****

**Te Mana o Ngāti Rangitihi Trust**

**MANDATING STRATEGY**

**April 2013**

**Prepared by: Te Mana o Ngāti Rangitihi Trust**

**E ngāi mātāpuputu, e ngāi mātātahi, e ngā whakareanga o Te iti o Ngāti Rangitihi,**

**tēnā koutou.**

**Ō tātou tini mate e tiraha mai nā ki ngā Marae huri i te motu,**

**hoki atu koutou ki Hawaiki nui, ki Hawaiki roa, ki Hawaiki pā mamao.**

**Kia ea rāno te kōrero ko te hunga mate ki te hunga mate, ko tātou te hunga ora ki a tātou,**

**tēnā tātou katoa.**

**ora ki a tātou,**

**tēnā tātou katoa.**

**Table of Contents**

|  |  |
| --- | --- |
| Preamble | 3 |
| Goal | 4 |
| The Claimant Group | 5 |
| Wai Claims | 8 |
| The Claim Area | 9 |
| The Mandated Body | 11 |
| Responsibilities of the Mandated Body | 15 |
| NegotiatorsDispute Resolution | 1617 |
| Mandating Process | 20 |
|  |  |

## Appendices:

|  |  |
| --- | --- |
| Appendix A: Ngāti Rangitihi Rohe - Area of Interest | 25 |
| Appendix B: Trustee Profiles | 26 |
| Appendix C TMoNRT Team for Comprehensive Settlement | 27 |
| Appendix D: Communications Strategy | 28 |
| Appendix E: Example of Mandating Hui Advertisement | 32 |

1. **PREAMBLE**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

By 1880 the Ngāti Rangitihi tribal estate extended from its principal settlements at Matatā down to Tarawera in the south, to lands adjoining these settlements and to other settlements situated along Te Awa o Te Atua and Rangitaiki Rivers. Ngāti Rangitihi dominated the lands to the east of Lake Tarawera which encompassed Rotomahana and Rerewhaakaitu.

The Ngāti Rangitihi traditional rōhe can therefore be described as a vast estate with many natural resources. This rōhe was shared with other iwi and hapū but maintained its own distinctness.

The principal features of the iwi’s customary land tenure are:

* 1. the tribal estate was communally held
  2. the boundaries of the tribal estate were in large part determined by geographical features such as their kāinga, their rivers and mountains
  3. the tribal estate was ordered in terms of material, cultural and spiritual significance and their own tikanga to ensure sustainability by way of:
     + Kaitiakitanga
     + Rahui
     + Tapu

All authority and decision-making processes pertaining to their lands and resources were conducted according to Ngāti Rangitihi tikanga via the authority of the tribal rangatira.

Tragically, the imposition of a foreign land tenure system via acts and legislation destroyed tribal land tikanga and rangatira authority by redefining the tribe’s estate and replacing traditional decision-making.

We, the members of the Te Mana o Ngāti Rangitihi Trust (TMoNRT), believe that it is now time to enter into direct negotiations with the Crown. We seek settlement of all Treaty of Waitangi historical claims, to enable Ngati Rangitihi descendants to flourish in perpetuity supported by their unique self-determining capabilities.

1. **GOAL**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**2.1 Achieve a Mandate**

The goal of this mandate strategy is to achieve a mandate that authorises the TMoNRT on behalf of Ngāti Rangitihi, to enter into negotiations with the Crown regarding all historical Ngāti Rangitihi claims.

TMoNRT will be undertaking mandating hui in six regions. Attendees will be able to vote on the resolution set out in section 10.1.1. Registered iwi can also vote in the postal/internet ballot which will be held before, during and after the six hui.

* 1. **Limits to the Mandate**

The limits of the mandate are:

1. TMoNRT will not be able to sign a Deed of Settlement until a Crown approved ratification process has been completed. The ratification process will provide the Ngāti Rangitihi Claims community with the opportunity to approve the settlement redress that has been negotiated by the mandated representatives and the Crown.
2. The mandate to enter into direct negotiations with the Crown may be amended or withdrawn from TMoNRT or its mandated representatives as set out in section 9.

**3**. **THE CLAIMANT GROUP**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* 1. **Eponymous Ancestors**

Ngāti Rangitihi descended from the eponymous ancestor Rangitihi who was the great great grandson of Tamatekapua, the commander of Te Arawa waka. Rangitihi was born at Maketu and lived there and inland with his family.

Rangitihi was the great-grandson of Kahumatamomoe, a son of Tamatekapua and, along with Ngatoroirangi, Ihenga, and others, one of the early explorers of the Rotoiti lakes district after the landing of Te Arawa waka. The importance of Rangitihi to Te Arawa is represented in the Pouhake o Te Arawa, the two carved pou or flagpoles that stand beside Tupuna Whare central to Te Arawa identity - Rangiaohia at Matatā and Tamatekapua at Ohinemutu.

Rangitihi is well-known as the progenitor for many Te Arawa iwi through his children and grandchildren. This is reinforced by the proverb:

**Ngā pūmanawa e waru o Te Arawa**

The eight beating hearts of Te Arawa

Of the many lines of descent from Rangitihi’s eight children to the iwi of Te Arawa, a principal line for Ngāti Rangitihi come from his third child, Rangiaohia. Two other sons of Rangitihi are also important ancestors for Ngāti Rangitihi - Apumoana and Rakeiao. Iwi tradition is that Rangiaohia was a tohunga who, together with his brother Rātōrua, challenged Rangitihi and thus avoided being made a supplicant to Tuhourangi who, despite being the youngest son, had emerged as a favourite of Rangitihi.

Rangitihi had eight children – Rātōrua; Tauruao; Rangiwhakaekeau; Rangiaohia; Rākeiao; Kawatapuarangi; Apumoana and Tuhourangi. Of Rangitihi’s eight children – Rangiaohia, Apumoana and Rakeiao are significant to the uri of Ngāti Rangitihi. Rangiaohia had several children, but those best known are the three borne by his wife Rakauheketara (she is remembered in the name of the whare kai at Ngāti Rangitihi’s Matatā marae). Rangiaohia’s son, Mahi, married Apumoana’s daughter, Rangitihikahira, and from this marriage came six children who are the common tupuna of Ngāti Rangitihi.

**3.2 Definition of Claimant Group**

1. The Claimant Group consists of those members of Ngāti Rangitihi who, by whakapapa, legal adoption or whangai arrangement can claim descent from the tupuna Rangiaohia and Apumoana, through the tupuna Mahi and Rangitihikahira; and from the tupuna Rakeiao.
2. Ngāti Rangitihi are those persons whose claims would be settled as a consequence of negotiations with the Crown and who would be eligible to become beneficiaries of any settlement with the Crown.

**3.3 Hapū of Ngāti Rangitihi**

The principal hapū of Ngāti Rangitihi are:

­

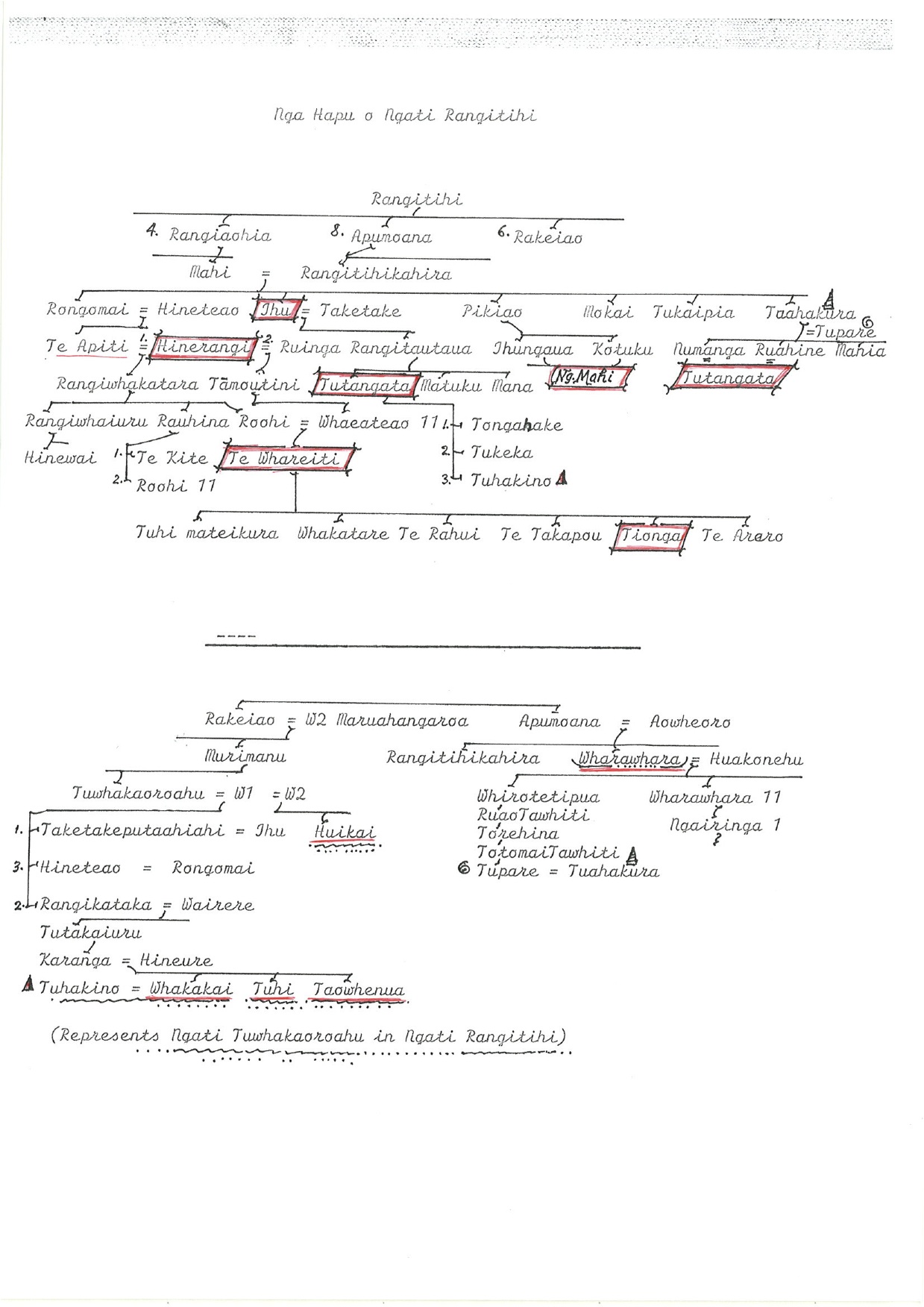
* Ngāti Hinerangi
* Ngāti Ihu
* Ngāti Pikiao o Mahi
* Ngāti Te Whareiti
* Ngāti Tionga
* Ngāti Tutangata

Refer to the whakapapa on page 7 provided by Te Mana o Ngāti Rangitihi Trust.

**3.4 Contemporary Marae**

Today, Ngāti Rangitihi has one marae situated in Matatā. comprising:

* Ko Rangitihi tō mātou Marae
* Ko Rangiaohia tō mātou Whare Tupuna
* Ko Rakauheketara tō mātou Whare Manaaki.



**4. WAI CLAIMS**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**4.1 Historical Treaty of Waitangi (Wai) Claims**

|  |  |
| --- | --- |
| **Wai No** | **Claim Title** |
| Wai 7 | Te Ariki Lands Trust |
| Wai 872 | Land at Pokohu Tarawera Valley |
| Wai 319 | Kaingaroa Forest |
| Wai 524 | Ruawahia |
| Wai 996  Wai 1375 | Return of Central North Island Lands (geothermal reserves)  Return of Lake Tarawera & reserves of land and coast |
| Wai 1211 | Ngāti Mahi o Ngāti Rangitihi |
| Wai 1111,Wai 1116  Wai 1117,Wai 1118,  Wai 1119,Wai 1120  Wai 1125,Wai 1135 | BOP Rivers & Pollution and other claims |
| Wai 1125 | Taonga & Artefacts |
| Wai 1358 | Alienations of Lands of Rangitihi |
| Wai 1452 | Central North Island |
| Wai 1882 | Ngāti Rangitihi Taonga |
| Wai 1420 | Te Awa o Te Atua |
| Wai 1486 | Alienation of Ngāti Rangitihi from their lands |
| Wai 1989 | Moengaroa of Ngāti Rangitihi Hapū |

**5. THE CLAIM AREA**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

* 1. **Description**

The claim area lies within a line that runs from where the Rangitaiki River flows out to the sea (where Thornton is today), up the coast (17 miles west) to Otamarakau and then inland from Otamarakau to Lake Rotoehu. It takes in the whole of Lake Rotoma, runs across to Lake Tarawera and south as far as Rainbow Mountain. From there it runs east to include Pokohu and the western third of the Matahina block and then north, along the course of the Rangitaiki River out to the coast *(refer Appendix A for Ngāti Rangitihi - Area of Interest).*

**5.2 Traditional Claim Area – Ngāti Rangitihi**

The ancestral, traditional, customary and contemporary interests of Ngāti Rangitihi cover a large area of water and land. In the north-west the interests relate to the birth place of Rangitihi and where he lived and raised a family. This area is also important as the arrival place and residence of the sacred Te Arawa waka. Rangitihi and his family grew and as such spread their interests to the inland lakes including Lake Tarawera where with Tuhourangi and other Te Arawa iwi resided for hundreds of years, building complex relationships and resource use systems.

From Lake Tarawera and surrounds, the expansion of Ngāti Rangitihi whanau and hapū was inevitable and natural growth saw Ngati Rangitihi occupying and sustaining them on the Tarawera River. This gave the iwi access to the coastal areas, inland use of the wide open spaces of the Kaingaroa plains and settlements and resource areas across streams, wetlands, and bush areas from the Paeroa range in the south-west, south to specific places on the Waikato River and east to the Rangitaiki River and beyond.

The traditional estate of Ngāti Rangitihi encompasses many land blocks within these areas.

**5.3 Overlapping Claimant Interests**

Ngāti Rangitihi’s territory was bordered by a number of different iwi. Consequently Ngāti Rangitihi at various times formed alliances with their neighbours and were prominent players in the most significant battles Te Arawa fought against foreign invaders. Ngāti Rangitihi was involved in a number of conflicts involving not only their non-Te Arawa neighbors but also their whanaunga from within the confederation.

Within this claim, Ngāti Rangitihi identified the following possible claimants who may have overlapping customary interests:

* Ngāti Tūwharetoa
* Ngai Tūhoe
* Ngāti Rangiwewehi
* Tapuika
* Waitaha

Ngāti Rangitihi will meet with these iwi listed above to discuss overlapping interests and then find a pathway forward, holding hui kanohi ki te kanohi, Rangatira ki te Rangatira.

Ngāti Rangitihi will commence these hui on confirmation of mandate and will aim to resolving these issues to the satisfaction of all interested parties including, the Crown.

Iwi that have settled their claims with the Crown and which may have an interest include:

* Ngāti Awa
* Ngāti Tuwharetoa ki Kawerau
* Ngāti Pikiao
* Tahu-Whaoa
* Ngāti Tarawhai
* Tuhourangi
* Ngāti Makino
* Ngāti Manawa
* Ngāti Whare

With Ngāti Rangitihi being a member of the Central North Island (CNI) Forest Collective we have met regularly with the some of the above-named iwi representatives including Te Pumautanga o Te Arawa to which some of these iwi affiliate. We have recently extended the Mana Whenua allocation process out to 1 July 2013 and have recommenced hui reviewing this process.

Therefore, we can envisage a natural progression into overlapping iwi interests and will hui kanohi ki te kanohi, Rangitira ki te Rangitira tikanga.

As part of settlement negotiations with the Crown, TMoNRT will discuss any overlapping claim issues that may arise during negotiations with the Crown, ensuring an open and transparent process. Should the need arise throughout the overlapping iwi hui process; a facilitator may be recruited to ensure all concerned are heard and have a right of reply.

Ngāti Rangitihi will honour a commitment of quarterly reporting to the Crown on their engagement with overlapping claimants throughout the negotiations process.

Ngāti Rangitihi are aware that the satisfactory resolution of overlapping claimas will be required prior to initialing a deed of settlement with the Crown.

**6. THE MANDATED BODY**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

* 1. **TMoNRT as Mandating Body**

TMoNRT is the body seeking the mandate from its registered adult iwi members to enter into negotiations with the Crown for a comprehensive settlement of all historical Treaty of Waitangi claims. As at February 2013 there were 3908 registered beneficiaries on the TMoNRT database - Te Pae Pai Tawhiti, of whom 2538 are aged 18 years or over.

* 1. **TMoNRT - a Post Settlement Governance Entity for the CNI Settlement**

TMoNRT is the Crown-approved Post Settlement Governance Entity (PSGE) for Ngāti Rangitihi in respect of the CNI Forestry Settlement. It holds the Treaty Settlement assets and monies received from the Crown relating to the CNI settlement on trust for all of the beneficiaries (registered or unregistered). The historical CNI forest land claims are based on historical breaches of the Treaty of Waitangi by the Crown and the desire of those iwi to secure the return of that land and to achieve an enduring settlement of those claims.

The CNI Forest Land Collective Act 2008 came into force on 29 September 2008 and gave legislative effect to the Settlement Act of CNI Deed of Settlement.

Ngāti Rangitihi did not sign the Deed of Settlement on 25 June 2008 as the authorisation process had not been completed. Ngāti Rangitihi signed the Deed of Settlement on 4 November 2008 recording their membership to the CNI Collective and them as being party to the Deed of Settlement, The Central North Island Iwi Forest Settlement Act was amended on 31 December 2008.

Terms of this Deed were approved by a ballot of Ngāti Rangitihi registered beneficiaries held between the 25 May and 17 June 2009. Seven (7) trustees were duly elected.

If TMoNRT seeks to be the PSGE for Ngāti Rangitihi’s Comprehensive Treaty settlement, Te Mana o Ngāti Rangitihi’s Trust Deed will require review against the Crown’s 20 questions to ensure that it is an appropriate entity and capable of receiving settlement assets from the Crown. Further it will be required to be ratified by Ngati Rangitihi as the PSGE for their Comprehensive Treaty settlement.

* 1. **TMoNRT Governance**

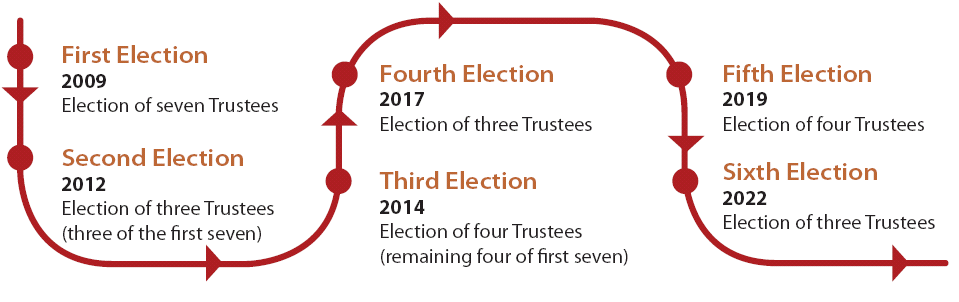
**6.3.1 Eligibility for Election as Trustee**

To be elected as a Trustee a person must, at the closing date for nominations, be recorded on the TMoNRT database as a descendant aged 18 years and over at their last birthday and be a resident in New Zealand.

Each Trustee accepts the duties, obligations and liabilities attaching to the office of Trustee under the Deed when he or she signs the nomination form for election as Trustee.

**6.3.2 Elections of Trustees**

The Trustees are elected in accordance with the rules and procedures set out in the Second Schedule of the TMoNRT Trust Deed.



The diagram above illustrates TMoNRT’s election cycle starting from its first election in 2009 right up until 2022. Our seven inaugural Trustees have been elected for a maximum term of five years.

The Trust Deed stipulates that the effective governance of the TMoNRT will be best achieved by the rotation of approximately half the Trustees every three years.

Accordingly the second election was held in 2012 at which time three of the seven Trustees were retired by rotation, restood for re-election and were re-elected to serve for a second.   
  
The third election will be held two years later in 2014 when the remaining four first Trustees will retire by rotation. If any of the first three Trustees have been re-elected for a second term, they will also be required to retire as they would have reached their maximum five year term for an inaugural trustee.   
  
The cycle of retirement rotation and elections will continue with further elections being held in 2017, 2019 and 2022.   
  
The maximum term for any Trustee is 10 consecutive years.

**6.3.3 Removal of Trustees**

Trustees can be removed in accordance with the rules and procedures set out in the Second Schedule of the TMoNRT Trust Deed. A person shall cease to be a Trustee if the Trustee:

1. resigns or retires by giving at least 30 days’ written notice to the Secretary;
2. dies;
3. ceases to be eligible to be a Trustee under 4.7 of the Trust Deed;
4. is absent without leave from three (3) consecutive ordinary meetings of the Trustees without good reason or without the permission of the Chairperson;
5. is absent from New Zealand for a period of three months without obtaining leave of absence from the other Trustees;
6. fails to attend a meeting of Trustees for a period of six months;
7. becomes physically or mentally incapacitated to the extent that he or she is unable to perform the duties of a Trustee; and
8. is removed by a Special Resolution of all other Trustees if, in the opinion of those other Trustees, the Trustee has breached any of the collective or individual duties of the Trustees or in some other way, the continuation in office of the Trustee so removed is not in the best interests of the Trust.

**6.3.4 Trustee Responsibilities**

Trustee responsibilities include:

1. ensuring compliance with the statutory duties and obligations as set out in the Trustees Act 1956;
2. receiving settlement assets on behalf of the claimant group;
3. prudent governance of the TMoNRT on behalf of the members of the tribe and in accordance with the Trust Deed;
4. ensuring the benefits of any assets or settlement grows for the future generations of Ngāti Rangitihi;
5. overall governance of the Group;
6. appointment and removal of Directors and Trustees on the Governance of the subsidiary entities;
7. ownership and sole shareholder of the subsidiaries on behalf of its constituent iwi members as listed on the Iwi Register; and
8. appointment and removal of Trustees of the Charitable Trust.

**6.3.5 Current Trustees**

There are currently seven Trustees *(refer Appendix B)*  who have been elected in accordance with the rules and procedures set out in the Second Schedule of the Trust Deed They are:

* Graham Henry Pryor
* Stephen Tiipene Perenara Marr
* Catherine Moana Dewes
* Martin Marr
* Kenneth Lawrence Te Ianga Raureti.
* Harina Warbrick
* Merepeka Raukawa-Tait

**6.3.6 Kahui Kaumatua**

The Kahui Kaumatua Committee was established pursuant to clause 11.1 of the Trust Deed

The primary role is:

1. to determine in respect of any application by any person who wishes to be a registered member, that the person descends by whakapapa from Ngā uri o Rangiaohia or is Whangai of an iwi member;
2. to protect the mauri of Ngāti Rangitihi; and
3. provide advice to the Te Mana o Ngāti Rangitihi Trust on matters relating to tikanga, kawa, waiata, reo and iwi whakapapa, history, customary practices, waahi tapu boundaries.

A person ceases to be a member of the Kahui Kaumatua Committee when he or she:

1. resigns or retires by written notice to the Trustees;
2. dies; and
3. refuses or is unable to act in his or her capacity as a member of the Kahui Kaumatua Committee and is removed by Ordinary Resolution of the Trustees.

**6.3.7 Management Team**

The Trustees will be supported throughout the mandating process by TMoNRT staff appointed to the project *(refer Appendix C for details on personnel).*

**7. RESPONSIBILITIES OF THE MANDATED BODY**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**7.1 TMoNRT’s Role in Negotiations**

TMoNRT is ultimately responsible and accountable to the Ngāti Rangitihi iwi. All negotiators appointed by the Board of Trustees will be responsible to the Board.

The Board of Trustees will meet six times per year and can call special meetings in accordance with the Trust Deed as required.

The role and responsibilities of TMoNRT as a mandated body in the comprehensive settlement negotiations will include:

1. Regular reporting on the negotiations process to stakeholders (refer section 7.2);
2. The production of regular financial accounts in accordance with the Trust Deed. TMoNRT will act in a prudent and diligent manner in dealing with all finances, including OTS funding;
3. Appointing external negotiators to the negotiating team and appoint a Lead Negotiator if deemed necessary;
4. Engaging (and removing) specialist advisers;
5. Constant review of the negotiating team and advisers;
6. Approving and signing off key negotiation milestones; and
7. Presenting the initialed Deed of Settlement and the proposed PSGE to the Ngāti Rangithi people for ratification.

**7.2 Communicating on Negotiations**

TMoNRT will communicate with Ngāti Rangitihi iwi on the negotiation progress in a number of ways *(refer Appendix D – Communications Strategy).*

1. Report at Annual General Meetings;
2. Report at hui-a-iwi – there will be one additional hui-a-iwi held between AGM’s;
3. Updates in the bi-monthly newsletter;
4. Updates on the web site in a dedicated section on Treaty Settlements. This will be done on a bi-monthly basis;
5. Panui sent by email where information needs to be communicated immediately; and
6. Respond to correspondence from iwi members.

**8. NEGOTIATORS**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

* 1. **Role of the Negotiating Team**

The Negotiating Team will be responsible for engaging in day-to-day negotiations with Crown officials. The Negotiating Team will have the flexibility to be able to draw in specialist expertise from within the iwi, and from external advisors as required at key stages in the negotiations.

The negotiators are fully accountable to the Trust. The negotiators will make all their decisions by consensus and report these for approval to the bi-monthly TMoNRT Board of Trustees meetings or special meetings of Trustees as required.

Trustees will provide direction and advice to the negotiators and, as described in the previous section – section 7.2 – assure the progress is communicated effectively to the wider iwi.

**8.2 Appointment and Removal of Negotiators**

Appointment of the Negotiation Team will be by majority resolution of the Trustees at a bi-monthly TMoNRT Board of Trustees meeting.

Criteria for appointment of negotiators will be:

* Whakapapa;
* Skills & expertise; and
* Diplomacy

### Removal of individual negotiators from the Negotiation Team may occur in the following circumstances:

### Resignation of a negotiator;

### Death of a negotiator; and

### By majority resolution of the Trustees at a Special Meeting convened for that purpose.

Where a negotiator has been removed, the TMoNRT Board of Trustees will inform the claimant community through a range of communication channels, including:

1. Updates in the bi-monthly newsletter;
2. Updates on the web site in a dedicated section on Treaty Settlements. This will occur on a

bi-monthly basis; and

1. Panui sent by email where information needs to be communicated immediately.

**9. DISPUTE RESOLUTION**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**9.1 Dispute Resolution Process**

1. A letter shall be written by the claimant community or iwi representative seeking a meeting with the Chairperson of TMoNRT and identifying the concerns
2. The Chairperson shall acknowledge receipt of the correspondence within 24 hours and contact the author to arrange a meeting with the Board of the TMoNRT
3. The Chairperson shall convene a meeting of the Board of the TMoNRT and Kahui Kaumatua
4. At the meeting the claimant community representative or hapū representative shall have the opportunity to raise their concerns:
5. Agreed actions to address concerns shall be documented
6. Where the meeting is unable to reach agreement then the TMoNRT shall call a Special Hui-a-Iwi of the claimant community to resolve the matter
7. Decisions at the special hui shall be by consensus and final.

**9.2** **Withdrawal of Mandate from TMoNRT by whole of the Ngāti Rangitihi claimant community**

The mandate can be withdrawn from TMoNRT if the mandated group no longer enjoys the support of the claimant community.

Prior to the withdrawal of the mandate or mandated representatives the following dispute resolution process shall be undertaken:

1. A letter must be written by the claimant community representatives to the Chairperson of the TMoNRT identifying the concerns and also seek a meeting to discuss these matters.
2. The letter must be consigned by at least 150 adult members (aged 18 years and over) registered as Ngāti Rangitihi
3. If the meeting between the claimant community representatives and the Chairperson of the TMoNRT does not resolve the concerns, then the mandated body (executive committee or trust board) should then discuss the matter further and decide whether the issue should be put to the wider claimant community at a series of publicly notified hui
4. The publicly notified hui should follow the same process that conferred the mandate, namely:
   * Give 21 days’ notice in national and regional print media
   * Outline the kaupapa of the notified hui
   * Provide the background to the concerns
   * Identify the parties involved
   * State the resolution to the put to the claimant community
   * Invite a Te Puni Kōkiri observer to observe and record proceedings
   * Arrange for voting to be organized by Electionnz.com and the voting method to be the same as that for voters attending a mandating hui (refer Section 10.2.3)
5. Once the hui has been completed and the outcome of the voting process determined, the mandated body should inform the Office of Treaty Settlements about the result by way of letter and discuss the next steps for settlement negotiations. (This may involve some changes to the mandated body or another process to be undertaken to be agreed with officials).

**9.3** **Withdrawal of Mandate from TMoNRT by Individuals**

1. A letter must be written by the hapū representatives to the Chairperson of the TMoNRT identifying the concerns and also seeking a meeting to resolve these issues
2. The letter must be consigned by at least 75 registered adult members (aged 18 years and over) of each hapū
3. If the meeting between the hapū representatives and the Chairperson of the TMoNRT does not resolve the concerns, then the TMoNRT Board should then discuss the matter further and decide whether the issue should be put to the hapū members at a publicly notified hui
4. The publicly notified hui should follow the same process that conferred the mandate:
   * Give 21 days’ notice in national and regional print media
   * Outline the kaupapa of the notified hui
   * Provide the background to the concerns
   * Identify the parties involved
   * State the resolution to the put to the claimant community
   * Invite a Te Puni Kōkiri observer to observe and record proceedings
   * Arrange for voting to be organized by Electionnz.com and the voting method to be the same as that for voters attending a mandating hui (refer Section 10.2.3)
5. A Te Puni Kokiri observer is invited to observe and record proceedings
6. Once the hui has been completed and the outcome of the voting process determined then the mandated body should inform the Office of Treaty Settlements 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.)

**9.4 Removal of individual trustee/representative (by the hapū/community that they represent) from the TMoNRT**

1. A letter must be written by the claimant community representatives to the Chairperson of the TMoNRT identifying the concerns about the trustee, and seeking a meeting to discuss these concerns
2. The letter must be consigned by at least 50 adult members (aged 18 years and over) registered as Ngāti Rangitihi on the iwi register
3. If the meeting between the claimant community representatives and the Chairperson of the TMoNRT does not resolve the concerns, then the TMoNRT Board should then discuss the matter further and decide what action shall be taken
4. If it is decided that the trustee should be replaced, the TMoNRT Trust Deed contains provisions to remove and/or replace the trustee.

**10. MANDATING PROCESS**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

* 1. **Mandating Hui**

**10.1.1 Purpose**

Mandating hui will be held in six regions across the motu to seek the mandate from Ngāti Rangitihi to complete settlement negotiations with the Crown. The purpose of each hui is to enable the claimant community to be provided with information on the TMoNRT, to ask questions, and vote on the following resolution:

*“That the TMoNRT is the mandated entity to enter into direct negotiations with the Crown for the comprehensive settlement of all Ngāti Rangitihi’s historical Treaty claims.”*

**10.1.2 Locations**

The following locations have been selected based on geographic location of Ngāti Rangithi members on the Te Pae Pai database *(refer to the “Members by Geographic Location” graph in Appendix E – Communications Strategy):*

1. Rotorua
2. Wellington
3. Christchurch
4. Hamilton
5. Matatā
6. Auckland

**10.1.3 Public Notification of Mandating Hui**

The claimant community will be notified of the mandating hui, 21 days in advance of each hui, by advertising through a range of media, including:

1. Appropriate newspapers including Dominion Post, NZ Herald, Christchurch Press, Daily Post, Whakatane Beacon, Whakatane News. The advertisement will be reviewed by the Crown before being placed. *(Refer Appendix F- Example of Mandating Hui Advertisement.)*
2. Radio – bulletin boards on Māori radio stations
3. Public notices placed in key locations such as marae and TPK Offices
4. Panui emailed to Ngāti Rangitihi members on the TMoNRT database - Te Pae Pai Tawhiti.
5. TMoNRT website

**10.1.4 Hui Proceedings**

A Te Puni Kokiri representative will be invited to attend each hui as an independent observer.

The Chairperson of TMoNRT will chair each hui. A minute secretary will be in attendance at all mandating hui to record the minutes and discussions which take place.

There will be a PowerPoint presentation (*Refer: Appendix G - Power Point Presentation)* and voting at the hui

* 1. **Mandate Voting**

**10.2.1 Eligibility to Vote**

To be eligible to vote for Ngāti Rangitihi, you must:

1. Descend from the eponymous ancestor, Rangiaohia
2. Be registered with Te Mana o Ngāti Rangitihi Trust (Registration applications will be available at hui and on website)
3. Be 18 years of age or older

**10.2.2 Validation of Voting Eligibility**

TMoNRT has a Kahui Kaumatua Committee to review registration applications. Its role is to determine in respect of any application by any person who wishes to be a registered member, that the person descends by whakapapa from Ngā uri o Rangiaohia or is Whangai of an iwi member.

The TMoNRT Registrar refers all completed registration forms to the Kahui Kaumatua Committee for validation enabling the new registrant to be a member of TMoNRT’s database - Te Pae Pai Tawhiti and have his or her vote recorded.

All appeals are directed in the first instance to the Chairman of TMoNRT who will ensure all available information on the applicant has been made available before recommending to a Trustee Meeting, in consultation with the Kahui Kaumatua Committee, that the appeal be upheld or rejected. The Board of Trustees will make the final decision.

**10.2.3 Voting Method**

Ngāti Rangitihi voters will be provided with voting packs after they have been reviewed by the Crown.

There will be three ways to vote on who should be themandated entity to enter into direct negotiations with the Crown:

1. By mail – Voting packs will be sent to all Ngāti Rangitihi members eligible to vote who are on the TMoNRT database - Te Pae Pai Tawhiti.
2. Internet – Voting packs sent out Ngāti Rangitihi iwi will also give the option of voting online by following instructions in the voting pack
3. Attending a mandating hui – Ngāti Rangitihi iwi can attend a hui in their area and vote as follows:
4. All voters have identification details and voting paper number recorded on a Voting Register
5. Voters complete their numbered voting paper and cast it in a ballot box. People that wish to vote but do not wish to register with the trust (refer 10.2.4) will attach a completed registration form to their voting paper.
6. All the contents of the ballot box along with the Voting Register will be transferred to a courier bag under observation (an independent TPK observer will be present at the hui) and couriered to Electionz.
7. Electionz will check ballot papers against the TMoNRT database - Te Pae Pai Tawhiti., and fax registration forms from new registrants to TMoNRT for validation of eligibility (refer 10.2.2)

The voting period will commence at least one week before the first mandating hui when voting packs will be lodged with NZ Post. The voting period will be one month.

New Zealand’s leading election management company, Electionz.com will manage the process. TMoNRT has benefited from Electionz.com management expertise in past elections and has found that they provide a cost efficient, secure and proven method of voting.

**10.2.5 Voting by Non-Registered Members of the Trust**

There is a provision for members of the claimant community who wish to vote but do not wish to register with TMoNRT.

**How do Ngāti Rangitihi people who do not wish to register with the Trust vote?**

By providing their whakapapa and then voting with the ballot paper. The vote counts if the whakapapa is confirmed by TMoNRT’s Validation Committee.

**10.2.6 Responsibilities of Returning Officer**

The Returning Officer (Electionz.com) will be responsible for receiving and counting all votes. The Returning Officer will forward a declaration in writing stating:

1. The number of ballot papers received
2. The number of Internet votes received
3. The number of votes rejected
4. The number of valid votes in favour of the proposed resolution and the number of valid votes against the resolution
5. Whether the resolution has been passed by a sufficient majority of Registered Adult Members
6. Upon receipt by TMoNRT of the declaration of the Returning Officer, the Trust shall give public notice of the result of the ballot within 10 business days of the date of the declaration.

**10.3 Communications to Secure Mandate**

Ngāti Rangitihi iwi and OTS will be kept informed throughout the mandating process *(Refer Appendix D - Communications Strategy).*

Communications will include:

1. Quarterly reports from the Board of Trustees to OTS;
2. Hui kanohi ki te kanohi to discuss settlement process – one special hui-a-iwi and AGM. Adequate notice given to iwi through newspaper, radio (bulletin boards on Māori radio stations), panui sent by email and web site 21 days prior to the hui;
3. Mandating hui (Refer 10.1.3);
4. PowerPoint presentation developed for mandating hui;

1. Information for voting pack produced – includes cover letter and information sheet in Q&A format which will be :

* placed on the web site;
* emailed to registrants with email addresses;
* Included in newsletter mail outs;
* Included in voting packs (Refer 10.2.3);

1. Well publicised voting process. Adequate notice given of postal ballot, internet voting and voting at mandating hui (refer section 10.1.3);
2. Dedicated section on Treaty Settlements established on web site and continuously updated;
3. Updates in bi-monthly newsletter;
4. Social media (twitter, Facebook) will be used at the discretion of the TMoNRT Communications Manager; and
5. Correspondence in response to enquiries and feedback form iwi members.

**APPENDICES**

**Appendix A – Ngāti Rangitihi Rohe: Area of Interest**

Please note that this map is not intended to identify exclusive claim areas or to fix or endorse tribal boundaries.

This map shows where Ngati Rangitihi consider they have interests.

Both the Crown and Ngati Rangitihi recognise that other groups also have interests within this area.

**Appendix B – Trustee Profiles**

**Graham Henry Pryor -** Graham is a qualified accountant and works as a financial and management accountant. He was the General Manager of Mai Media Ltd for fourteen years. Graham was one of three negotiators appointed by the CNI Collective that successfully concluded the CNI Settlement. He was appointed the Interim General Manager. Graham is currently the Chairman of TMoNRT. He is married and has four children and four mokopuna.

**Stephen Tiipene Perenara Marr -**Tiipene is a long time environmental advocate and is the Māori Councillor for the Kohi constituency with Environment Bay of Plenty. Tiipene is a Trustee on the Ngāti Tῡwharetoa ki Kawerau Settlement Trust. He is married and has nine children.

**Catherine Moana Dewes -** Cathy is a principal of one of the first Māori language schools, Te Kura Kaupapa Māori o Ruamata in Rotorua. In 1994 she became the first woman to stand for the Te Arawa Trust Board. Supported by her iwi Ngāti Rangitihi, she won the seat. In 2011 List Cathy was awarded the ONZM (Officer of the Order) for services to Māori, and in the same year the University of Waikato bestowed her with an Honorary Doctorate for her work on Te Reo Māori. Cathy is married and has six children.

**Martin Marr -** Martin has over twenty five years in the electricity industry where he has demonstrated teamwork skills and a good understanding of corporate structure. His interests include bio-dynamics, permaculture, eco-housing and cheaper energy alternatives. Martin is currently the Treasurer of Rangitihi Marae Trust and successfully managed our DIY Marae programme.

**Kenneth Lawrence Te Ianga Raureti -** Kenneth is a self-employed mediator and business management consultant. His career in human resources and employment relations includes an appointment to the Employment Relations Authority as Chief Mediator for the Department of Labour. Kenneth is Chairperson for the Ruawahia 2b Trust.

**Harina Warbrick -** Harina is a company director with a background in the private sector. Harina heads two companies, one which contracts to Te Wānanga o Aotearoa, providing programme management and co-ordination in programme development. Harina’s other business interest involves overseas trading. Harina is married with seven children. Harina’s interests include Surf Life Saving and Horticulture.

**Merepeka Raukawa-Tait -** Merepeka is a professional administrator with an interest in central and local body politics as well as Māori economic and social development. She is committed to the safer communities, women’s and family health services. Merepeka won a position on the Lakes District Health Board (October 2010) and is currently a member on the Disability Support Advisory Committee and the Finance and Audit Committee. Merepeka was recently elected to the Rotorua District Council

**Appendix C - TMoNRT Team for Comprehensive Settlement**

Potential Negotiators (negotiators have yet still to be confirmed)

Graham Pryor:

Negotiator

Telephone: 07 5249114 / Mobile: 027 595 1098

Email: [graham@nzpryors.net](mailto:graham@nzpryors.net)

Merepeka Raukawa-Tait:

Negotiator

Telephone: 07 3574234 / Mobile: 027 247 7576

Email: [Merepeka@wave.co.nz](mailto:Merepeka@wave.co.nz)

Advisers

Antoine Coffin

Mobile: 027 8213974

Advisor

Email: [Antoine.Coffin@boffamiskell.co.nz](mailto:Antoine.Coffin@boffamiskell.co.nz)

Whaimutu Dewes

Advisor

Mobile: 021 2760289

Email: [Whaimutu@whaino.co](mailto:Whaimutu@whaino.co.nz)

Management Support

Harina Warbrick

Acting Chief Executive Officer

Telephone: 07 3222 452 / Mobile: 027 8707627

Email: [harinawarbrick@ngatirangitihi.iwi.nz](mailto:Nick.Alexander@ngatirangitihi.iwi.nz)

Fay Rawson

Project Manager Treaty Settlements

Telephone: 07 3222 452 / Mobile: 027 291 5256

Email: [projectmanager@ngatirangitihi.iwi.nz](mailto:projectmanager@ngatirangitihi.iwi.nz)

Dougal Stewart

Project Planning and Communications

Telephone: 07 3222 452

Email: [commercial@ngatirangitihi.iwi.nz](mailto:commercial@ngatirangitihi.iwi.nz)

**Appendix D – Communications Strategy**

**Purpose**

To support the successful implementation of the TMoNRT Treaty Settlement Mandating Strategic Plan with the right communication delivered to the right people at the right time.

**Objectives**

1. Build awareness of the TMoNRT Treaty Settlement Mandating process among ngā uri o Ngāti Rangitihi and our key stakeholders;
2. Provide clear, concise and consistent information to Ngāti Rangitihi and our key stakeholders about the mandating and settlement process so as to be able to make informed decisions;
3. Ensure all Ngāti Rangitihi and our key stakeholders are well informed of the mandating and settlement process;
4. Gain the confidence and trust of Ngāti Rangitihi and our key stakeholders as to our capacity to deliver an effective negotiation on behalf of Ngāti Rangitihi;
5. Encourage participation among Ngāti Rangitihi iwi members in the mandating and settlement process; and
6. Actively promote a wide representation from Ngāti Rangitihi iwi members and key stakeholders in terms of input and direction into the mandating and settlement process.

**2. Audience Identification and Analysis**

As at February 2013 there were 3908 iwi members registered with Te Mana o Ngāti Rangitihi Trust. Statistical data obtained through our Te Pae Pai iwi register provides conclusive information on the geographic location and specific age groups of our iwi members. The data also highlights the important fact that although a significant proportion of Ngāti Rangitihi living in the Bay of Plenty and region, there is also a significant proportion of Ngāti Rangitihi residing outside of the traditional Ngāti Rangitihi rōhe.

The information enables the Trust to direct where specific information should be hui

**Members by Age Group (February 2013)**

**Members by Geographic Location (February 2013)**

The information enables the Trust to direct where specific information should be channeled, including where hui should be held.

Ngāti Rangitihi stakeholders are internal and external groups with an interest in the iwi. These groups can be broken down into specific groups where special information needs/ways of communicating are identified.

|  |  |  |
| --- | --- | --- |
| **Stakeholders** | **Stakeholder Interests** | **TMoNRT Communication** |
| **MANDATING** | | |
| All Ngati Rangitihi iwi groups | * Sense of ownership of settlement process * Being informed on TMoNRT’s plans and credentials so that mandating decision can be made * Having trust and confidence in TMoNRT as mandating body * Opportunity to vote * Being updated on mandating progress | * Hui kanohi ki te kanohi to discuss settlement process – one special hui-a-iwi and AGM. Adequate notice given to iwi through newspaper, radio bulletin boards, email panui and web site 21 days prior * Mandating hui to inform iwi of TMoNRT’s credentials. Adequate notice given to iwi through newspaper, email panui and web site 21 days prior * PowerPoint Presentation developed for mandating hui: * Information for voting pack produced – includes cover letter and information sheet in Q&A format. Documents placed on web site. * Well publicised voting process... Adequate notice given of postal ballot, internet voting and voting at mandating hui through newspaper, radio bulletin boards, email panui and web site and follow-up phone calls * Dedicated section on Treaty Settlements established on web site and continuously updated * Updates in bi-monthly newsletter * Social media as appropriate |
| Kaumatua | * Opportunity to contribute to decision making | * Hui with Kaumatua |
| Local Ngati Rangitihi Iwi - Matata | * Response to enquiries and any concerns | * Correspondence as required * Ad hoc hui as required |
| Existing Wai claimants  • | * Ensure full and proper hearing for their claim | * Correspondence from TMoNRT advising of TMoNRT’s is seeking mandate for Comprehensive Settlement |
| Crown | * Effective mandating strategy * Agreed Deed of Mandate | * Liaise with OTS until mandating strategy and Deed of Mandate agreed |
| **POST MANDATE** | | |
| All Ngati Rangitihi iwi groups | * Being updated on negotiation progress * Opportunities to contribute to Ngati Rangitihi’s case. | * Report to hui AGM and special hui-a-iwi to update and discuss settlement issues .Adequate notice given to iwi through newspaper, email panui and web site 21 days prior * Bi-monthly updates on a dedicated section on Treaty Settlements established on web site and continuously updated * Updates in bi-monthly newsletter * Panui by email where information needs to be communicated immediately   Social media as appropriate |
| Iwi with Overlapping Interests | * Being consulted on any issues of concern to TMoNRT | * Hui held with iwi identified to have overlapping interests |
| Existing Wai claimants | * Update on negotiations | * Correspondence as required * Ad hoc hui as required |
| Crown | * Being updated on progress | * Quarterly reports on mandate maintanance |

**Resources**

The Communications Strategy will be driven by the TMoNRT Communications Manager.

**Appendix E - Example of Mandating Hui Advertisement**

**HE POHIRI TENEI KI NGA URI O NGĀTI RANGITIHI**

**MANDATING HUI**

Te Mana o Ngāti Rangitihi Trust is seeking a mandate from Ngāti Rangitihi to enter into direct negotiations with the Crown on all Ngāti Rangitihi historical Treaty of Waitangi Claims.

A series of six mandating hui are being held. At each hui the following resolution will be put:

*That the TMoNRT is the mandated entity to enter into direct negotiations with the Crown for the comprehensive settlement of all Ngāti Rangitihi historical Treaty claims.*

A presentation will be given at each hui regarding Ngāti Rangitihi claims and the process towards settlement. Attendees will be able to vote on the resolution at the hui, or, if they choose, vote in the postal/internet ballot which will run before, during and after the six hui.

To be eligible to vote you must:

* + Descend from the eponymous ancestors Rangiaohia
  + Be registered with Te Mana o Ngāti Rangitihi Trust (Registration Applications will be available at hui and on website)
  + Be 18 years of age or older

.

The Mandating Hui will be held at the following times and locations:

**Rotorua** (details to follow)

**Wellington** (details to follow)

**Christchurch** (details to follow)

**Auckland** (details to follow)

**Hamilton** (details to follow)

**Matata** (details to follow)

For further information about the Mandating Hui including how to register for voting purposes, contact:

Alana Hunter

Database Registrar

Telephone: 07 322452

Mobile: 0278185297

[administrator@ngatirangitihi.iwi.nz](mailto:administrator@ngatirangitihi.iwi.nz)

*This Advertisement is authorized by Te Mana o Ngāti Rangitihi Trust*