

NGĀTI TARA TOKANUI DEED OF MANDATE

May 2011

Table of Contents

1. Introduction.....	3
1.1 Preamble.....	3
1.2 Comprehensive Negotiations.....	3
1.3 Negotiations – Sir Douglas Graham Proposal.....	3
1.4 Ngāti Tara Tokanui Interim Mandate.....	3
2. Description of Ngāti Tara Tokanui – Who we are.....	3
2.1 Descent.....	3
2.2 Proposed Area of Interest for Negotiations – Our Rohe.....	4
2.3 Marae affiliations.....	4
3. Historical Claims for Negotiation	4
4. Overlapping and shared interests.....	4
5. Responsibilities and Accountabilities of the Negotiators	4
6. Reporting process for the Ngāti Tara Tokanui Negotiators	5
6.1 Roles of Negotiators	5
6.2 Replacement, Removal and Appointment of Negotiators	5
6.3 Meeting of the Ngāti Tara Tokanui Negotiators.....	6
6.4 Appointment of Alternate Negotiators	6
7. Operations of Negotiators	6
7.1 Decision Making Process.....	6
7.2 Dispute Resolution.....	6
7.3 Authority to Amend Deed of Mandate.....	7
8. The Mandate Process	7
8.1 Mandating Hui Strategy	7
8.2 Mandating Hui Location	7
8.3 Pre-Hui Communications.....	7
9. Mandating Hui	7
9.1 Mandating Hui Purpose	7
9.2 Voting on Resolutions & Eligibility.....	8
10. Summary of Voting	8
11. Availability of the Deed of Mandate	9
12. Supporting Material to the Deed of Mandate	9

1. Mandate Strategy

2. Letter of endorsement for Mandate strategy

3. Mandate Hui advertising
4. Mandate Hui Attendance registers
5. Mandate Hui Presentation
6. Crown observer reports

1. Introduction

1.1 Preamble

This Deed of Mandate ("Deed") formally demonstrates that Russell C. Karu and Amelia Amy Tuihana Williams ("Ngāti Tara Tokanui Negotiators") have obtained a durable mandate to represent the Ngāti Tara Tokanui people in negotiations with the Crown for a comprehensive and final settlement of all of our historical Treaty of Waitangi claims. The mandate achieved by the Ngāti Tara Tokanui Negotiators was conducted in a fair, open and transparent manner.

1.2 Comprehensive Negotiations

The Ngāti Tara Tokanui Negotiators on behalf of Ngāti Tara Tokanui seek to continue direct Treaty settlement negotiations for the comprehensive and final settlement of all Ngāti Tara Tokanui historical Treaty of Waitangi claims. We seek to resolve all the Treaty of Waitangi claims of Ngāti Tara Tokanui whether registered or not registered with the Waitangi Tribunal concerning breaches that occurred prior to 21 September 1992.

1.3 Negotiations – Sir Douglas Graham Proposal

On 3 June 2009, Cabinet agreed that Sir Douglas Graham present his settlement proposal (including quanta and cultural redress) to claimant groups in Tāmaki, Kaipara and Hauraki. Sir Douglas subsequently met with claimant groups, including Ngāti Tara Tokanui on Wednesday, 24 June 2009 at the Ellerslie Racecourse in Auckland.

1.4 Ngāti Tara Tokanui Interim Mandate

In May 2010, the people of Ngāti Tara Tokanui mandated Russell C. Karu and Amelia Amy Tuihana Williams as interim negotiators to represent their overall tribal interests in the Hauraki settlement region (as defined by the Crown) in comprehensive Treaty of Waitangi settlement negotiations with the Crown.

2. Description of Ngāti Tara Tokanui – Who we are

2.1 Descent

The claimant group includes all people descended from the eponymous ancestor Tara. Historically, the Ngāti Tara Tokanui was formed through a marriage alliance between Te Rae of Ngāti Hako and Te Awapu of Ngāti Tara (Te Awapu was the Great Grandson of Tara). Ngāti Tara have close kinship ties with the Marutūāhu tribes through their eponymous ancestor the Ngāti Raukawa Chief Kotare.

The claimant group definition may be refined and confirmed throughout the course of negotiations.

2.2 Proposed Area of Interest for Negotiations – Our Rohe

The Ngāti Tara Tokanui rohe generally encompass Maramarua to Wai O Rongomai and Te Ure Tara Stream to Whangamata. Ngāti Tara Tokanui acknowledges that this area of interest may overlap with other iwi.

2.3 Marae affiliations

The marae of Ngāti Tara Tokanui is Ngāhutoitoi Marae.

3. Historical Claims for Negotiation

The negotiations process will seek a comprehensive settlement for all historical Ngāti Tara Tokanui claims including (but not be limited to):

All historical claims which are made on the basis of Ngāti Tara Tokanui whakapapa, whether registered or unregistered with the Waitangi Tribunal; and those historic claims which involve or may involve Ngāti Tara Tokanui interests, including:

Wai No.	Claim Title	Claimant
Wai 100	The substantive Wai 100 claim under taken by the Hauraki Maori Trust board in whose care Ngāti Tara Tokanui entrusted to include Ngāti Tara Tokanui's issues of claim	Huhurere Tukukino
Wai 714	Ngāti Koi Claimant Trust	Hone Tiwaewae Williams
Wai 686	Hauraki Comprehensive Claim	

4. Overlapping and shared interests

The Ngāti Tara Tokanui Negotiators acknowledge that the proposed settlement area of interest overlaps and in some instances is shared with other neighbouring tribal groups along our tribal boundaries.

The Ngāti Tara Tokanui Negotiators are implementing consultation processes with overlapping tribal groups.

5. Responsibilities and Accountabilities of the Negotiators

The two negotiators for Ngāti Tara Tokanui were appointed by a mandate hui ā-iwi of Ngāti Tara Tokanui on Sunday 27 February 2011 at Ngāhutoitoi Marae, Paeroa.

The Ngāti Tara Tokanui Negotiators will represent the iwi of Ngāti Tara Tokanui and advocate for Ngāti Tara Tokanui interests in Treaty settlement negotiations with the Crown in the Hauraki region negotiations. The two Negotiators will also be the Ngāti Tara Tokanui representatives on the Hauraki Collective.

The Ngāti Tara Tokanui Negotiators are ultimately responsible and accountable to Ngāti Tara Tokanui via regular hui ā-iwi.

Responsibilities and accountabilities of the Ngāti Tara Tokanui Negotiators will include but not be limited to:

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

6. Reporting process for the Ngāti Tara Tokanui Negotiators

6.1 Roles of Negotiators

The Ngāti Tara Tokanui will be accountable both directly to the iwi of Ngāti Tara Tokanui as well as through the Advisory Group which is established to provide support to the Ngāti Tara Tokanui Negotiators. The Negotiators have established a Communications sub-committee and this will continue in operation.

The Advisory Group will provide advice and support to the Ngāti Tara Tokanui Negotiators on iwi whakapapa, history, kawa, tikanga and the traditional rohe of Ngāti Tara Tokanui as that information is relevant to the negotiations process.

The Ngāti Tara Tokanui Negotiators will also be directly accountable to the iwi of Ngāti Tara Tokanui. The Ngāti Tara Tokanui Negotiators will report directly to the iwi of Ngāti Tara Tokanui through:

- Regular report back hui;
- Pānui or newsletters; and
- Regular website updates at www.haurakicollective.maori.nz.

6.2 Replacement, Removal and Appointment of Negotiators

In the event that a negotiator cannot undertake their duties due to ill health, resignation, the dispute resolution process noted below, or any other unforeseen circumstances, then the process outlined below will apply.

Any replacement, removal or appointment of alternative negotiator(s) will occur via the same process undertaken by the Ngāti Tara Tokanui Negotiators in obtaining their full mandate. In such a situation, the negotiators or the Advisory Group will call a hui-ā-iwi to elect or reappoint the mandated negotiator(s). The hui will be publicly notified 21 days in advance. The Minister of Māori Affairs and Minister for Treaty of Waitangi Negotiations will then make a decision on whether to recognise the mandate of any alternative negotiator(s). Te Puni Kōkiri observers will be invited to attend the hui-a-iwi.

6.3 Meeting of the Ngāti Tara Tokanui Negotiators

The Ngāti Tara Tokanui Negotiators will meet regularly with one another, regularly with the Advisory Group, and regularly with the iwi of Ngāti Tara Tokanui. The Ngāti Tara Tokanui negotiators will also meet regularly with the Hauraki Collective.

6.4 Appointment of Alternate Negotiators

The negotiators will have the option to appoint an alternate negotiator or negotiators only within six months of the mandate hui and only on agreement by both negotiators.

A maximum of two alternate negotiators may be appointed. If appointed, the role of the alternate negotiator or negotiators ("alternates") will be to attend negotiation meetings, hui-ā-iwi or any other negotiation activity when one or both of the negotiators cannot be present. If appointed, the alternates may undertake all of the roles and responsibilities of the negotiators outlined in this Deed of Mandate when the negotiators are unable to do so with the exclusion of any financial matters.

Any alternate appointed will not be an immediate relative of either of the negotiators.

7. Operations of Negotiators

7.1 Decision Making Process

The Mandated Negotiators will make decisions by way of consensus. In addition, the wider Ngāti Tara Tokanui community can participate in the decision making processes by attending and voting on resolutions put at Regular Report Back Hui. All decisions made by the negotiators in relation to settlement negotiations will be made in accordance with Ngāti Tara Tokanui tikanga.

7.2 Dispute Resolution

The Ngāti Tara Tokanui Negotiators will be supported by through the negotiation process by the Advisory group. If a group or individual from Ngāti Tara Tokanui has any concern regarding the Ngāti Tara Tokanui Negotiators representation of their interests during negotiations, they will inform both the negotiators themselves and the Advisory Group in writing.

If a letter of complaint or any written concerns are lodged with the negotiators and the Advisory Group, both the negotiators and the Advisory Group will first go about seeking all relevant information from the group or individuals concerned to ensure they have a clear understanding of the complaint.

Once the information has been received, the negotiators and Advisory Group will then consider if the matter requires further action. If the matter requires further action, the negotiators and Advisory Group will meet with the group or individual concerned and seek to resolve the problem through mediation.

7.3 Authority to Amend Deed of Mandate

The Ngāti Tara Tokanui Negotiators will have the authority to amend the Deed of Mandate when changes have occurred and/or which make the management of negotiations more effective. If changes are of a significant nature, the Crown will need to agree and a publicly notified hui will be held to inform the Ngāti Tara Tokanui people.

8. The Mandate Process

8.1 Mandating Hui Strategy

The Ngāti Tara Tokanui Negotiators developed a Mandate strategy (attached as **Appendix 1**) in conjunction with Te Puni Kōkiri and the Office of Treaty Settlements for presenting its mandate proposal to the people of Ngāti Tara Tokanui.

8.2 Mandating Hui Location

The mandate hui was held at Ngāhutoitoi Marae in Paeroa, a location central to significant populations of Ngāti Tara Tokanui members.

Date	Location	Time
Sun, 27 February 2011	Ngāhutoitoi Marae, Te Moananui Flats Road, Paeroa	11 am

8.3 Pre-Hui Communications

The hui was publicly notified 15 days in advance of the hui, with the first notification occurring on 12 February 2011.

The hui were notified through a range of media, including:

- An advertisement in the New Zealand Herald, Waikato Times and Hauraki Herald (**Appendix 3**); and
- notice on the Hauraki Collective website.

9. Mandating Hui

9.1 Mandating Hui Purpose

At the mandating hui, the people of Ngāti Tara Tokanui had the opportunity to discuss the proposal with the Ngāti Tara Tokanui Negotiators, and to put any questions to members before a resolution affirming the mandate of the Ngāti Tara Tokanui Negotiators was sought.

Te Puni Kōkiri were also invited to attend the hui as Crown observers (Copies of observer reports are attached as **Appendix 6**).

The Ngāti Tara Tokanui negotiators planned a presentation to the hui about the advertised resolution and other relevant information (**Appendix 4**). Although in the end there were no capabilities to provide a power point presentation at the hui, the negotiators did proceed with discussing the planned information unassisted. The TPK observer report notes show that regardless of the inability to show the presentation visually, the necessary information was communicated clearly.

The following resolution was put to the hui:

“That Russell C. Karu and Amelia Amy Tuihana Williams be mandated to represent Ngāti Tara Tokanui in negotiations with the Crown regarding the comprehensive settlement of Ngāti Tara Tokanui historical Treaty of Waitangi claims.”

9.2 Voting on Resolutions & Eligibility

Voting on the resolution was by a show of hands of the eligible adult members of Ngāti Tara Tokanui 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, including that:

- members must be 18 years or older to vote;
- voting will be by simple majority; and
- voting will be by show of hands with one vote for each eligible voter present.
- An attendance register (**Appendix 5**) was taken at the hui.

10. Summary of Voting

The results of the voting process for the Ngāti Tara Tokanui Negotiators are set out below. There was a total of 41 people who attended the mandate hui. Of the total number of eligible voters, 24 voted yes to the resolution, 10 voted no, and 0 abstained.

Venue	Hui attendees	Voted YES	Voted NO	Voted ABSTAIN
Ngāhutoitoi Marae	41	24	10	0

The above table shows majority support from the hui in favour of the Ngāti Tara Tokanui Negotiators being the mandated people to represent Ngāti Tara Tokanui for the purposes of continuing negotiations with the Crown regarding the comprehensive settlement of all Ngāti Tara Tokanui historical Treaty claims.

11. Availability of the Deed of Mandate

The Deed of Mandate, together with the supporting material, may be made available by the Crown to anyone from the claimant community who requests this information under the Official Information Act 1982.

Therefore, we, the Ngāti Tara Tokanui Negotiators agree to the Crown making the Deed of Mandate known through a public notification process, and to provide the Deed of Mandate, together with the supporting information, to members of the claimant community who request it.

We also acknowledge that the Deed of Mandate with the supporting material may be released under the Official Information Act. We request that the Ngāti Tara Tokanui Negotiators are informed and included in all correspondence.

12. Supporting Material to the Deed of Mandate

Copies of the documents attached to the Deed of Mandate as supporting material is as follows:

1. Mandate Strategy
2. Letter of endorsement for Mandate strategy
3. Mandate hui advertising
4. Mandate hui presentation
5. Mandate hui attendance registers
6. Crown observer reports



Te Puni Kōkiri
REALISING MĀORI POTENTIAL

26 May 2011

Russell C. Karu and Amelia Williams,
Ngāti Tara-Tokanui Negotiators,
Russellkaru@xtra.co.nz
Amelia.Williams@minedu.govt.nz

Tēnā kōrua,

Endorsement of Mandate Strategy

Thank you for submitting a final draft of the Ngāti Tara-Tokanui mandate strategy to the Crown for review. Attached to this letter is the endorsed final mandate strategy for the comprehensive settlement of Ngāti Tara-Tokanui's outstanding historical Treaty of Waitangi Claims.

Copies of this mandate strategy will be posted on the websites for Te Puni Kōkiri (www.tpk.govt.nz) and the Office of Treaty Settlements (www.ots.govt.nz). On these websites, a facility will be provided so that comments on the mandate strategy can be made. If any comments are made, they will be forwarded to your organisation so that you can address them as necessary.

The Crown also wishes to express its concern about the relationship between the Ngāti Tara-Tokanui Negotiators and the possible impacts that this relationship may have upon future negotiation processes. If requested, Te Puni Kōkiri can provide an independent facilitator to assist in finding an amicable solution to issues that may impede negotiation processes. If you would like to find out more about organising such a facilitator, please do not hesitate to contact me.

We wish the best for the remainder of your mandating processes, and we look forward to receiving your finalised deed of mandate as soon as possible.

Nāku noa, nā

Tom White
Manager, Policy
Te Puni Kōkiri



Ngāti Tara- Tokanui

Mandate Strategy Document

**On behalf of Ngāti Tara-Tokanui
dated 27 May 2011**

1. Preamble

- 1.1 After a number of years of competing mandates to represent the Iwi of Hauraki in Treaty of Waitangi negotiations, in 2009 the Crown initiated a process to establish a mandated structure to negotiate the settlement of historical Hauraki Treaty of Waitangi claims. This involved the election of two interim negotiators by each of the statutory recognized iwi of Hauraki (under the Hauraki Maori Trust Board Act 1988) to form the mandated structure known as the Hauraki Collective. Ngāti Tara-Tokanui is one of those iwi.
- 1.2 In November 2009, Hauraki iwi began electing their interim negotiators. In May 2010, Ngāti Tara-Tokanui along with Ngāti Tamatera and Ngāti Hako elected their interim negotiators. Ngāti Tara-Tokanui elected Russell C. Karu and Amelia Amy Tuihana Williams as the interim mandated representatives to the Hauraki Collective to negotiate a Hauraki whānui Treaty settlement as well as a Ngāti Tara-Tokanui specific Treaty settlement.
- 1.3 On 1 October 2010, the Hauraki Collective Framework Agreement (“Framework Agreement”) was signed with the Crown. The Framework Agreement outlines process and identifies substantive areas of negotiation. The structure for the Hauraki Treaty of Waitangi Settlement entity is to be developed.

2. Purpose

- 2.1 The purpose of this strategy document is primarily to provide information and insight into the intentions and process to be undertaken by Ngāti Tara-Tokanui to obtain a mandate to negotiate a Treaty of Waitangi settlement through a fair, open and robust process that is recognised by Ngāti Tara-Tokanui and the Crown. The contents of this strategy are without prejudice.

3. Claimant Definition

3.1 *Claimant Community*

The claimant community included in this mandate strategy are the individuals whānau and hapū of Ngāti Tara-Tokanui, Ngāti Tara-Tokanui is defined as all the descendants of the eponymous ancestor Tara. Historically, the iwi of Ngāti Tara-Tokanui was formed through a marriage alliance between Te Rae of Ngāti Hako and

Te Awapu of Ngāti Tara (Te Awapu was the Great Grandson of Tara). Ngāti Tara have close kinship ties with the Marutūāhu tribes through their eponymous ancestor the Ngāti Raukawa Chief Kotare. The claimant definition may be further developed during the course of negotiations. The marae of Ngāti Tara-Tokanui is Ngāhutoitoi Marae.

3.2 Claims to be settled

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

- (a) all historical claims which are made on the basis of Ngāti Tara-Tokanui whakapapa, whether registered or unregistered. Currently, further research and preparation is being undertaken to properly collate Ngāti Tara-Tokanui's issues of claim; and
- (b) claims reported on by the Waitangi Tribunal which include:

Wai No.	Claim Title	Claimant
Wai 100	The substantive Wai 100 claim under taken by the Hauraki Maori Trust board in whose care Ngāti Tara-Tokanui entrusted to include Ngāti Tara-Tokanui's issues of claim	Huhurere Tukukino
Wai 714	Ngāti Koi Claimant Trust	Hone Tiwaewae Williams
Wai 686	Hauraki Comprehensive Claim	

4. Area of Interest

- 4.1 The Ngāti Tara-Tokanui rohe generally encompass Maramarua to Wai O Rongomai and Te Ure Tara Stream to Whangamatā. Ngāti Tara-Tokanui acknowledges that this area of interest may overlap with other iwi.

5. Representations and Accountabilities of the Negotiators

5.1 *Appointment of Negotiators*

Two negotiators will be appointed by one mandate hui-a-iwi of Ngāti Tara-Tokanui on **Sunday 27 February 2011, 11am at Ngāhutoitoi Marae, Paeroa**. The two Negotiators will be Ngāti Tara-Tokanui's representative on the Hauraki Collective.

5.2 *Advisory Group*

An "Advisory Group" of three or four kaumātua and/or kuia will be formed to support, advise and provide accountability for the Negotiators. The Negotiators will jointly approach kaumātua and/or kuia who are respected leaders of Ngāti Tara-Tokanui with knowledge of iwi whakapapa, history and tīkanga to join the Advisory Group. The Advisory Group will meet with the Negotiators at least once every two months and receive an update on the progress of negotiations. They will provide advice and guidance to the Negotiators especially on questions of whakapapa, history, tīkanga, kawa and the traditional rohe of Ngāti Tara-Tokanui.

5.2 *Sub-committee*

The Negotiators have established a Communications sub-committee which will continue in operation.

5.3 *Negotiators Responsibilities*

The Ngāti Tara-Tokanui Negotiators will report directly to the iwi of Ngāti Tara-Tokanui but will also keep each other up to date with progress in relation to their respective negotiation work. Their responsibilities to the iwi will include:

- regular reporting;
- appointment of advisors;
- appointment of a working group if required;
- approve and sign-off key negotiation milestones including initialling a deed of mandate; and
- other matters as necessary to complete the negotiation task.

The appointment of any advisors or working group must be approved by both Negotiators. The Negotiators will have the mandate and scope of authority to manage all aspects of settlement negotiations with the Crown.

5.4 *Reporting Process*

The Ngāti Tara-Tokanui Negotiators will report directly to the iwi Community through the holding of regular Report Back Hui regarding progress of the negotiations. This will occur in a number of ways including:

- report back hui;
- pānui or newsletter; and
- website portal.

5.5 *The Decision-Making Process*

The Mandated Negotiators will make decisions by way of consensus. In addition, the wider Ngāti Tara-Tokanui community can participate in the decision making process by attending and voting on resolutions put at regular report back hui. All decisions made by the Negotiators in relation to settlement negotiations will be made in accordance with Ngāti Tara-Tokanui tikanga.

5.6 *Scope of Mandate*

The mandate of the Ngāti Tara-Tokanui Negotiators will cover all claims, interests and groupings within the iwi. The Negotiators will seek that all parts of the iwi are accounted for in the negotiation process.

6. *Dispute Resolution*

6.1 If a group or individual has any concern regarding the Ngāti Tara-Tokanui Negotiators representation of their interests during negotiations, they will inform both the Negotiators themselves and the Advisory Group in writing.

6.2 If a letter of complaint or any written concerns are lodged with the Negotiators and the Advisory Group, both the Negotiators and the Advisory Group will first go about

seeking all relevant information from the group or individuals concerned to ensure they have a clear understanding of the complaint.

- 6.3 Once the information has been received, the Negotiators and Advisory Group will then consider if the matter requires further action. If the matter requires further action, the Negotiators and Advisory Group will meet with the group or individual concerned and seek to resolve the problem.
- 6.4 All disputes between the group or individuals in question and Negotiators will be resolved through mediation.

7. Mandate Hui

- 7.1 The mandating hui will be notified to members through the Newspapers (NZ Herald, Hauraki Herald etc).
- 7.2 Notification will be placed at least **14 days prior**.
- 7.3 The public notice will clearly state the purpose of the hui. Specific mention will include reference to the need to obtain mandate for the Ngāti Tara-Tokanui Negotiators to enter into negotiations with the Crown for the comprehensive settlement of all the historical Treaty of Waitangi claims for and on behalf of Ngāti Tara-Tokanui.

The following resolution will be put to the hui:

'That Russell C. Karu and Amelia Amy Tuihana Williams be mandated to represent Ngāti Tara-Tokanui in negotiations with the Crown regarding the comprehensive settlement of Ngāti Tara-Tokanui historical Treaty of Waitangi claims.'

7.4 Rules:

- *Voting will be by simple majority.*
- *Voting will be by show of hands with one vote for each eligible voter present.*
- *There will be no postal voting, and no proxies will be accepted.*
- *Members eligible to vote will be those who whakapapa to Ngāti Tara-Tokanui and who are 18 years or older.*

- *An attendance register will be taken at the hui. Kaumātua present at the hui may be asked to verify whakapapa, and where appropriate, to confirm eligibility.*

7.5 If the majority of the hui votes no to the above resolution or resolutions the hui will then be asked to vote for a new negotiator or negotiators. Nominations for the new negotiator or negotiators will be called from the floor, and the interim negotiators may be nominated again.

7.6 Rules for election of new negotiator or negotiators if required:

- *Nominations will be taken.*
- *Voting for nominees will occur.*
- *Voting in this instance will be by ballot with one vote for each eligible voter present.*
- *Members eligible to vote will be those who whakapapa to Ngāti Tara-Tokanui and who are 18 years or older.*
- *An attendance register will be taken at the hui. Kaumātua present at the hui may be asked to verify whakapapa, where appropriate, to confirm eligibility.*

8. Alternate Negotiator(s) “Alternates”

8.1 The Negotiators will have the option to appoint an alternate negotiator or negotiators within six months of the mandate hui on agreement by both Negotiators that this will be beneficial. A maximum of two alternate negotiators may be appointed. If appointed, the role of the alternate negotiator or negotiators (“alternates”) will be to attend negotiation meetings, hui ā-iwi or any other negotiation activity when one or both of the Negotiators cannot be present. If appointed, the alternates may undertake all of the roles and responsibilities of the Negotiators outlined in this mandate strategy when the Negotiators are unable to do so with the exclusion of any financial matters. Any alternate appointed will not be an immediate relative of either of the Negotiators.

9. Deed of Mandate

9.1 Upon completion of the Mandate Hui, the Deed of Mandate will be written and supporting evidence collated according to the guidelines as set out by the Office of

Treaty Settlements (OTS) and submitted to Te Puni Kōkiri and OTS for assessment, and for recognition from the Minister for Treaty Negotiations and the Minister of Māori Affairs.

- 9.2 The mandated body may alter or amend the Deed of Mandate document, as required.
- 9.3 It is expected that the mandating hui will be completed by February 2011 and that a Deed of Mandate is expected to be submitted by no later than May 2011.

Russell C. Karu and Amelia Williams
27 May 2011

Weekend Herald
 Feb 12 / 2011
 P5 C22

whānau and weaving, wānanga, and discussion on other Ngāti Mutunga mahi.

From 9pm Friday 25 February to
 9.30am Sunday 27 February

Ngāti Mutunga Iwi Hui

10am Sunday 27 February 2011
 at Urenui Pa

Notice is also given of a hui-a-iwi called jointly by Te Runanga o Ngāti Mutunga and the Urenui Pa Trustees.

Agenda

- Ngāti Mutunga Exhibition
- Marae Development Project
- Renovation of Mahi Tamariki
- Nominations for 1 new trustee to the Urenui Pa Trustees. (For more information please contact Stephen McClutchie 0274352988)

For more information on the wānanga and iwi hui please contact Te Waka on 06 7523247 or email tewaka@ngatimutunga.iwi.nz

Registrations for the hui are to be lodged prior to commencement of the meeting. Any proxies received after meeting commences will not be accepted.

Grant Nicholas
 Chairman
 09 4167915

NOTICE OF APPLICATION FOR RENEWAL OF AUCTIONEER'S LICENSE

Mountfort Estate Agents Ltd Licensed (REAA 2008) of 12 Unbridge Rd, Howick, hereby give notice that we have applied to the District Court of Auckland for renewal of a license under the Auctioneers Act 1928 to carry on business as an Auctioneer from 12 Unbridge Rd, Howick (principal place of business) and Bucklands Beach Yacht Club, Ara Tapu, Half Moon Bay, Auckland. The auctioneer for this Company is Kenneth John Raup.

Any person wishing to object to the grant of this application must give written notice in writing to the Registrar so as to reach him/her no later than one month after the date of the first publication of this notice, please quote ref. no. MA 6/11. This is the first publication of this notice. Dated at Auckland this 12th day of February 2011. Mountfort Estate Agents Ltd Licensed (REAA 2008)

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Ngāti Tara-Tokanui – Mandate Hui Treaty Settlement Negotiations

Date: Sunday, 27 February 2011

Venue: Ngahutuotoi Marae, Te Moananui Flats Rd, Paerua

Time: 11am - Lunch at 1pm

Kaupapa:

A mandate Hui has been called by the interim Negotiators for Ngāti Tara-Tokanui to seek full mandate or alternatively to elect alternate negotiator(s) with full mandate.

Agenda:

- Mihi/Karanga
- Presentation of Treaty Negotiations progress and mandate proposal
- Questions and Answers
- Voting on Resolutions
- Karanga whakamutunga

Voting:

All whānau of Ngāti Tara-Tokanui descent are encouraged to attend. Eligible voters include all persons 18 years or older who whakapapa to Ngāti Tara-Tokanui. Voting will be by show of hands at the Hui, no proxy votes will be permitted.

Resolution:

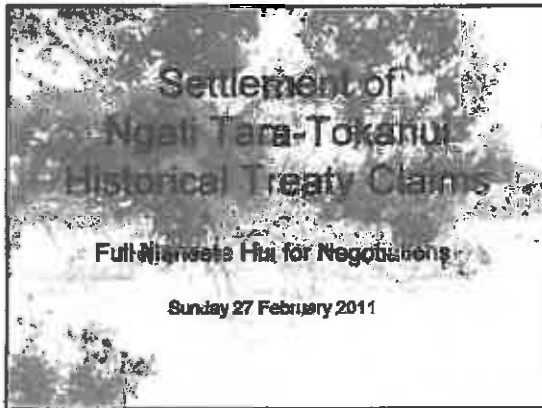
"That Russell C. Kariu and Amelia Amy Tuihana Williams be mandated to represent Ngāti Tara-Tokanui in negotiations with the Crown regarding the comprehensive settlement of Ngāti Tara-Tokanui historical Treaty claims."

For further information contacts:

Russell C. Kariu russellkariu@tra.co.nz or Amelia Williams Amelia@tra.co.nz

Tickets
 ON SALE NOW

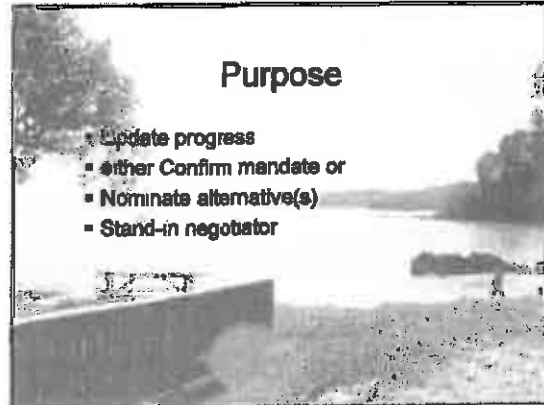
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Settlement of Ngati Tara-Tokanui Historical Treaty Claims

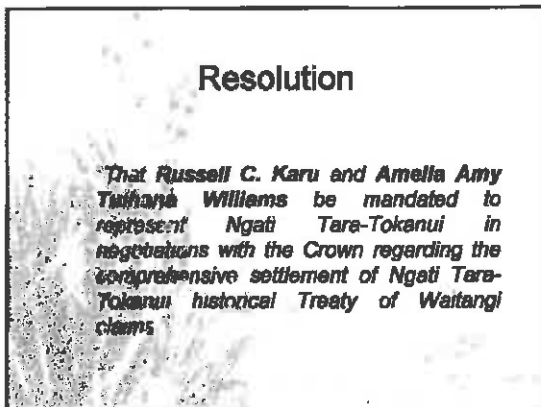
Full *Hauwhare* Hui for Negotiators

Sunday 27 February 2011



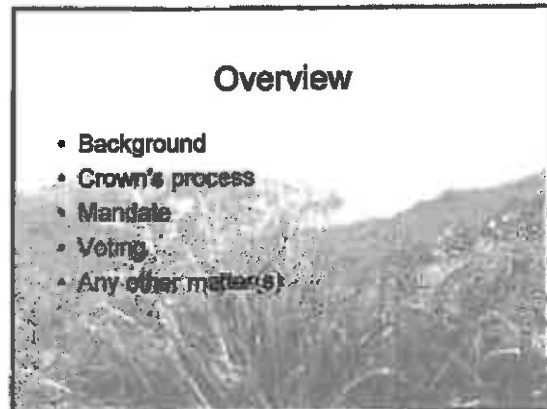
Purpose

- Update progress
- either Confirm mandate or
- Nominate alternative(s)
- Stand-in negotiator



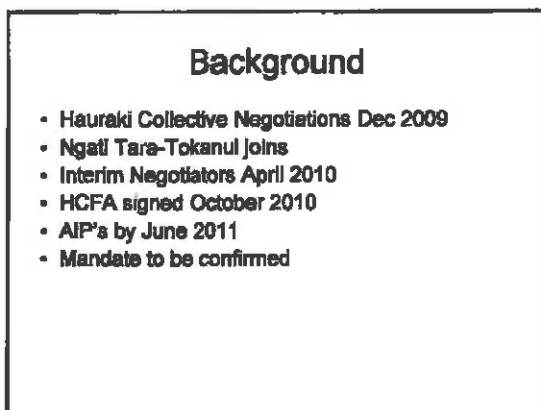
Resolution

That Russell C. Karu and Amelia Amy Tuhanga Williams be mandated to represent Ngati Tara-Tokanui in negotiations with the Crown regarding the comprehensive settlement of Ngati Tara-Tokanui historical Treaty of Waitangi claims



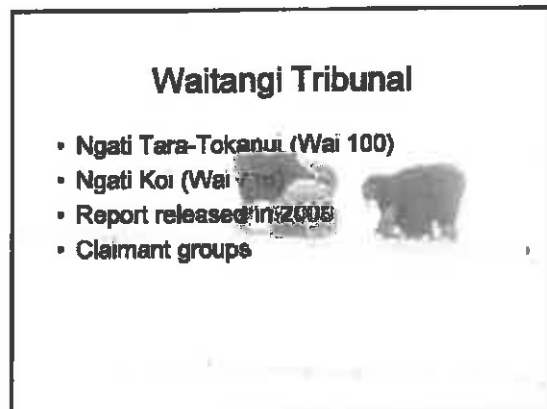
Overview

- Background
- Crown's process
- Mandate
- Voting
- Any other matters



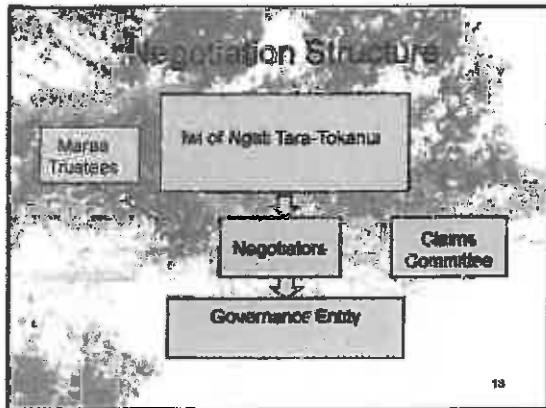
Background

- Hauraki Collective Negotiations Dec 2009
- Ngati Tara-Tokanui joins
- Interim Negotiators April 2010
- HCFA signed October 2010
- AIP's by June 2011
- Mandate to be confirmed



Waitangi Tribunal

- Ngati Tara-Tokanui (Wai 100)
- Ngati Koi (Wai 101)
- Report released in 2008
- Claimant groups



Accountability

Negotiators accountable to Iwi
 regular meetings
 Māori Trustees as advisors
 Negotiators
 • Deed of Settlement

14

Dispute Resolution

- It concerns
 - Also to Negotiators and Māori Trustees
 - Personal information
 - Most will individuals
 - Will to resolve issue

15

Eligibility to vote

- 18 years +
- Whākapapa to Ngāi Tara-Tōkanui
- Present at the hui, no proxies
- Voting by **show of hands**

16

Information Hui

- One Mandate Hui
- Extra Information Hui in other centres

17

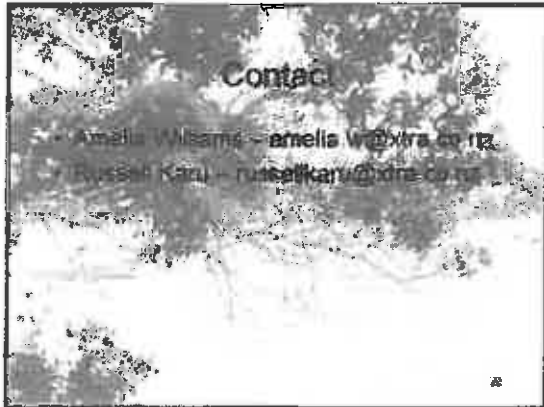
Resolution

- Accept or reject the mandate proposal

"Iwi Russell C. Kiri and Amelia Arty Tutuao Hāwera be mandated to represent Ngāi Tara-Tōkanui in negotiations with the Crown regarding the comprehensive settlement of Ngāi Tara-Tōkanui historical Treaty of Waitangi claims"

18

27/02/2011



ATTENDANCE REGISTER

Ngahutoitoi Marae Mandate - hui 27 February

Name.	Address
	23 Heale St, Matata
Dawn Kamani-Hirama	121 Deale St Paeroa
Akubata Hirama	20 Town Road Kaipara
Ani Reti	20 Town Road Kaipara
John Reti	Haulton
S. Te Karu	
Nick Singh	Ngahutoitoi Marae Rd, Paeroa.
Darla Singh	Junction Rd, Paeroa
BELLA Singh	
Colleen Ranata	88 Te Moananui - No. 15 Paeroa
Phyllis Mott	06 Loweridge Place W'ville
MARICE NEWDICK	P.O. BOX 190 Paeroa
- hanga Gage	" " " "
at a	
Gary Williams	6 Loweridge Place W'ville
PRISCILLA HIRAMA	1 menzies pl Paeroa.
Dawn Hirama	22 Menzies Pl Paeroa
Annette Hirama	6 Menzies Pl Paeroa
ka Tiffany Gage	46 menzies place Paeroa.
Lavinia Singh	22 Menzies pl Paeroa
Pamama Tuaru	30 Junction rd Paeroa
Daryl Tangahue	P.O. box 202 Paeroa
Shelvi Karu	" "
Brianne Tamaru Karu	1 Nahum Street Paeroa
James Hirama Te Moananui	39 Northolt Rd HAM.
Lorraine Colvin	6 Peritt St Paeroa. 01822624
Jennie Colvin	10a Jutland Rd Manurewa.
Melanie Te Karu	1A Run St. Mienzi
John Linstead	2/39 Station Rd Ta Kaiti.
Ahigail Linstead	2ae o te papa pos 7564 AK.
Janeene Tanohe	Pa o te papa POB 7564 AK.
Suliasi Peri	P.O. Box 75011, Manurewa
Miaye Peri	3 Taniwha Mess Mess.
	PO BOX 22

PTO

Kiri Beautiful Barco 65 Ngahutoiti Marae Rd,

Eloi Tekore

Jay Pitta
Joss Koni
Carolina Kani

Sonny Calvin

Makara Tuau

Peraniko Kani

Haramira A. Kani

Amelia Williams

91 OLAM Rd AUCKLAND

45 Panipani Rd RD4 Hikurangi

1 Nanum Street, Paeroa

98 Ngahutoiti RD PAEROA

10a Jutland Manurewa

65 ngahutoiti marae rd

10 Augusta street

PAEROA

18 Hawer Rd, Manurewa

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MANDATE HUI OBSERVER REPORT: NGĀTI TARA-TOKANUI

Iwi	Ngāti Tara-Tokanui		
Location	Ngahutoitoi Marae, Rotokohu Road, Paeroa		
Date	Sunday, 27 February, 2011		
Start time	~11:25am	Finish time	~1:25pm
Chair	Rauru Kirikiri, Independent Chair		
Presenter	Russell Karu and Amelia Williams		
Minute taker			
Observer(s)	Ria Tomoana (TPK, Policy) Kererua Savage* (TPK, Policy) *present to answer questions regarding Crown policy around mandate		
Attendance	Observer counted 30 adult attendees not including the two interim negotiators, TPK staff and the Chair. Note that people were arriving and leaving throughout the hui. An attendance register was distributed which noted 41 attendees excluding Amelia. Apologies were taken at the start of the hui and 35 apologies were received.		
Purpose	Mr Karu explained the purpose of the hui which was to vote on a resolution to formally mandate the negotiators.		
Agenda	An agenda was provided to the TPK staff members and Chair. (list agenda here) <ul style="list-style-type: none"> • Mihi/Karakia • Presentation of Treaty progress • Questions and answers • Voting • Karakia whakamutunga 		
Presentation	Discussion on whether hui should proceed The Chair referred to the issue of low numbers at the hui and the high number of apologies made and wanted to seek the attendees' views on this matter. He opened the floor to discussion about whether the hui should proceed as it was advertised, namely as a mandating hui.		

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	<p>Mr Karu addressed the hui reiterating that he had been hasty in holding the hui and that it would not be a problem to hold another hui.</p> <p>The Chair explained the two options open to the hui (1) go ahead with the hui as advertised or (2) go through the agenda but not vote on the resolutions. He opened it up to the floor for discussion.</p> <p>After discussion, a resolution was put by Dawn Herama. She moved that "the hui go ahead with the vote".</p> <p>Nic Singh seconded the motion.</p> <p>TPK explained the Crown's perspective about ensuring that people are included, not excluded, and that the spread of the iwi population is something to take into consideration.</p> <p>TPK also said that after this hui there are some further steps to take, such as finalisation of the documentation which includes area of interest, claimant definition, accountabilities, ability to replace and appoint negotiators, transparency measures and details of how the iwi will participate in the negotiations.</p> <p>A hui attendee commented that the hui had been well advertised and whānau were well aware. He came here to vote and if they hold off, he wonders whether there are others who are interested in being nominated. He would like to continue and move forward. He asked if they could progress the working committee.</p> <p>An attendee from the floor commented that they wanted more Tara representation.</p> <p>The Chair repeated the motion that "the hui go ahead with the vote."</p> <p>A vote was taken on the motion and a show of hands indicated</p> <ul style="list-style-type: none">- 18 attendees were in favour of the hui proceeding as a mandate hui- 3 attendees voted against the resolution to continue as a mandate hui. <p>Carried.</p> <p>Mr Karu read the resolution that was advertised in the paper that <i>"That Russell C. Karu and Amelia Amy Tuihana Williams be mandated to represent Ngāti Tara Tokanui in negotiations with the Crown regarding the comprehensive settlement of Ngāti Tara Tokanui historic Treaty claims."</i></p>
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	<p>There was a request by a hui attendee to continue on after the voting, with iwi business. The Chair responded that his role and the role of TPK was primarily for the mandate, and therefore the iwi could do as they wish afterwards.</p> <p>Presentation The necessary equipment for the PowerPoint presentation was not available, however, Mr Karu continued with the presentation verbally.</p> <p>Overview /Background</p> <p>Waitangi Tribunal /Claims Mr Karu informed the hui how all WAI claims relevant to Ngāti Tara-Tokanui will be included in the mandate strategy. They have Wai 714 and the wider Wai 100. He said that it is Crown policy, that when seeking a mandate, all the Wai claims be included.</p> <p>Who would be covered by the mandate? Mr Karu mentioned how the negotiators are responsible to iwi and how TPK would like to see an intermediary group, preferably an entity, between the negotiators and iwi. The negotiators have a lot of power and responsibilities, too much for two people. Ngāti Tara Tokanui doesn't currently have an incorporated society, but will discuss developing this idea further.</p> <p>Currently Ngāti Tara-Tokanui have been working with the Marae Trustees to be the support group to the negotiators and iwi: they would help, for example with dispute resolution processes. Mr Karu said he was committed to setting up a working group. They had their first meeting in November and will look at having the next meeting soon.</p> <p>Area of Interest Mr Karu acknowledged that Amelia has been busy researching the areas of interest particular to Ngāti Tara-Tokanui. Research has only recently commenced on the border areas which overlap with other iwi</p> <p>Accountability Issues Accountability issues will be covered using marae trustees already covered when he spoke about who the mandate would cover (see above).</p> <p>Information hui – there may be 1-2 other information hui in other areas.</p> <p>Resolution Mr Karu informed the hui that the vote is a vote for the process and the current negotiators.</p> <p>Mr Karu also mentioned the need to get the Claims committee (working group) up and running. The Crown released a figure of \$53 million, which the Hauraki Collective threw out.</p>
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	<p>In negotiations, they are now moving into departmental meetings.</p> <p>Amelia Williams (co-negotiator) Ms Williams spoke of the dates of the settlement process and that the Agreement in Principle needs to be signed by Oct 2011. Amelia spoke of how they can have update hui in other places, but today is the day that they take responsibility and leadership. She said that the negotiators have been very busy, but if it weren't for their tūpuna legacy they wouldn't be here today. She acknowledged that her and Mr Karu need to work together and that they need the Marae trustee and the Claims Committee / working group and that the Treasurer of the Marae Committee hold the books and that the marae trustees sit with the claims committee/working group. Work needs to be done; trustees need to get them going. As for the area of Interest, Amelia assured there is no question that it runs from Maramararua to Tawhiti a Rae.</p> <p>Amelia also spoke of how Tara-Tokanui, Hako and Tamaterā have the strongest links and this process isn't about one family, it's about all of us. An attendee commented that they want the negotiators to be as "one" working in unison. Another attendee acknowledged the work of the interim negotiators and stated that this isn't acknowledged enough. The mahi they do is time consuming and it seems like they need more help and the whānau should have offered more help.</p> <p>Dawn Herama introduced herself and also wanted to acknowledge the work of Mr Karu and Amelia. She continued further saying that they are all here because they want to see their iwi progress and to see it happen in a nice way. She questioned why they don't have an entity or legal body that represents the iwi to help the negotiators. She expressed a desire to see what the roles and responsibilities of the entity and the negotiators would be. Mr Karu explained that most of what he presented today is derived from a Crown template and a lot of what they do (iwi) is driven by Crown process.</p> <p>Mr Karu highlighted the need for the legal entity to be mandated by iwi and that the entity will be derived from a template to ensure that it meets the Crown requirements in terms of accountability etc.</p> <p>Ms Williams talked about the working committee and the role of the Marae trustees. The working committee has no expectations that they will continue after the process ends.</p> <p>The Chair reminded the attendees that the resolution is about endorsing two people, and then he read out the resolution two times.</p> <p>An attendee sought clarification on the resolution and whether</p>
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	<p>they were voting for both negotiators with one vote.</p> <p>The Chair referred to the resolution which had one resolution with both names included.</p> <p>The attendee sought further clarification on the voting process. TPK explained that a “yes” vote indicates support for both negotiators and a “No” vote would be for both negotiators also.</p> <p>The attendee wanted to move another motion to change the resolution so that there would be one-vote per person, like they did for the first hui where they elected interim negotiators. She also raised an issue about the lack of involvement with the working party even though she is a member of that party.</p> <p>TPK explained the notification requirements for a mandate hui, and pointed out that the resolution had been publicly advertised. Also, once the Crown receives all the documentation and Ministers agree, then the mandate is formally recognised by the Crown.</p> <p>Mr Karu apologised as he had drafted the resolution.</p> <p>The attendee stated that this was a removal of people’s rights to have a say in exactly who represents Ngāti Tara Tokanui in negotiations, and that there should be a vote for each negotiator. A hui attendee put forward a motion to have two votes, one for each negotiator.</p> <p>The attendee (Joss Karu) also directed a comment at Amelia requesting Amelia to represent the interests of Ngāti Tara Tokanui and not Ngāti Koi or any other tribe as she has been doing, and that this work is for the iwi of Ngāti Tara Tokanui.</p> <p>The Chair stated that they are going to vote on the current resolution as it can’t be changed as it would require a further hui to meet the Crown requirements.</p> <p>The Chair indicated that if the resolution is not supported then there will be another process available.</p> <p>Mr Karu reiterated that there is a process if the resolution is defeated.</p> <p>The Chair read the resolution and a vote was held.</p>
<p>Questions</p>	<p><u>Questions arising during the discussion of “Purpose” of hui</u></p> <p>Q: Is there a Crown policy about numbers for hui?</p> <p>A: Kererua responded: No, there is no single figure that determines mandate. The Crown assesses a range of factors to decide whether the people of Ngāti Tara-Tokanui are happy with the mandated persons.</p> <p>Q – Would this meeting be seen as robust to meet Crown</p>

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	<p>requirements?</p> <p>A: (TPK) – Yes. Each iwi can decide if they want more hui.</p> <p>Q – If there were other mandate meetings would TPK be there to facilitate?</p> <p>A: (TPK) on invitation – yes.</p> <p>Q: How many hui can we have for the mandate process? And does the number of hui affect the process at the other end?</p> <p>A: (TPK) It is a combination of what the iwi and Crown decide. The Crown wants to ensure that as many people are involved as practically possible. If an iwi has a significant population in another regional centre then it may be worth holding a hui there, as other Hauraki iwi have.</p> <p>Q: How are the mandate hui resourced?</p> <p>A: (TPK) The Crown provides some resources to assist with the hui.</p> <p><u>Questions arising during the presentation</u></p> <p>Q – What is the status of the Marae trustees?</p> <p>A – (Mr Karu) The Marae trustees are not the governance entity; this is an issue that needs to be discussed in the future but currently, not for the negotiations process.</p> <p>Q – Is there any reason why the Marae Trust can't be used as an entity?</p> <p>A – (Kererua) Some Trusts are set-up with specific purposes which could be limiting for this process, but there is no reason why a Trust couldn't be set up.</p> <p>Comment –cont'd – The attendee didn't want there to be any hangover from the working committee to the established new entity. The Treaty process makes iwi suspicious.</p> <p><u>Questions arising during the voting of the resolution</u></p> <p>Q – If the majority votes “no”, what happens then?</p> <p>A-(Kererua) The iwi would need to discuss how new negotiators would be chosen.</p>
<p>Resolution(s)</p>	<p>The following resolution was put to hui attendees and voted upon. “That Mr Karu C. Karu and Amelia Amy Tuihana Williams be mandated to represent Ngāti Tara Tokanui in negotiations with the Crown regarding the comprehensive settlement of Ngāti Tara Tokanui historic Treaty claims.”</p>
<p>Voting process</p>	<p>Resolution</p> <p>24 attendees supported the resolution</p> <p>10 attendees voted against the resolution.</p>

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	0 attendees abstained Resolution Carried.
Other comments	<ul style="list-style-type: none">• The presenters provided a number of opportunities for questions and comments during the presentation and answered all questions.• It is noted that the necessary equipment was not available for the presentation.• The observer noted that the hui was conducted in a fair and transparent manner.