



Ngātiwai Trust Board Mandate Strategy

On behalf of Te Iwi o Ngātiwai

Supplementary:

Additional WAI Claims to be included in the Ngātiwai
Trust Board Mandate Strategy

Date: 8 August 2013

Status of this document: Public

1. Additional WAI Claims to be included in the Ngātiwai Trust Board Mandate Strategy

On the 19 July 2013 the Ngātiwai Trust Board submitted a Mandate Strategy to the Crown (i.e. the Office of Treaty Settlements and Te Puni Kokiri) for assessment and on 24 July 2013 a letter of endorsement of the mandate strategy was received.

However, since that time and before commencing the mandate information hui the Ngātiwai Trust Board have been ask by the Crown to include an additional set of WAI Claims in the mandate sought (see letter requesting this in Appendix AB attached).

The Crown inadvertently did not ask that all claims that relate (in part) to Ngātiwai be included in the endorsed mandate strategy which was posted on the OTS website from 29 July 2013. However, as a number of additional Wai claims appear to relate to Ngātiwai, the Crown now asks that they be included in the mandate strategy for the purpose of settling all Ngātiwai claims comprehensively.

The additional WAI Claims concerned are set out in the table below. However it should be noted that the mandate sought is to settle aspects of these claims only in so far as they relate to Ngātiwai interests while those aspects that relate to other Iwi interest may be settled with those iwi.

Wai No¹	Claim Title	Claimants
245	Hinetapu Maihi Mahanga whanau	Hoori George Moanaroa Munro Parata
620	Te Waiariki/Ngati Korora Hapu	Colin Malcom & Ors
688	Nga Hapu o Whangarei	Richard John Nathan & Ors
887	Himi Tataiarangi Watene Tautari Whakapapa Whanau Trust	Timi Tahana Watene & Ors
1307	Ngati Kuta Ke Te Rawhiti	Matuetaera Te Nana Clendon & Ors
1411	Te Waiariki/Ngati Korora/Ngati Taka	Violet Sade & Ors
1412	Te Waiariki/Ngati Korora/Ngati Taka	Violet Sade & Ors
1413	Te Waiariki/Ngati Korora/Ngati Taka	Violet Sade & Ors
1414	Te Waiariki/Ngati Korora/Ngati Taka	Violet Sade & Ors
1415	Te Waiariki/Ngati Korora/Ngati Taka	Violet Sade & Ors
1416	Te Waiariki/Ngati Korora/Ngati Taka	Violet Sade & Ors
1464	Te Kapotai and Ngati Pare	Te Riwhi Whao Reti & Ors
1513	Te Roopu Whakamana	Elizabeth Kopa & Ors
1546	Te Kapotai	Edward Henry Cook

2. Accompanying Amendments to the Voting Pack and Hui Presentation

Mandate Hui Power-Point Presentation

As a standardised hui presentation has already been developed for delivery at each mandate hui (set out in Appendix Y of the mandate strategy) the presentation will now include an additional supplementary slide showing the WAI claims listed above (see Appendix AC).

Voting Pack Information Pamphlet

Also as a result of the Crowns request the pamphlet included in the voting pack will be updated to include the additional claims as listed above (see Appendix AD).

¹ Note: All WAI claims are subject to change following feedback on the mandate process.

Appendix AB

8 August 2013

Mr Haydn Edmonds
Chairman
Ngātiwai Trust Board
PO Box 1332
Whangarei 0140

Tēnā koe,

Comprehensive negotiations

Thank you for approving Ngātiwai Trust Board representatives Tania McPherson and Kris McDonald, to meet with us in Wellington on Tuesday, 6 August to discuss the status of several Wai claims which appear to relate to Ngātiwai but which have not been included in the Ngātiwai Trust Board mandate strategy.

As you know, the Crown has a preference to negotiate comprehensive settlements; ie. to negotiate all the historical claims of a claimant group at the same time. This means all claims, whether they relate in full or in part to the claimant group, need to be listed in the claim definition of a mandate strategy of that claimant group.

After the mandate strategy was placed on the OTS website, the Crown instructed the Trust Board to include further Wai claims which appear to relate to Ngātiwai hapū for the purpose of settling all Ngātiwai claims comprehensively. We apologise for any inconvenience this may have caused and thank you for your co-operation.

Since our meeting on 6 August, we have checked the statements of claim for Wai 245, 620, 688, and 887. We now confirm that we consider these claims to relate to Ngātiwai in part.

We consider that the following fourteen Wai claims relate in part to Ngātiwai and need be included in the Ngātiwai Trust Board's mandate strategy in-so-far as they relate to Ngātiwai:

- Wai 245: this claim was brought by Hori Parata on behalf of the descendants of the Hinetaupu Maihi Mahanga Whanau;
- Wai 620: this claim was brought on behalf of Te Waiāriki, Ngāti Kororā, and Ngāti Taka Pari. Ngāti Kororā and Ngāti Takapari are listed in the Ngātiwai claimant definition;
- Wai 688: the claim was brought on behalf of Ngā Hapū o Whāngārei, which includes Te Parawhau, Te Ūri Roroi, Ngāti Kahu o Torongare, Te Ūri o Hau, Ngāti Terino, Te Kumutu, Ngāti Moe, Te Mouna, Ngāti Horahia, Ngāti Toki, and Ngāti Pongia. Ngāti Toki ki-te-moana and Ngāti Horohia are listed in the mandate strategy as active and historical hapū of Ngātiwai respectively;

- Wai 887: the claimants state that are affiliated to Ngātiwai, Ngāpuhi, Ngāti Kura, Ngāti Whātua, Te Tao U, Te Ūri-o Hau, Ngā Ririki, Puku, Tainui, Waikato, Ngāti Tamatera, Ngāti Maru, Ngāti Paoa, Ngāti Maniapoto, and Ngāti Pīkiao;
- Wai 1307: the claimants affiliate to Ngāti Kuta ki te Rawhiti, which is a hapū that has been included in the Ngātiwai claimant definition. As such, this claim needs to be included in the Ngātiwai mandate strategy;
- Wai 1411, 1412, 1413, 1414, 1415, 1416: these six claims have been brought on behalf of Te Waiāriki, Ngāti Kororā, and Ngāti Taka. Ngāti Kororā and Ngāti Takapari are both listed in the Ngātiwai claimant definition;
- Wai 1464: the claim has been brought on behalf of Te Kapotai and Ngāti Pare. Te Kapotai has been included in the Ngātiwai claimant definition as an active hapū and Ngāti Pare as an historical hapū of Ngātiwai. Because this claim relates in part to Ngātiwai, this claim needs to be included in the mandate strategy;
- Wai 1513: the claim has been brought on behalf of Ngātiwai Hangeange, Ngāi Tu Tearu, Ngāti Tipa, Ngāti Ue, Ngāti Uetaora, Ngāti Whārara, and Ngāti Terā; and
- Wai 1546: the claimants are of the Kapotai hapū. Te Kapotai is listed in the Ngātiwai claimant definition and hence this claim needs to be included in the Ngātiwai mandate strategy.

Because the above claims relate in part to Ngātiwai, the Crown view is that they need to be included in the mandate strategy in so far as they relate to Ngātiwai. The parts of the claims that relate to Ngātiwai will be settled through negotiations with Ngātiwai and we consider it important that this information is made available to these Wai claimants. We consider this in keeping with the Waitangi Tribunal's recommendations, as set out below.

"OTS should, at an early stage, write to all Wai number claimants whose claims might be extinguished if a proposed settlement goes ahead, informing them of this fact. The earlier in the process claimants know what is being proposed, the earlier they can support or oppose negotiations."

The settlement of these thirteen claims as they relate to Ngātiwai will not affect any aspect of them so far as they relate to other claimant groups, such as Ngāpuhi.

Next steps

At our meeting on 6 August we agreed that:

- OTS would check whether Wai 245, 620, 688 and 887 appear to relate to Ngātiwai;

- OTS would write to confirm the discussion at the meeting, and update on Wai 245, 620, 688 and 887;
- Ngātiwai Trust Board would add an addendum to the mandate strategy to add the additional Wai claims that relate in part to Ngātiwai, being Wai 245, 620, 688, 887, 1307, 1411, 1412, 1413, 1414, 1415, 1416, 1464, 1513 and 1546;
- Ngātiwai Trust Board would include a comprehensive list of Wai claims, including those listed above, in the information package; and
- Ngātiwai Trust Board would include a comprehensive list of Wai claims, including those listed above, in the mandate hui presentation.

If you have any queries regarding the Crown's policy concerning Wai claims, or would like to discuss this letter further, please do not hesitate to contact me.

Nāku noa, nā



Tim Townsend
(Acting) Manager Settlement Development Team

Appendix AC

4. Supplementary Claims

After the mandate strategy was placed on the OTS website, the Crown instructed the Trust Board to include further WAI claims which appear to relate to Ngatiwai hapu.

4. Supplementary Claims

WAI	Claim Title	Claimants
245	Hinetapu Maihi Mahanga whanau	Hoori George Moanaroa Munro Parata
620	Te Waiariki/Ngati Korora Hapu	Colin Malcolm & Ors
688	Nga Hapu o Whangarei	Richard John Nathan & Ors
887	Himi Tataarangi Watene Tautari Whakapapa Whanau Trust	Timi Tahana Watene & Ors
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1415	Te Waiariki/Ngati Korora/Ngati Taka	Violet Sade & Ors
1416	Te Waiariki/Ngati Korora/Ngati Taka	violet Sade & Ors
1464	Te Kapotai and Ngati Pare	Te Riwhi Whao Reti & Ors
1513	Te Roopu Whakamana	Elizabeth Kope & Ors
1546	Te Kapotai	Edward Henry Cook

Appendix AD

Where and when are the mandating Hui?

Date	Location	Time
Saturday 24 August 2013	Ngātiwai Marae Rawhiti Road Ngaiotonga	10 am to 12 noon
Wednesday 28 August 2013	The Tauranga 1 Second Avenue Tauranga	6 pm to 8 pm
Thursday 29th August	Brentwood 16 Kemp Street Kilbirnie, Wellington	6 pm To 8 pm
Saturday 31st August	Matapouri Marae 7 Mackie Place Matapouri	10 am to 12 noon
Monday 2nd September	Copthorne Hotel 111 Fenton St Victoria, Rotorua	6 pm To 8 pm
Tuesday 3rd September	Kingsgate 100 Garnett Avenue, Te Rapa, Hamilton	6 pm To 8 pm
Wednesday 4th September	The Waipuna 58 Waipuna Road Mt Wellington, Auckland	6 pm to 8 pm
Saturday 7th September	Northtec Marae 55 Raumanga Valley Road Whangarei	10 am to 12 noon
Saturday 14th September	Omaha Marae 14 Omaha Access Road Leigh	10 am to 12 noon

For information about voting go to:

Dale Ofoske (Returning Officer)

Independent Election Services Limited

Free phone: 0800 922 822

P.O. Box 5135, Wellesley Street,

Auckland 1141

Who are the Ngātiwai Trust Board Trustees?

Marae	Trustee	Alternate
Tūparehuia	Kathy Pita	Dick Pene
Ngaiotonga	Merepeka Henley (Deputy Chair)	Jury Greenland
Punaruku	Haydn Edmonds (Chair)	
Otetao	Gary Reti	Elvis Reti
Mōkau	Donna Tamaki	Adrienne Taungapeau
Oākura	Henry Murphy	
Whananāki	Allan Moore	Isha Waetford
Matapouri	Kris MacDonald	Marion Kerepeti- Edwards
Ngunguru	Erica Wellington	Mike Rundlett
Pātaua	Hori P Mahanga	
Takahīwai	Michael Leului	
Pākiri	Laly Haddon QSM	
Motairehe	Andrea Munro	Jeff Cleave
Kawa	George Ngāwaka	

For information about the mandate strategy go to:



Ngātiwai Trust Board

129 Port Road, Whangarei 0110

P.O. Box 1332, Whangarei 0140, New Zealand

Telephone +64 9 430 0939 Fax +64 9 438 0182

Email: Ngatiwai@ngatiwai.iwi.nz Website: www.ngatiwai.iwi.nz



Mandate Vote and Hui Process August/September 2013

*The Ngātiwai
Trust Board
wants your
mandate:*

*To seek a Treaty
Settlement with the
Crown via direct
negotiations*

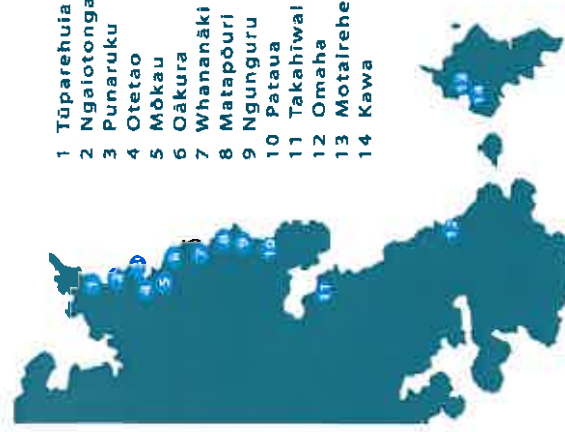
Who is Te Iwi o Ngātiwai?

Te Iwi o Ngātiwai is unified in descent from one of the oldest descent groups in Te Tai Tokerau – Ngāti Manaia. From our ancestor Manaia and Ngāti Manaia descend our founding ancestors Manaia II and his sons Te Rauōtehuia and Tāhuhunuiōrangī. Other key tūpuna that connect all of Ngātiwai today can be found on page 11 of our mandate document on our website.

Ngātiwai Hapu include; Ngāti Kuta, Patu Keha, Te Kapotai, Ngāti Tautahi, Te Uri o Hikihiki, Te Whānau Whero-mata-mamoe, Te Aki Tai, Te Kainga Kurī, Ngāti Toki ki-te-moana, Te Whānau ā Rangiwahakaahu, Ngāti Takapari, Ngāti Kororā and Te Patuharakeke. Note: while Ngāti Manuhiri and Ngāti Rehua are our hapu the proposed mandate is to settle the remaining claims and also only in-so-far as they relate to Ngātiwai.

Who is the Ngātiwai Trust Board?

The Ngātiwai Trust Board (NTB) is made up of 14 Marae elected Trustees who affiliate with one of each of the 14 Ngātiwai Marae shown in the map below.



What is being proposed and voted on and when?

The NTB want you to vote on a mandate proposal that will authorise the NTB to enter into direct negotiations with the Crown to seek a Treaty Settlement. The settlement will address all remaining historic breaches of the Treaty of Waitangi including all claims up until 21 September 1992.

You will be sent a voting pack and the voting period will open on Saturday 17 August 2013 and close at 5 pm on Sunday 15 September 2013.

The resolution to be put to the vote is:

“That the Ngātiwai Trust Board is mandated to represent Te Iwi o Ngātiwai in direct negotiations with the Crown for the comprehensive settlement of all the remaining historical Treaty claims of Ngātiwai including registered and un-registered historical claims”

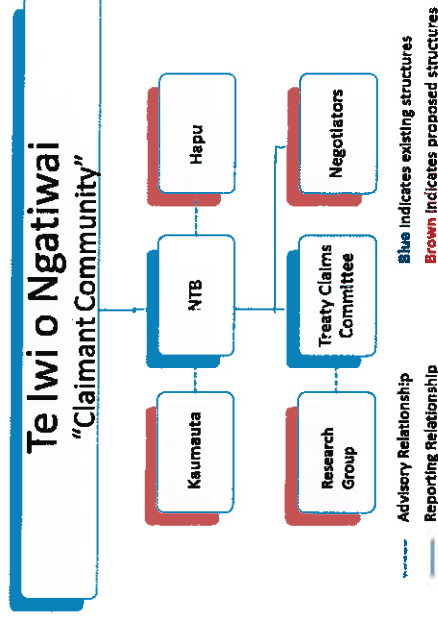
WAI Claims to be included in the mandate (in-so-far as they relate to Ngātiwai) include WAI: 67, 156, 244, 262, 343, 504, 511, 745, 1308, 1384, 1392, 1512, 1528, 1529, 1530, 1539, 1544, 1677, 1711, 1712, 1717, 1719, 1723, 1726, 1786, 1954, 1955, 1960, 1961, 1973, 2022 and 2243. Supplementary claims: WAI 245, 620, 688, 887, 1307, 1411, 1412, 1413, 1414, 1415, 1416, 1464, 1513, 1546.

How will the settlement be secured?

NTB will agree on terms of negotiations and enter into negotiations with the Crown to achieve an Agreement in Principle. NTB will bring an initial Deed of Settlement and a proposal for a Post Settlement Governance Entity back to the people to vote on again before legislation is created and passed into law.

What happens next?

Your vote will authorise the NTB to establish the proposed supporting structures below to progress negotiations and an Agreement in Principle.



Negotiations Supporting structures include:

- Provision for Kaumautā and Hapu to be involved at the governance level by supporting the NTB and providing advice throughout negotiations process.
- Provision for Ngātiwai researchers (including WAI claimants) to share research and ideas at the operational level on how best to capture and present and publish the Ngātiwai story.
- Provision for negotiators to secure an Agreement in Principle (AIP) before bringing it back to the people to vote on again.

What is a PSGE?

After the settlement is achieved a new organisation called a Post Settlement Governance Entity (or PSGE) will need to be established to receive and manage the assets. This will require a newly formed and constituted “representative” entity be established (i.e. this is not the same thing and the current NTB).