



NGĀTI PĀOA DEED OF MANDATE

May 2011

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1. Introduction

1.1 Purpose of this Document

The purpose of this document is to provide information and evidence of the mandate achieved by the Ngāti Pāoa Trust Board to continue negotiations with the Crown regarding the comprehensive settlement of Ngāti Pāoa Treaty of Waitangi claims and participation in the Hauraki and Tamaki Collective.

The Ngāti Pāoa Trust Board was mandated through a fair, open and robust process.

This Deed of Mandate outlines the structure and accountabilities of the Ngāti Pāoa Trust Board to the iwi of Ngāti Pāoa regarding the full and final settlement of Ngāti Pāoa historical Treaty claims.

This Deed of Mandate is not for the purposes of describing specific details, part or full of the claim, or of the settlement to be sought because 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 Deed of Mandate 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 Deed of Mandate is to describe the mandate achieved by the Ngāti Pāoa Trust Board to provide for the co-ordinated and collaborative approach of Ngāti Pāoa settlement discussions with the Crown.

The Ngāti Pāoa Trust Board undertook hui ā-iwi at three locations and times during March 2011. Information on the mandate and voting process were communicated at the hui ā-iwi. Ngāti Pāoa people voted on the resolution by way show of hands. These hui were facilitated by an independent person contracted for the purpose of providing objectivity to the process.

Resolution:

“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 Treaty claims”

Through the mandating process, a majority support for the above resolution was achieved. Details of this will be explained further in this document. Also, the mandate achieved is subject to the structure and accountabilities outlined later in this document.

2. 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.¹

Through Hauraki tribal connections Ngāti Pāoa exercised exclusive and shared raNgātiratanga 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 exercised exclusive and shared raNgātiratanga from Te Hoe-o-Tainui westward to the Waikato river, Ngāti 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 tribe's 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 those committed Ngati Paoa people who were pillars of support in the rebuilding process.

¹ 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>

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 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 Deed of Mandate outlines the process by which the Ngāti Pāoa Trust Board sought and secured mandate from its people during March 2011 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 Tāmaki based iwi.

Ngati Paoa acknowledge that this is not an exhaustive list and the detail of the claimant definition may be developed further over the course of negotiations.

2.3 Nga Hapū

- Ngāti Rauwhea/Rauhea
- Ngāti Omakau
- Ngāti Pare/Parengaherehere
- Ngāti Raukura
- Waihina
- Ngāti Rapu
- Te Hingawaka
- Te Mate Tokeroa
- Ngāti Kahu
- Ngāti Hura
- Ngāti Huruhuru
- Te Uri o Haupa
- Ngāti Ringatahi
- Ngāti Te Hiko
- Ngāti Tahuna
- Ngāti Tipa
- Ngāti Whata
- Ngāti Rurangi
- Ngāti Tarao
- Matekiwaho
- Ngāti Te Aute
- Ngāti Kauahi
- Ngamuri
- Te Uri Karaka
- Ngāti Manawa
- Ngāti Ngamuri
- Ngāti Horowhenua
- Ngāti Tuwhanga
- Te Rapupo
- Ngāti Taharoku
- Ngāti Wharetuoi
- Ngāti Kohua
- Ngāti Huia
- Ngāti Te Aho
- Ngāti Mahia
- Ngāti Koura
- Te Rerekau
- Ngati Te Umu
- Upokotoia
- Ngati Putoa
- Te Awa
- Te Kupenga
- Ngati Ringatahi
- Te Kaiwhakapae
- Ngati Kapu
- Ngati Naho
- Te Aho Matetatahi
- Ngati Piri
- Ngati Korohura
- Ngati Hiko
- Ngati Whata
- Te Koheriki
- Ngati Kauahi

2.4 Ngā Marae

Direct links

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

2.5 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

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 Pāoa resided at Kaitotehe at the eastern foot of Hakarimata. From there north along the river to Manukau Harbour which covers our whakapapa to Ngāti 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 Ngāti Whatua groupings that make up the Tamaki Collective.

4. Ngāti Pāoa WAI Claims

The WAI references are clustered as iwi generic claims or hapū claims. There may be other WAI references that are not yet included in this strategy. The claims to be negotiated by the Ngāti Pāoa Negotiators are all of the historical claims of Ngāti Pāoa whether registered or unregistered relating to Crown actions and omissions that occurred prior to 21 September 1992 in so far as they relate to Ngati Paoa interests.

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;

- Overlapping claims reported on by the Waitangi Tribunal, as listed below:

Wai No.	Claim Title		Claimants
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 345	Ngāti Tipa Hapuu of Ngāti Pāoa		Maude Moengarangi Rawiri Turiakotahi Julia Susan Rawiri
Wai 563	Wharekawa Pingao Estate claim		Andrew Anaru Andrews and others
Wai 808	Ngāti Horowhenua		David James Peka Raumiria Mihiao Katipa
Wai 810	Waiheke Island Lands		Moana Te Aria Te Uri Karaka Te Waero
Wai 1530	Te Rina Hetaraka		Ngāi Tai, Ngāti Wai
Wai 1696	James Ponui Nicholls	Ngāti Whanaunga, Ngāti Maru, Ngāti Tamaterā, Ngāti Pāoa	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 Tamaterā, Ngāti Pāoa	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 Tamaterā, Ngāti Pāoa	Ngaromaki Block Trust
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 2007	Matin Mikaere and Toko Renata	Ngāti Pukenga, Ngāti Maru, Ngāti Whanaunga.	Not a land based claim. Education and Tikanga
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
Wai 2037	David Te Rare	Ngāti Pū	Whangamata blocks 1 and 2 [and Carolyn Farms known as Simpson Block]
Wai 2039	Ben Katipa	Ngāti Pāoa	Onepoto mountain- Port Waikato, Te Werenga Kapu
Wai 2080	Mary Rangitunoa Lawson-Nuri and Norman Carter on behalf of Emere Apanui Whanau	Ngāti Maru	Rangitaiki Lot 28b No. 2E and any other blocks of land in which we and our tūpuna have interest.

	Trust		
Wai 2169	Matiu Hetaraka	Ngāti Pāoa, Ngāti Tai [and others]	Various areas throughout the Hauraki district (land blocks located within Ngāti Paoa rohe and are part of the South Auckland inquiry)
Wai 2272	Hone Hawkins	Ngāti Tamaterā and Marutūahu confederation	Moehau district
Wai 2298	Airini Tokerangi	on behalf of WT Nicholls whānau and estate	Oamaru Bay, Koputauaki Bay, Oahuru Bay
Wai 2300	Korohere Ngapo	Descendants of Marutūahu ki Harataunga and Ngāti Tamaterā	Kennedy Bay/Harataunga

5. Mandated Body and Negotiators

5.1 *The Ngāti Pāoa Trust Board*

The Ngāti Pāoa Trust Board (“the Trust”) has been mandated as the representative body for the iwi of Ngāti Pāoa in respect of the negotiations with the Crown. The mandate of the Ngāti Pāoa Trust Board is subject to accountabilities to hapū and whanau. The Trust is viewed as an appropriate entity by the iwi of Ngāti Pāoa because it:

- was established in 2004 as the single governing entity for Ngāti Pāoa;
- is the mandated iwi organisation for Ngāti Pāoa 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.

5.2 *Replacement and appointment of Trustees to the Ngāti Pāoa Trust Board*

The process relating to the governance of the Ngāti Pāoa Trust Board 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.

5.3 Role of the mandated body, the Ngāti Pāoa Trust Board

The Trust will oversee the overall settlement process and ensure that negotiations are carried out in the most appropriate manner for the hapū 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 whānui or any hapū. That authority rests with the hapū 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 Ngāti Pāoa Trust will 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 and Crown officials;
- 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; and
- drafting a deed of settlement and completing the ratification process with Ngāti Pāoa iwi.

5.4 Appointment of the Negotiators

As the mandated entity, the Ngati Paoa Trust Board were responsible for appointing the Negotiators. 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.

The Trust Board chose to allow the iwi of Ngati Paoa to elect and appoint the negotiators directly via a hui a Iwi held on 30th April, 10am at Wharekawa Marae, Kaiaua. This process was determined to allow for a greater pool of Ngati Paoa negotiator candidates to choose from.

The hui a iwi was advertised in the Public Notices section of the New Zealand Herald on Thursday 14 April 2011.

Voting:

The process for electing the two negotiators was conducted in the following manner:

Both the nominator and nominee must have been :

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

At the hui, 9 nominations made and 6 accepted. Following an address to the hui by each nominee a vote was conducted by secret ballot. As a result of this process the the highest polling candidates nominees were Hauauru Rawiri and Anthony Morehu Wilson.

Resolution:

The following resolution was unanimously passed by the hui :

“That Hauauru Rawiri and Anthony Morehu Wilson be confirmed as the mandated to represent Ngāti Pāoa in negotiations with the Crown regarding the comprehensive settlement of Ngāti Pāoa historic Treaty Claims.”

5.5 Meeting of the Ngāti Pāoa Mandated Negotiators

Commitment:

The Ngāti Pāoa 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:

The Ngāti Pāoa negotiators will be required 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 the Treaty Negotiations Support Team, the mandated negotiators will carry out the negotiation in accordance with the “Treaty Negotiation Strategic Plan” that has been determined by The Ngāti Pāoa Trust Board 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

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

5.6 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 Adviser (Legal) will oversee the administrative management of the claim and will be appointed to provide direct assistance to the Ngāti Pāoa Trust Board.

5.7 Replacement and Removal of the Negotiators

The Ngāti Pāoa Trust Board 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 advised both to the Crown and Ngati Paoa upon consultation and mutual agreement between the Board and the mandated negotiators.

5.8 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 Board would then 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 Board 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 ā-iwi.

The views of Ngāti Pāoa must be taken into consideration when making decisions relating to the settlement and negotiation of Ngāti Pāoa claims.

5.9 Decision Making, Accountability and Reporting

Governance decisions shall take place at the Ngāti Pāoa Trust Board level. The Trust is responsible for ensuring that the Treaty Negotiations Team and the negotiators are fulfilling their roles and responsibilities. Negotiators were appointed separate to the mandate process of the Ngāti Pāoa Trust Board, but they were also achieved through thorough and robust mandate processes.

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 Board 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 Board
- Regular pānui/newsletter;
- Website – www.haurakicollective.maori.nz and/or www.ngatipaoa.co.nz (currently under development).

6. Responsibilities and Accountabilities of the Ngāti Paoa mandated negotiators

The mandated negotiators are recognised by the Ngāti Pāoa Trust Board as fully mandated to represent 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 Ngāti Pāoa Trust Board will hold the mandate to act for the people of Ngāti 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 Pāoa Trust Board. The Ngāti Pāoa Trust Board will provide resourcing for the team to support to the negotiators.

Responsibilities and accountabilities of the mandated negotiators will include:

- Regular reporting to the Ngāti Pāoa people and Ngāti Pāoa Trust Board 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.

7. Mandating Process

7.1 Mandating Approach

The Ngāti Pāoa Trust Board sought mandate authority of Ngāti Pāoa in negotiations with the Crown regarding the comprehensive settlement of Ngāti Pāoa Treaty claims from the Ngāti Pāoa people by undertaking a vote by show of hands at three hui ā-iwi held in the Hauraki, Tamaki and Waikato regions during the month of March 2011. The three separate hui ā-iwi were 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 and information included:

- Hui ā-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 historic Treaty claims”

7.2 Mandating Process

The mandating hui were notified to members through:

- Ngāti Pāoa Trust Board meetings
- Marae meetings
- New Zealand Herald
- Waikato Times

Notification was placed in the newspaper media within an adequate time frame of the proposed hui, at least 21 days prior. The first notice appeared on 19 February 2011, and the first hui took place 22 days later on 13 March 2011.

The public notice stated clearly the purpose of the hui. It was specifically mentioned the hui was to obtain mandate for the Ngāti Pāoa Trust Board and interim negotiators. At all three hui, however, the second advertised resolution was not put to the floor. This second resolution that was omitted from all the hui stated:

“That Ngāti Pāoa confirm Glen (Joe) Tupuhi and Hauāuru (Eugene) Rawiri be confirmed negotiators to represent Ngāti Pāoa.”

Instead of mandating the named negotiators at the three hui, this was deferred to a later date.

7.3 Mandating Hui for the Ngāti Pāoa Trust Board

Mandating hui occurred at 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 was invited to attend the hui as Crown observers and provide an observer report which was made available to Ngāti Pāoa and the Office of Treaty Settlements. This report is subject to the Official Information Act 1982 so could also be made available to others on request.
- Copies of pānui for the hui are provided as Appendix X.

7.4 Standardised PowerPoint Presentation

A standard and consistent presentation was developed for these hui outlining the context and process of the mandate process. A copy of the power point presentation is provided with this Deed of Mandate as Appendix X.

All Information Hui adopted a standardized approach which 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

At each of the three hui, members of Ngāti Pāoa had the opportunity to discuss the proposal with the Ngāti Pāoa Trust Board, and put any questions to members before a resolution affirming the mandate of the Mandated Representatives was sought.

7.5 Voting on Resolutions & Eligibility

- Voting on the resolution were by a show of hands of eligible adult members of Ngāti Pāoa present at the hui. For consistency and clarity, there was not a postal voting process, nor were proxy votes included. These voting processes were reaffirmed by the facilitator of the hui, including the eligibility of the voter.
- Members were required to be of legal voting age (18 years or older) to vote.

- An attendance register was taken at each hui. Any dispute as to eligibility to vote was already decided to be resolved by the Ngāti Pāoa Trust Board and/or knowledgeable persons of the hapū.

7.6 Public Notice and Advertising

All mandating hui were advertised in newspapers from 19 February 2011:

Date	Newspaper
19 February 2011	New Zealand Herald
19 February 2011	Waikato Times
19 February 2011	Dominion Post
22 February 2011	Hauraki Herald
22 February 2011	Manakau Courier

Other pānui and marae communication processes were also used. Minutes were not taken at the hui, but attendance registers are available for all mandate hui.

7.7 Process of Debate and Discussion on Resolution

The Ngāti Pāoa mandate strategy provided for opportunities at each hui for attendants to discuss and debate the mandate strategy and to provide feedback on improvements. At each hui, attendees were given ample opportunity to ask questions of the Ngāti Pāoa Trust Board. This allowed for fairness, openness and transparency.

At each hui:

- A facilitator presided over each hui.
- Details of the mandate strategy were presented at each hui.
- Any key issues raised were discussed
- The resolution was presented
- Independent observers from TPK attend each hui.
- An attendance registrar was kept at each hui.
- At each hui, the iwi was acknowledged and the views of their kaumātua, kuia and representatives were considered within the scope of the mandate strategy.

Attendees at the hui were given ample opportunity to ask questions about the contents of the hui, and the interim negotiators endeavoured to answer each question as fully as possible. The commonly raised questions asked about the accountability of the Ngāti Pāoa

Trust Board, the possible conflicts of interest for Ngāti Pāoa Trust Board members to become negotiators, and the relevance of the named Wai claims.

The Ngāti Pāoa Trust Board adequately answered all questions directly and accurately. The TPK independent observer noted that some of the commonly asked questions may have arisen because the second resolution that was advertised (to confirm Glen (Joe) Tupuhi and Hauāuru (Eugene) Rawiri as negotiators) was omitted from all the hui. As a result, the Ngāti Pāoa Trust Board informed each hui that matters to do with the mandating of negotiators would take place in a future clear, open and robust mandating process. See observers report, Appendix X, for more information.

8. Results of Mandate Process

8.1 Voting on Resolutions and Eligibility

At each hui, information about the voting process was provided. In the information provided for voting, the following applied:

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

8.2 Results of Voting

The attendees at each hui were advised that they were voting for the resolution that:

“That the Ngāti Pāoa Trust Board be the mandated authority of Ngāti Paoa in negotiations with the Crown regarding the comprehensive settlement of Ngāti Paoa historic Treaty claims.”

There was a majority support in favour for the resolution. Of 109 hui attendees, 78 eligible voters approved the resolution.²

The results were as follows:

Location	Yes	No	Abstain
Wharekawa Marae, Kaiaua	67	0	0

² According to the Observers Report, the number of attendees is approximate and does not include attendees under the age of 18, as well as TPK observers and the interim negotiators.

Te Manukanuka a Hoturoa Marae, Auckland	8	0	0
Kirikiroa Marae, Hamilton	3	0	0
Total	78	0	0

The independent observer concluded that the majority result in favour for the resolution was achieved through a consistent, fair, and transparent process. All questions were answered as fully and as clearly as possible, and the intent of the mandating process was at all times clear.

Supporting information and evidence is attached to this Deed of Mandate displaying the comprehensive mandating processes undertaken by the Ngāti Pāoa Trust Board, including:

- Ngāti Pāoa Trust Board Mandate Strategy
- Mandate letter of endorsement from Te Puni Kōkiri
- Copies of advertisements for mandating hui
- Copy of the standard PowerPoint presentation used at hui
- Overview observers report of Ngāti Pāoa mandate hui

9. Right to amend the Deed

The Ngati Paoa Trust Board and Negotiators reserve the right to amend the Deed of Mandate at any point in the future upon mutual agreement and in the best interests of Ngati Paoa.

Any amendments will be communicated to the Crown and publicly notified for submissions, views or enquiries.

10. APPENDICES

Appended to this Deed are the following documents:

1. Crown endorsement of the Ngati Paoa Mandate Strategy
2. Ngati Paoa Mandate Strategy
3. Minutes of the three mandating hui a iwi

4. Registration list of attendees at the three mandating hui a iwi
5. Minutes from the hui a iwi appointing the Negotiators
6. Registration list of attendees at the Negotiator appointment hui
7. Powerpoint presentation from the Mandating hui a iwi
8. Copies of the newspaper advertisement for the Mandating hui and Negotiator appointment hui
9. Crown observers reports