFRT and the accounting processes to satisfy funding requirements;



### ***3.2 Replacement and appointment of Trustees to the Ngāti Pāoa Trust***

The process relating to the governance of the Ngāti Pāoa Trust including replacement and appointment of Trustees to the Trust is outlined in Part 3, section 17 of the Ngāti Pāoa Trust Deed. This Part of the Deed:

- requires the Trust to have ten Trustees elected by Ngāti Pāoa;
- explains how Trustees are elected;
- requires elections for Trustees to be held at least every four years (and within two years in the case of the first Trustees);
- puts restrictions on who can be a Trustee;
- describes certain circumstances in which a Trustee has to step down from the position of Trustee;
- sets out further principles which the Trustees have to comply with;
- requires the Trustees to produce a statement explaining how governance and management work in relation to the Trust;
- requires the Trustees to have a charter explaining who Ngāti Pāoa are, what their vision is and how they will resolve disputes relating to the Trust;
- requires the Trust to have a principal office; and
- refers to other, more detailed provisions in Schedule 1.

### ***3.3 Role of the mandated body***

The Trust will oversee the overall settlement process and ensure that negotiations are carried out in the most appropriate manner for the hapu and whanau of Ngāti Pāoa. In fulfilling this role, it is important to note that:

- the Trust does not have the authority to conclude, agree to or sign-off on any settlement with the Crown for Ngāti Pāoa whanui or any hapu. That authority rests with the hapu and whanau of Ngāti Pāoa who will exercise this authority through a vote on the settlement;

Furthermore, the role of the mandated entity does not mean that the Trust will be the recipient of any settlement assets. Decisions as to the post-settlement arrangements for the management of assets are matters to be decided by Ngāti Pāoa iwi. The Ngāti Pāoa settlement strategy will provide for an extensive consultation process on that issue. The Trust will also be responsible for:

- Providing support to the mandated negotiators elected by Ngāti Pāoa iwi.
- Guiding and making strategic governance decisions relating to the settlement process.
- Establishing the necessary sub-committees, project teams, negotiators and staff to undertake key tasks associated with the settlement process.
- Setting the criteria and skills required for these groups.
- Appointing, removing and replacing negotiators in consultation with Ngāti Pāoa iwi.
- Agreeing on the scope of the authority of the negotiations team.
- Establish a "Treaty Negotiation Strategic Plan" to achieve a fair, robust and enduring settlement.

- Accessing and maintaining support mechanisms and human resources that enhance the role of negotiators processes that ensure the achievement of a fair, robust and enduring settlement.
- Agreeing on the terms of negotiation with the Crown.
- Providing the managerial and administration hub and any funding (not covered by other sources) for the negotiations.
- Submit a draft deed of settlement to Ngāti Pāoa iwi for approval and completing the ratification process with Ngāti Pāoa iwi

### ***3.4 Meeting of the Ngāti Pāoa Mandated Negotiators***

#### **Commitment:**

The negotiators will be required to attend all meetings convened by the Tamaki and Hauraki Collectives and Marutuahu Iwi or other such sub group set up by those collectives.

#### **Iwi / Crown:**

Manage the interface with other Iwi, Crown representatives, Key Stakeholders.

#### **Reporting mechanisms;**

The Mandated Negotiators will coordinate weekly meetings with the treaty negotiations support team to transfer and translate the information received at the weekly treaty negotiations collectives. In collaboration with that treaty negotiations support team, carry out the negotiation in accordance with the "Treaty Negotiation Strategic Plan" that has been determined by The Ngāti Pāoa Trust via consultation and approval of the iwi of Ngāti Pāoa.

#### **Accountability:**

The negotiators will also be explicitly required to report and be present at the Ngāti Pāoa Trust Board meetings fortnightly.

In the event of not a non-attendance at any of the above the negotiators ensure

1. A substitute
2. Take prudent steps to ensure that Ngāti Pāoa will not be disadvantaged by the non-attendance.

### ***3.5 Operations***

All operations will be facilitated through the Treaty negotiations Team made up of the two mandated negotiators and a Treaty Settlement Adviser (Legal). The Negotiators will be directly accountability for reporting on progress, financial reporting, budgets, timelines and functional roles to the Board.

The Treaty Settlement Advisor (Legal) will oversee the administrative management of the claim and will be appointed to provide direct assistance to the Ngāti Pāoa Trust.

## **Appointment of the Negotiators**

The mandated treaty negotiators will be selected via hui a Iwi held on 30<sup>th</sup> April, 10am at Wharekawa Marae, Kaiaua.

### **Agenda:**

- Mihimihi/Karakia
- Update from the Trust Board on the Treaty settlement progress.
- Nominations will be called from the floor for those wanting to stand as negotiators
- Presentation from the nominees (5 mins only per nominee)
- Election of the 2 Negotiators

### **Voting:**

The process for electing the 2 negotiators will be as follows:  
Both the nominator and nominee must be:

1. Present at the hui and aged 18 years or older;
2. Whakapapa to Ngāti Pāoa;
3. Voting will be by show of hands, or secret ballot as agreed by those in attendance at the hui;
4. No proxy votes will be permitted.

The treaty negotiators are accountable to The Ngāti Pāoa Trust however their roles and responsibilities in regards to Crown recognition and legitimacy are distinct to that of the of The Ngāti Pāoa Trust.

For the purpose of Crown recognition the following resolution will be put to the Iwi for ratification.

### **Resolution:**

*"That the two elected persons be confirmed as the mandated negotiators to represent Ngāti Pāoa in negotiations with the Crown regarding the comprehensive settlement of Ngāti Pāoa historic Treaty claims."*

## **Replacement and Removal of the Negotiators**

The Ngāti Pāoa Trust will be responsible for developing and maintaining the operational relationship with the mandated negotiators including performance measures and the process for replacement and removal.

This process will be determined and published upon consultation with the negotiators Iwi and the Crown.

## **Dispute Resolution**

If a Ngāti Pāoa member has a concern regarding the representation of their interests during negotiations, they can inform the Ngāti Pāoa Trust Board in writing. The Ngāti Pāoa Trust would seek all relevant information required from the individual or group to ensure it has a clear understanding of the nature of their concern.

Once the information has been received, the Ngāti Pāoa Trust will then consider if the matter requires further action, and if so they will meet with individual/group in question and proceed into a dispute resolution process as outlined in the Ngāti Pāoa Trust Deed document.

There will also be provision for the views of Ngāti Pāoa iwi to be sought at hui a iwi. The views of Ngāti Pāoa must be taken into consideration when making decisions relating to the settlement and negotiation of Ngāti Pāoa claims.

### ***3.6 Decision Making, Accountability and Reporting***

Governance decisions shall take place at the Ngāti Pāoa Trust level. The Trust is responsible for ensuring that the Treaty Negotiations Team and the negotiators are fulfilling their roles and responsibilities. Negotiators will be appointed as part of this mandate strategy process.

The Treaty Negotiations Team is accountable to the iwi of Ngāti Pāoa through the Board and must report on progress regularly to the Trust Board members.

#### **Decision making processes**

The Ngāti Pāoa mandated negotiators will make decisions by way of consensus. In addition, the wider Ngāti Pāoa community can participate in the decision making process by attending and voting on resolutions put at the monthly hui-a-iwi.

#### **Reporting Process**

The mandated negotiators will report to the Ngāti Pāoa Trust and the people about the Treaty settlement negotiation and its progress, in a number of ways, including:

- Monthly hui a iwi;
- The convening of special hui a iwi, where deemed necessary
- Written monthly reports to the Ngāti Pāoa Trust
- Regular pānui/newsletter;

Website – [www.haurakicollective.maori.nz](http://www.haurakicollective.maori.nz) and/or [www.ngatipaoa.iwi.nz](http://www.ngatipaoa.iwi.nz);

#### **Responsibilities and Accountabilities of the Ngāti Paoa negotiators**

The negotiators will be recognised by the Ngati Pāoa Trust as responsible and accountable to Ngāti Pāoa in Treaty settlement negotiations, they will have the mandate and scope of authority to manage all aspects of settlement negotiations with the Crown. The Ngati Pāoa Trust will hold the mandate to act for the people of Ngati Pāoa and will delegate this authority to the negotiators to act on its behalf.

The negotiators will ultimately be responsible and accountable to Ngāti Pāoa via the Ngāti Paoa Trust. The Ngāti Pāoa Trust will provide resourcing for the team to support to the negotiators.

Responsibilities and accountabilities of the negotiators will include:

- Regular reporting to the Ngāti Pāoa people and Ngāti Pāoa Trust about the negotiation process;
- Approve and sign off on key negotiation milestones, including but not limited to:
- Mandate Strategy;
- Deed of Mandate;
- Agreements in Principle; and
- Deeds of Settlement;
- Presenting the initialled Deeds of Settlement for ratification to Ngāti Pāoa.

## **4.0 MANDATING PROCESS**

### ***4.1 Mandating Approach***

The Ngāti Pāoa Trust seek mandate authority of Ngāti Pāoa in negotiations with the Crown regarding the comprehensive settlement of Ngāti Pāoa historical Treaty claims from the Ngāti Pāoa people by undertaking a vote by show of hands at 3 hui a iwi held in the Hauraki, Tamaki and Waikato regions during the month of March 2011. The three separate hui a iwi conducted in three locations to cover the areas of greatest Ngāti Pāoa population. Information on the mandate and voting process provided to the iwi at these hui prior to the vote.

The overall mandate approach includes:

- Hui a iwi advertised and called
- Information on the mandate and voting process
- Resolution for mandate put to the floor
- Vote on the resolutions

The resolution for consideration at the mandate hui:

*"That the Ngāti Pāoa Trust Board be the mandated authority of Ngāti Pāoa in negotiations with the Crown regarding the comprehensive settlement of Ngāti Pāoa historical Treaty claims"*

### ***4.2 Mandating Process***

The mandating hui notified to members through:

- Ngāti Pāoa Trust meetings
- Marae meetings
- New Zealand Herald
- Waikato Times
- Dominion Post
- Hauraki Herald
- Manukau Courier

Notification placed in the newspaper media at least 21 days prior to each hui. The public notice clearly state the purpose of the hui. Specific mention will include

reference to the need to obtain mandate for the Ngāti Pāoa Trust and interim negotiators.

Until the mandated treaty negotiators are elected via hui a iwi the interim negotiators will continue negotiations with the Crown for the comprehensive settlement of all the historical Treaty of Waitangi claims for and on behalf of Ngāti Pāoa.

### ***4.3 Mandating Hui***

**Mandating hui will occur in the following locations:**

Date	Time	Venue
Sun, 13 March	10am	Wharekawa Marae - Corner East Coast Road and Rata Road Kaiaua
Tues, 15 March	6pm	Te Manukanuka a Hoturoa Marae, Uenuku Way, off Tom Pearce Drive Auckland Airport
Thur, 17 March	6pm	Te Runanga o Kirikiriroa Trust 59 Higgins Road, Hamilton

- Te Puni Kōkiri will be invited to attend the hui as Crown observers and provide an observer report which will be made available to Ngāti Pāoa and OTS. This is subject to the Official Information Act 1982 so could also be made available to others on request.

#### **Record Keeping**

- Copies of all advertisements, pānui and community notices must be kept.
- Registration forms shall be made readily available at all hui.
- A signed register of Attendance will be taken at every hui at records will be kept by the Ngāti Pāoa Trust for purposes of supplying evidence as required to the Crown.

### ***4.4 Standardised Presentation***

A standard and consistent presentation will be developed for these hui outlining the context and process of the mandate process. Members will have the opportunity to discuss the proposal with the Ngāti Pāoa Trust, and put any questions to members before a resolution affirming the mandate of the Mandated Representatives is sought.

All Information Hui will adopt a standardized approach which will clearly set out:

- The purpose of the hui
- A summary of the historical claims
- The settlement approach
- The mandate strategy and approach
- The proposed mandated representative
- The proposed negotiations structure and entities
- the mandate resolution

- the mandate voting process
- Further information

#### ***4.5 Voting on Resolutions & Eligibility***

- Voting on the resolution will be by a show of hands of eligible adult members of Ngāti Pāoa present at the hui. For consistency and clarity, there will not be a postal voting process, nor will proxy votes be included. These voting processes will be reaffirmed by the facilitator of the hui, including the eligibility of the voter.
- Members must be of legal voting age (18 years or older) to vote.
- An attendance register will be taken at each hui. Any dispute as to eligibility to vote will be resolved by the Ngāti Pāoa Trust Board and/or knowledgeable persons of the hapū.

#### ***4.6 Public Notice and Advertising***

All mandating hui will be advertised in the NZ Herald on 18 February 2011 as well as other pānui and marae communication processes used. Minutes will be taken and attendance registers will be available for all mandate hui. This supporting information will be attached to the Deed of Mandate.

#### ***4.7 Process of Debate and Discussion on Resolution***

At each hui, the opportunity will be provided for attendants to discuss and debate the mandate strategy and to provide feedback on improvements. This process will allow for fairness, openness and transparency.

At each hui:

- A facilitator will preside over each hui.
- Details of the mandate strategy will be presented at each hui.
- Any key issues raised will be discussed and the outcomes from those discussions will be resolved and minuted.
- The key resolution will be presented.
- Independent observers from TPK will be invited to attend the hui.
- An attendance registrar will be kept at each hui.
- At each hui, the iwi will be acknowledged and the views of their kaumatua, kuia and representatives will be considered within the scope of the mandate strategy.

#### ***4.8 Voting on Resolutions and Eligibility***

At each hui information about the voting process will be provided. In the information provided for voting, the following will apply:

- Members must be 18 years or older.
- Members are only eligible for one vote.
- No Proxy voting allowed
- Voting will be by show of hands of all eligible members present at the hui a iwi

#### ***4.9 Record Keeping***

The following record keeping will take place:

- Copies of all advertisements, panui and community notices will be kept.
- All hui will be accurately minuted.
- Registration forms, copies of the presentation and the mandate strategy will be made readily available at all hui.

#### ***4.10 Attendance Registrar***

A signed attendance registrar will be taken at every hui and records will be kept by the Trust for purposes of providing evidence as required by the Crown.

#### ***4.11 Communication with OTS and TPK***

Crown officials, responsible for negotiating settlements and monitoring the process will be continually and regularly updated as progress is made regarding the mandating process, negotiations and settlement.

#### ***4.12 Mandate Outcome***

The outcome from the mandate process will be formally reported on once the results have been finalised. It is proposed that the voting process will conclude by the end of April 2011 and the results will be available then.

### **5.0 THE DEED OF MANDATE**

Upon completion of the Mandate Hui, the Deed of Mandate will be written and supporting evidence collated according to the guidelines as set out by OTS and submitted to TPK and OTS for assessment, for recognition from the Minister for Treaty Negotiations and the Minister of Māori Affairs.

The Ngāti Pāoa may alter or amend the Deed of Mandate document, as required.



It is expected that information and mandating hui will be completed by Thursday 17 March 2011 and that a Deed of Mandate is expected to be submitted by no later than 31 May 2011.