



PATUKIRIKIRI

MANDATE STRATEGY

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Patukirikiri Mandate Strategy

1. Preamble

The Hauraki Collective was formed from the 12 iwi of Hauraki (as registered in the Hauraki Māori Trust Board Act 1988). Patukirikiri is one of these twelve Iwi.

The people of Patukirikiri mandated William Kapanga Peters and David Condon Williams as their interim negotiators, with Stewart Konui Peters as the tribe's alternative interim negotiator on Sunday the 29th November 2009 by 100% majority of those present. This mandate authority was to represent Patukirikiri tribal interests in the Hauraki, Tāmaki Makaurau and Kaipara regions in comprehensive Treaty of Waitangi settlement negotiations with the Crown.

Furthermore these interim negotiators also represent Patukirikiri tribal interests in the Tamaki Collective for negotiations concerning the Auckland and Mahurangi regions.

On the 1st October 2010, the Hauraki Collective Framework Agreement (“Framework Agreement”) was signed between the Crown and the twelve Iwi of the Hauraki Collective. The Framework Agreement outlines the process for ongoing negotiations. The Crown and the Hauraki Collective acknowledge in the Framework Agreement, that the ultimate structure of a Hauraki Treaty of Waitangi settlement is not yet agreed.

On the 6th March 2011, the target date of a duly notified and accountable mandating process, the people of Patukirikiri met and via formal resolution fully mandated William Kapanga Peters, David Condon Williams as full negotiators, and also mandated their legal entity Te Patukirikiri Iwi Incorporated (TPI) as the only legal entity to represent Patukirikiri tribal interests in the Hauraki, Tāmaki Makaurau and Kaipara regions in comprehensive Treaty of Waitangi settlement negotiations with the Crown.

2. Purpose of Mandate Strategy

The purpose of this strategy document is primarily to provide information and insight into the intentions and the process to be undertaken by Patukirikiri to obtain a mandate for William Peters and David Williams (“**Mandated Negotiators**”) to negotiate a Treaty of Waitangi settlement, on behalf of Patukirikiri. The mandate is to be achieved through a fair, open and robust process, and that is recognised by Patukirikiri and the Crown.

This strategy document 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 Patukirikiri and the Crown.

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.

3. Claimant Definition

The claimant group includes all individuals and whānau of Patukirikiri of the Hauraki and Auckland regions, which Auckland region includes parts of Mahurangi and Kaipara that trace descent from their tūpuna – Kapetaua.

However this Patukirikiri mandate strategy specifically relates to those descendants of Kapetaua principally down to the lines of *Pita Taurua*, *Makoare Te Pukeroa* and *Kapanga Te Arakuri*, and also include *Huihana Rangitua*, *Heraputea* and *Te Kanihi*. This will be refined and confirmed throughout the course of negotiations.

4. Claims to be settled

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 Patukirikiri whakapapa in the Hauraki and Auckland regions, whether registered or unregistered;
- Those claims understood to relate to Patukirikiri interests as listed below:

Wai No.	Claim Title	Claimants
Wai 811	Patukirikiri / Marutuahu Claim	William Peters & Te Warena Williams
Wai 100	Hauraki Comprehensive Claim	Hururere Tukukino, Heraputea Williams & Te Wiremu Nicholls
Wai 349	Hauraki Tribal Rohe Claim	Te Wiremu Mataia Nicholls
Wai 495	Marutuahu Tribal Lands	Mahuta Pitau Williams
Wai 720	Mahurangi-Omaha Claim (Hauraki Gulf)	Tamatehura Nicholls
Wai 728	Tikapa Moana Hauraki Gulf Marine Park	Toko Renata & HMTB

5. Area of Interest

Patukirikiri boundaries (rohe) are intermittent and encompass the area shown in the Map attached as Schedule 1¹ with further intermittent areas associated to the eastern portions of the Mahurangi district. It is acknowledged that there may be some overlapping areas of interest with other iwi in the Hauraki and Auckland regions and that Patukirikiri are part of the Hauraki Collective.

6. Responsibilities and Accountabilities of the Patukirikiri mandated negotiators

If the Mandated Negotiators are recognised by the Crown as fully mandated to represent Patukirikiri in Treaty settlement negotiation process, then they will have the

¹ Te Puni Kōkiri (Kāhui Māngai) Website - <http://www.tkm.govt.nz/>

mandate and scope of authority to manage all aspects of settlement negotiations with the Crown as they relate to Te Patukirikiri.

The Mandated Negotiators will ultimately be responsible and accountable to the people of Patukirikiri via their legal entity Te Patukirikiri Iwi Incorporated. Te Patukirikiri Iwi Incorporated will provide support to its Mandated Negotiators: William Peters and David Williams.

Responsibilities and accountabilities of the Mandated Negotiators will include:

- Regular reporting to the Patukirikiri people and Te Patukirikiri Iwi Incorporated about the negotiation process;
- Approve and sign off on key negotiation milestones, including but not limited to:
 - >Deed of Mandate;
 - >Agreements in Principle; and
 - >Deeds of Settlement;
- Presenting initialled 'Agreement in Principal' for ratification to and by Patukirikiri.
- Presenting initialled 'Deed of Settlement' for ratification by Patukirikiri.
- Regular financial reporting and accounts

Reporting processes for the Negotiators

The Mandated Negotiators will report to the people of Patukirikiri on a monthly basis or as otherwise required to present a progress report on Treaty settlement negotiations.

Replace, Removal and Appointment of Negotiators

Should two years from the date of the appointment of the mandated Negotiators lapse before a deed of settlement on behalf of Te Patukirikiri has been signed, the mandated Negotiators with the support of the Te Patukirikiri Iwi Incorporated will call hui ā-iwi to renew the term of the mandated Negotiators or replace them with new ones.

Should a mandated Negotiator resign or no longer be able to negotiate on behalf of Te Patukirikiri for any other reason, the remaining mandated Negotiators, with the support of the Rūnanga o Patukirikiri Iwi Inc, will call a hui ā-iwi to appoint a new Negotiator.

Should members of Te Patukirikiri be no longer satisfied with the performance of the mandated Negotiators and the dispute resolution process outlined below has not resolved the dissatisfaction, a member of Te Patukirikiri may apply in writing to the mandated Negotiators to call a hui ā-iwi to replace a mandated Negotiator by vote provided such application is accompanied by 20 signatures of other members of Te Patukirikiri.

7. Meeting of the Mandated Negotiators

The Mandated Negotiators will meet regularly, including at Hauraki Collective and Tāmaki Collective hui, as well as with their legal entity Te Patukirikiri Iwi Incorporated.

8. Reporting Process

The Mandated Negotiators will report to the Patukirikiri people regarding the Treaty settlement negotiation and its progress, in a number of ways, including:

- Monthly hui
- Regular pānui/newsletter;
- Website www.haurakicollective.maori.nz

9. Decision making processes

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

10. Dispute Resolution

If a Patukirikiri individual, or group, has a concern regarding the representation of their interests during negotiations, they can inform Te Patukirikiri Iwi Incorporated in writing. Te Patukirikiri Iwi Incorporated would seek all relevant information required from the group to ensure it has a clear understanding of the nature of their concern.

Once the information has been received, Te Patukirikiri Iwi Incorporated will then consider if the matter requires further action and if so they will meet with the individual or group in question and proceed into a dispute resolution process.

The dispute resolution process will include facilitation and/or hui ā-iwi depending on the nature of the issue.

11. Information or Pre-mandate Strategy/Hui/Communications

The Mandated Negotiators understand that mandating processes involve a tripartite relationship to achieve a successful Deed of Mandate. In that respect they will undertake to work effectively with the Office of Treaty Settlements and Te Puni Kōkiri in the delivery of a Patukirikiri Deed of Mandate and that these efforts will be reciprocated by the parties.

12. Mandating Process

All mandating hui will be notified to members through:

- Patukirikiri meetings
- Email lists

- Newspapers (Hauraki Herald, Waikato Times and NZ Herald)

The public notice will clearly state the purpose of the hui. Specific mention will include reference to the need to obtain mandate for the Mandated Negotiators to continue negotiations with the Crown for the comprehensive settlement of all the historical Treaty of Waitangi claims for and on behalf of Te Patukirikiri.

13. Mandating Hui

The Mandated Negotiators will be holding publicly notified mandating hui in Coromandel. The Mandated Negotiators will be seeking the mandate from the Patukirikiri people to continue negotiations with the Crown regarding the comprehensive settlement of all Patukirikiri historical Treaty claims against the Crown.

- The mandating hui has been advertised in the following manner; with 9 pānui placed in 3 newspapers over a period of 3 weeks.

Day	Date	Media Pānui
Monday	7 th	1. NZ Herald, 2. Hauraki Herald 3. Waikato Times
Monday	14 th	4. NZ Herald, 5. Hauraki Herald 6. Waikato Times
Monday	21 st	7. NZ Herald, 8. Hauraki Herald 9. Waikato Times

Refer: Schedule 2 for actual pānui

- Normal regular pānui and communication processes will continue as programmed by Patukirikiri. Minutes will be taken and attendance registers will be available for all mandate hui.
- This supporting information has been attached to the Deed of Mandate.
- Mandating hui will occur at the following location:

Location	Venue	Date / Time
Sun, 6 March	10 am	The Old Coromandel Hospital - 1740 Rings Road, Coromandel

- A standard and consistent presentation will be developed for Patukirikiri at these hui outlining the context and process of the mandate process. Patukirikiri people will

have the opportunity to discuss the proposal with the Mandated Representatives, and put any questions to members before a resolution confirming the mandate of the Mandated Representatives is sought.

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

14. Voting on Resolutions & Eligibility

- Voting on the resolution will be by a show of hands of eligible adult members of Patukirikiri 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. Eligibility will be checked by persons knowledgeable of Te Patukirkiri whakapapa. Any dispute as to eligibility to vote will be resolved by Te Patukirikiri Iwi Incorporated.

The following resolution will be put to the hui:

1. *"That Te Patukirikiri Iwi Incorporated are mandated to represent Te Patukirikiri in comprehensive negotiations to settle Te Patukirikiri's historical Treaty of Waitangi claims."*
2. *"That Te Patukirikiri confirm David Williams and William Peters as the negotiators for Te Patukirikiri."*

Record Keeping

- Copies of all advertisements, pānui and community notices must be kept.
- Registrations shall be made readily available at all Patukirikiri hui.

Register of Attendance

- A Register of Attendance will be taken at the hui and will be kept by Te Patukirikiri Iwi Incorporated.

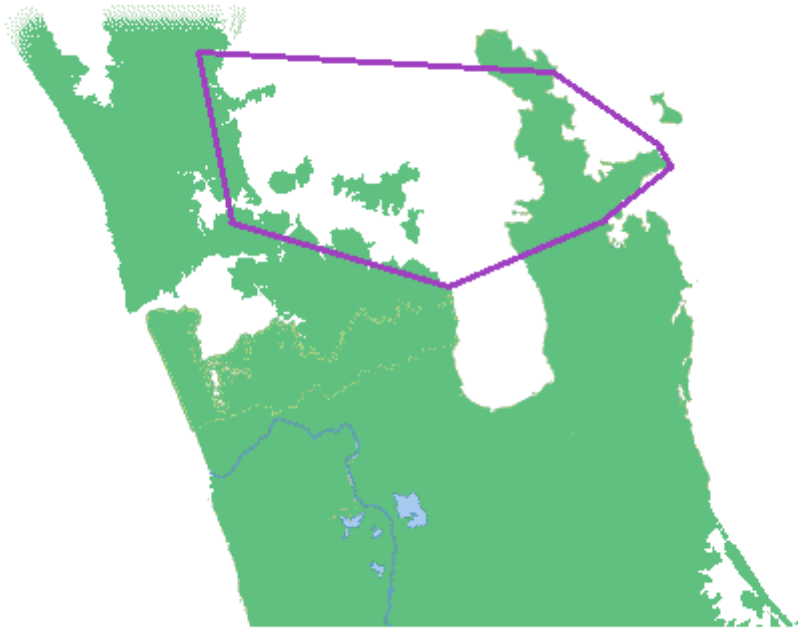
15. The Deed of Mandate

- Upon completion of the Mandate Hui on the 6th March 2011, the Deed of Mandate will be amended if required with 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.

16. Alterations to the Deed of Mandate

- The Mandated Negotiators may alter or amend the Deed of Mandate document, as required.

SCHEDULE ONE – MAP OF AREA



SCHEDULE TWO – COPIES OF LATEST MANDATE PĀNUI

HAURAKI HERALD	NZ HERALD	WAIKATO TIMES
<p>New Zealand - Hauraki Herald - Calendar - 1 Mar.</p> <p>Te Patukirikiri Treaty Settlement Negotiations – Mandate Hui</p> <p>The people of Patukirikiri mandated two interim negotiators on the 29th November 2009 to represent their overall tribal interests in the Auckland and Hauraki regions in comprehensive Treaty of Waitangi settlement negotiations with the Crown. A further mandating hui-a-iwi is required to fully mandate negotiators, and also their legal entity 'Te Patukirikiri Iwi Incorporated' to proceed with the settlement negotiation process with the Crown.</p> <p>The hui will also seek to inform beneficiaries and to answer questions on the Treaty negotiations progress.</p> <p>Hui Details: A mandate hui has been scheduled to take place at 10 am on Sunday 6 March, at the old Coromandel Hospital, 1740 Rings Road, Coromandel.</p> <p>Agenda:</p> <ul style="list-style-type: none"> • Mihimihi / Karakia • Presentation of Treaty negotiations progress and mandate proposal • Question and Answers • Voting on resolutions • Karakia whakamutunga <p>Voting: Eligible voters include all persons 18 years or older of Te Patukirikiri descent only from the Hauraki and Auckland branches of this tribe. Voting will be by show of hands at the hui. No proxy votes will be permitted.</p> <p>Resolutions:</p> <ol style="list-style-type: none"> 1. That Te Patukirikiri Iwi Incorporated are mandated to represent Te Patukirikiri in comprehensive negotiations to settle Te Patukirikiri's historical Treaty of Waitangi claims. 2. That Te Patukirikiri confirm David Williams and William Peters as the negotiators for Te Patukirikiri. <p>For further information contact: William Peters william@patukirikiri.iwi.nz or David Williams david@patukirikiri.iwi.nz</p>	<p>2011 - Table of Contents - B11 CLASSIFIED INDEX CL</p> <p>NZ Herald ★ Monday, February 28, 2011 B11</p> <p>PUBLIC NOTICES PUBLIC NOTICES</p> <p>Te Patukirikiri Treaty Settlement Negotiations – Mandate Hui</p> <p>The people of Patukirikiri mandated two interim negotiators on the 29th November 2009 to represent their overall tribal interests in the Auckland and Hauraki regions in comprehensive Treaty of Waitangi settlement negotiations with the Crown. 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