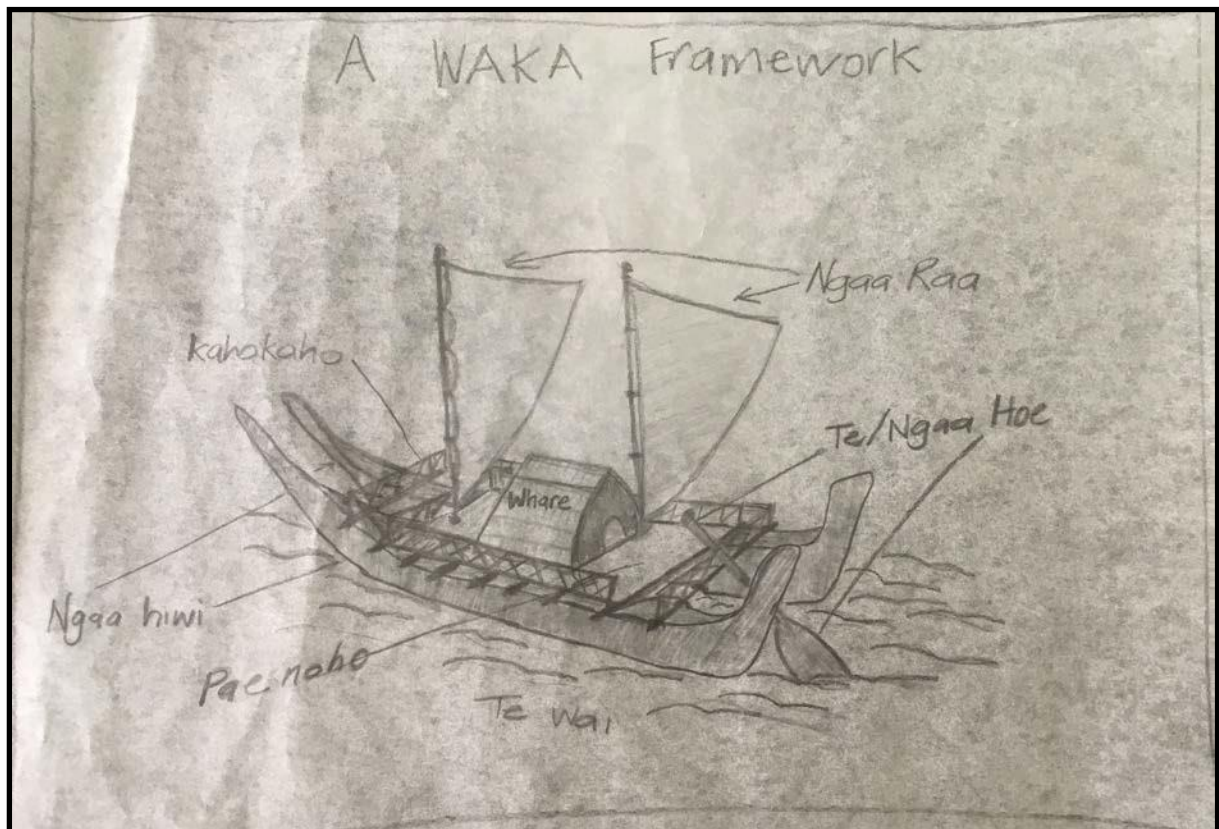


Waikato-Tainui Remaining Claims Mandate Strategy



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Foreword

Tuuria te mata whai ariki
He tau whakatau ki te rangi e tuu
He tau whakatau ko te papa o te whenua
He tau wkatau ki te kupu kii mai o te tangata
'Tupu te toi, ora te toi, whanake te toi, te toi I ahu mai i Hawaiki!'



In 1987 Sir Robert Mahuta, the Tainui Maori Trust Board and Ngaa Marae Toopu filed the Wai 30 claim in the Waitangi Tribunal. The claim concerned all historic Treaty of Waitangi breaches in relation to raupatu that occurred from 1863 where Waikato lost vast amounts of lands, people and resources at the hands of the Crown, and under unbelievable and impossible odds. Consequently, Waikato iwi were extradited from their lands and homes. The Waikato River was another key aspect of the Wai 30 claim addressing issues of ownership, mana, fisheries, desecration and pollution. The denial of offshore fisheries was also an integral issue, as well as the West Coast harbours being Manukau, Whaingaroa, Aotea and Kaawhia.

In 1946 Waikato accepted a partial settlement from the Crown under the Waikato-Maniapoto Maori Claims Settlement Act, that led to the establishment of the Tainui Maori Trust Board. In 1995 Waikato-Tainui and the Crown settled the raupatu (whenua) claims, the culmination being the Waikato Raupatu Claims Settlement Act 1995. The cornerstone principle of the settlement in which compensation was pursued was 'i riro whenua atu, me hoki whenua mai'. The Crown acknowledged the grave injustices suffered, and the crippling impact that Crown actions had on the people, welfare, development and economy of Waikato.

Fisheries interests and issues were addressed through the Fisheries Claims Settlement Act 1992 and the Maori Commercial Aquaculture Claims Settlement in 2004. Subsequently, the focus turned to the River, and these claims were settled in 2010 with the passing of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 which recognises 'te mana o te awa' and provides for 'mana whakahaere'.

Of the interests included in the original Wai 30 claim, the West Coast Harbours, and a number of discrete and specific land blocks (Maioro/Waiuku and East Wairoa) remain unsettled and outstanding. These claims were intentionally set aside to be addressed and settled in a separate manner to those of the raupatu and river claims.

To this end, and after a number of engagements and discussions with our hapuu and marae whaanau of Waikato-Tainui, we are seeking reaffirmation of our Wai 30 mandate, and confirmation of a mandate to negotiate those Waikato-Tainui remaining claims that wish to come under this mandate for settlement.

This document is the Waikato-Tainui Remaining Claims Mandate Strategy. The mandate process is a Crown process, with specific policies and requirements. It is this strategy that we will be following and undertaking for mandating purposes.

We look now to the future, to what we can achieve through this Treaty settlement for now and for the next generations to come. He tau whakatau ki te kupu kii mai o te tangata; *'Tupu te toi, ora te toi, whanake te toi, te toi i ahu mai i Hawaiki!'*

A handwritten signature in black ink, appearing to read 'Rahui Papa'.

Rahui Papa

Waikato-Tainui Negotiator

What is a mandate?

1. A mandate is the formal conferral of authority from an iwi or hapuu (a “large natural group”) on an entity or individuals to represent them in negotiations with the Crown for the settlement of their historical Treaty of Waitangi claims. The Crown requires an entity or individuals claiming to represent a large natural group in negotiations to demonstrate that they have a mandate from their people before the Crown will enter into negotiations. If the Crown is satisfied that a large natural group has conferred a mandate on an entity or individual, the Crown will formally recognise the mandate. The Crown does not confer mandates however – this is for the iwi or hapuu themselves to do.

What is the Waikato-Tainui remaining claims mandate?

2. The Crown and Waikato-Tainui have previously agreed to the settlement of most of the Waikato raupatu claims relating to the Crown confiscations of the 1860s and claims in relation to the Waikato River. The Crown has also settled or agreed to settle all the claims of 7 particular groups who are represented on Te Whakakitenga o Waikato.¹ However, there are many other claims which derive from a Waikato whakapapa connection that remain unsettled and fall outside of the scope of these existing settlements. These are referred to as the “remaining claims”.
3. In 2012, the Crown proposed to settle the remaining claims as a “large natural group” through negotiations with Waikato-Tainui subject to a mandate being recognised. Earlier this year, the Minister for Treaty of Waitangi Negotiations wrote to Te Whakakitenga o Waikato representatives confirming that the Crown views the Waikato-Tainui remaining claims as a “large natural group” and that the Crown’s preference is that a comprehensive mandate to negotiate the settlement of all Waikato-Tainui remaining claims be sought. A copy of this letter is attached at *Appendix 1*.
4. Rahui Papa (the Negotiator) with the support and approval of Te Whakakitenga o Waikato Incorporated is seeking a mandate to negotiate the settlement of these remaining claims.² This proposed mandate is only to negotiate the settlement of the remaining claims. Any proposed settlement will need the approval of Waikato-Tainui, including Te Whakakitenga o Waikato, through ratification before it can be signed.

What was the process to date to seek a Waikato-Tainui remaining claims mandate?

5. In 2006, the Crown recognised the mandate of the Waikato Raupatu Lands Trust to negotiate the settlement of the Waikato River (Wai 30). Following the Waikato River settlement in 2010, Te Whakakitenga o Waikato has worked to maintain a mandate to negotiate the outstanding claims through regular updates to its tribal parliament, at Poukai and through direct discussions with hapuu, marae and Crown officials. A list of these consultations is attached at *Appendix 2*.
6. In November 2017, Te Whakakitenga o Waikato voted to confirm that “the Negotiator has the mandate to lead, on behalf of Te Whakakitenga, engagement with the Crown and other parties for the resolution of the outstanding claims and related settlement issues of Waikato-Tainui”. Rahui Papa was appointed as Negotiator to replace a previous Negotiator who had resigned.
7. Since November 2017, the Negotiator has undertaken extensive consultation with

¹ Ngaati Hauaa, Ngaati Korikii Kahukura, Ngaati Tamaoho, Ngai Tai, Ngaati Koheriki, Te Akitai, Ngaati Te Ata

² Te Whakakitenga o Waikato Incorporated (Te Whakakitenga) replaced Waikato-Tainui Te Kauhanganui Incorporated as the tribal governance entity of Waikato-Tainui in 2016. It is an incorporated society with charitable status. Its members (or parliament) are 136 representatives elected by the 68 Waikato-Tainui marae. These members in turn elect an executive of 12 called Te Arataura. Te Whakakitenga is a member of the Waikato Raupatu Lands Trust and Group. Te Whakakitenga is the shareholder of Waikato Raupatu Trustee Company Limited (WRTCL). WRTCL owns all shares in Tainui Group Holdings and is the trustee of the Waikato Raupatu Lands Trust and the Waikato Raupatu River Trust

Waikato-Tainui marae and hapuu, other claimant groups, attended all Poukai and engaged in direct discussions to confirm the support of individual hapuu and marae for the mandate of the Negotiator. These engagements have been a part of an internal process prior to any mandating process being undertaken to provide an opportunity for robust discussions of claims issues and a potential mandate for negotiations. A list of these consultations is attached at *Appendix 3*.

8. In addition, Waikato-Tainui have entered into two internal Oati arrangements with Ngaati Mahuta (ki Tai), and Ngaati Te Wehi under which both hapuu have agreed for Waikato-Tainui to represent their claims for negotiations and settlement purposes and to work in a collaborative manner to achieve mutual settlement aspirations.
9. The Negotiator held the following hui in February last year to seek the initial views of Waikato-Tainui marae and hapuu on the scope of the Waikato-Tainui remaining claims mandate and how these claims could be resolved collaboratively:
 - 13 February 2018 (6pm – 8pm) for Kaawhia Harbour Marae and hapuu, at Tainui Group Holdings, Bryce St, Hamilton;
 - 14 February 2018 (6pm – 8pm) for Aotea Harbour Marae and hapuu, at Novotel, Alma St, Hamilton; and
 - 15 February 2018 (6pm – 8pm) for Whaingaroa Harbour Marae and hapuu, at Distinction Hotel, 100 Garnett Ave, Te Rapa, Hamilton.
10. The February engagement hui were preliminary and informative discussions with marae, hapuu and claimant groups which would then lead into more focused engagements in the months ahead. The Negotiator presented a historical overview of the Waikato-Tainui Treaty settlement landscape, and a potential framework for collaboration based on a Waka Hourua model. A copy of the presentation and the key themes and outcomes of these engagement hui are attached at *Appendix 4* and *5*. Briefly, the key themes from these engagement hui are as follows:
 - The recognition of mana throughout the process and as an overall settlement aspiration is a priority;
 - Harbours people must be included in the process;
 - We must agree on our collective outcomes;
 - We must agree on our individual outcomes; and
 - Communication between us is key.
11. The Negotiator held the following hui in May last year to further seek the views of Waikato-Tainui marae and hapuu on whether they wished to be a part of the mandate:
 - 14 May 2018 (6pm – 8pm) for Taamaki Marae at Res Nathan Homestead Meeting Room – 70 Hill Road, Manurewa;
 - 15 May 2018 (6pm – 8pm), for Whaingaroa Harbour Marae, at Raglan Hall, Bow Street, Raglan;
 - 16 May 2018 (6pm – 8pm), for Kaawhia Harbour Marae, at Kawhia Community Hall, Jervois Street, Kawhia;
 - 17 May 2018 (6pm – 8pm), for Aotea Harbour Marae, at Tainui Group Holdings, Bryce Street, Hamilton; and
 - 27 May 2018 (6pm – 8pm), for all Waikato-Tainui Marae, at the Te Whakakitenga o Waikato Chambers, Hopuhopu, Hamilton.
12. The May engagement hui was another opportunity to provide an overview of the existing Waikato-Tainui settlements (Treaty and non-Treaty related) that have been

achieved to date by Waikato-Tainui. The Negotiator presented on the outstanding claims of Wai 30 and explained what the remaining Waikato-Tainui claims are. The presentation also outlined what the Crown's large natural groupings policy is and how it works, how the mandating process works and which claims the Crown has identified as potentially falling within the Waikato-Tainui mandate. The Negotiator reiterated the desire to work collaboratively to settle the outstanding claims of Wai 30 and all Waikato-Tainui remaining claims. The purpose of these engagement hui was to get a gauge of the level of support for the Waikato-Tainui remaining claims mandate. A copy of the key outcomes and presentation is attached at *Appendix 6*.

13. The Negotiator held the following hui in July last year to further seek the views of Waikato-Tainui marae and hapuu on whether they wished to be a part of the mandate:
 - 7 July 2018 (10am – 1pm), at Manukanuka Marae, Uenuku Way, Auckland Airport, Auckland;
 - 8 July 2018 (10am – 1pm), Maketuu Marae, 614 Kaora St, Kaawhia; and
 - 14 July 2018 (10am – 1pm), at the Te Whakakitenga o Waikato Chambers, Hopuhopu, Hamilton.
14. The July hui were the final round of internal engagement hui before the formal mandating process begins. The Negotiator provided an update on general claims matters and progress on the proposed mandate. The Negotiator also presented on how the formal mandating process would run, as well as tentative timeframes. These hui further provided an opportunity for direct involvement by tribal members. Participants were able to discuss mandating issues and settlement aspirations, ask questions, and provide feedback to the Negotiator. Uncertainties surrounding inclusion of hapuu, the level of Crown involvement, and hapuu autonomy and identity were addressed. A copy of the key outcomes and presentation is attached at *Appendix 7*.

What is the process from here to seek a recognised mandate by the Crown for Waikato-Tainui remaining claims?

15. The Negotiator and Te Whakakitenga o Waikato are proposing to seek a mandate of Waikato-Tainui marae and hapuu to negotiate the settlement of the remaining claims through the process set out on the following page. The internal engagement rounds held in February, May and July 2018 were an opportunity to provide information to all Waikato-Tainui marae and hapuu on the proposed Waikato-Tainui remaining claims mandate. This will be followed by a round of mandate information hui to seek the views of the hapuu and marae ahead of a final vote by the Te Whakakitenga o Waikato tribal parliament to confirm the mandate. Te Puni Kōkiri officials will observe these hui. Iwi members will be provided with information ahead of these hui on how they can make their views known to the tribal parliament representative of their marae. The marae of Waikato-Tainui and the hapuu that affiliate to them are attached as *Appendix 8*. Details of mandate information hui are attached at *Appendix 9*.

Waikato-Tainui remaining claims proposed mandate process

Crown officials will write to all Wai claimants in the remaining claims mandate outlining the Crown's large natural grouping policy and seeking their initial views on the proposed mandate.

Crown officials will call for public submissions on the proposed mandate process.



Waikato-Tainui will distribute information to all Waikato-Tainui Marae beneficiaries by website, paanui and public notification on the proposed mandate and how individuals can make their views known to their marae representative on Te Whakakitenga o Waikato.

(at least 1 month prior to a Te Whakakitenga vote taking place)



Te Whakakitenga o Waikato and the Negotiator undertake a round of hui-a-iwi ahead of Te Whakakitenga o Waikato meeting. Te Puni Kōkiri officials will observe these hui.



Te Whakakitenga o Waikato vote to confirm the mandate. Te Puni Kōkiri officials will observe this hui.



Te Whakakitenga o Waikato and the Negotiator compile a "deed of mandate" setting out the scope of the mandate and provide it to the Crown.



Te Whakakitenga o Waikato and the Negotiator amend the deed of mandate in light of feedback provided to Crown officials and submit it to Ministers, seeking recognition of the remaining claims mandate.



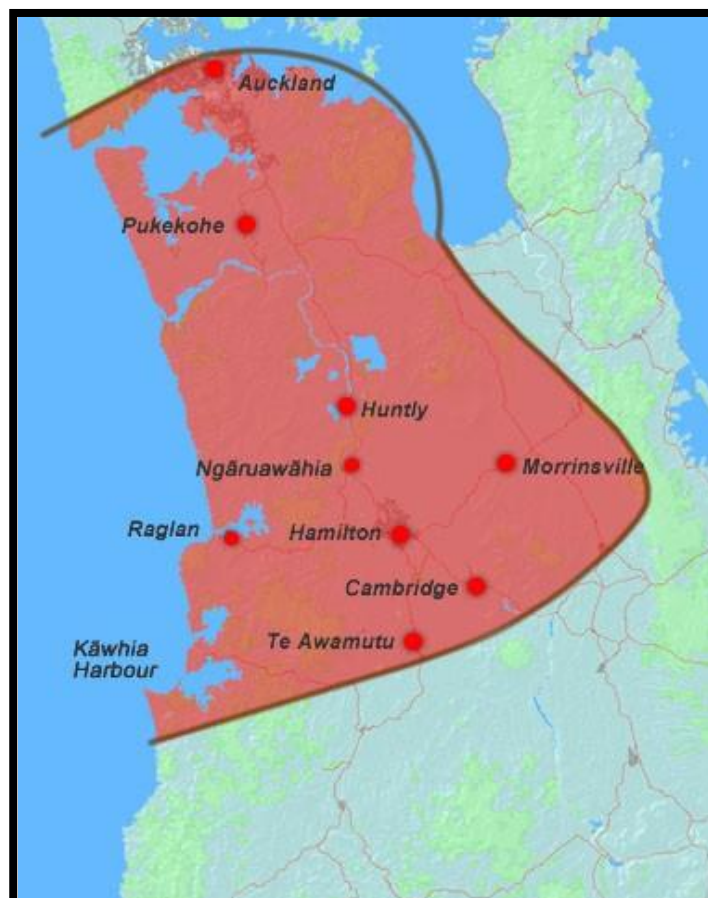
Ministers decide whether there is sufficient support for the Negotiator's mandate to recognise it.

What claims is the Negotiator seeking a mandate to negotiate the settlement of, under the proposed Waikato-Tainui remaining claims mandate?

16. The proposed mandate includes the authority to negotiate settlement of historical claims to the following matters in so far as those claims derive from a Waikato-Tainui (as defined below) interest and are not “excluded claims”:
- West Coast Harbours (Manukau, Whaingaroa, Aotea and Kawhia);
 - All unsettled Waikato-Tainui claims within Taamaki Makaurau;
 - Tiikapa Moana (including Waitemataa Harbour) and the Hauraki Gulf;
 - Raupatu claims in the Wairoa block and the Waiuku block;
 - Non-raupatu claims of Waikato-Tainui anywhere in the Waikato-Tainui rohe including claims relating to: Old Land Claims, Waiver Purchases, Crown Purchasing, operations of the Native Land Court and Native Land Laws, and Public Works Takings;
 - Environmental issues (except those settled under the Waikato River Act or any other settlement legislation); and
 - Social and cultural issues.

What is the proposed “area of interest” for mandating purposes?

17. In seeking a recognised mandate, the Crown asks that an “area of interest” be provided. This sets out where an iwi or hapuu claim to exercise customary rights and where they will possibly be seeking redress in negotiations if their mandate is recognised.
18. The Negotiator and Te Whakakitenga o Waikato are proposing the following area of interest for the purposes of this remaining claims mandate:



What is the “claimant definition” of Waikato-Tainui for mandate purpose?

19. The Crown asks that the group or individuals seeking a mandate provide a definition of the iwi or hapuu they are seeking a mandate to represent. This provides clarity about who is covered by the proposed mandate. This definition is often called the “claimant definition”.
20. For the purposes of the remaining claims mandate, Waikato-Tainui is proposing the following “claimant definition”:
 - The collective group comprised of individuals who are descended from a Waikato-Tainui tupuna; and
 - The following 33 hapuu: Ngaitai, Ngaati Tamaoho, Ngaati Koheriki, Ngaati Te Ata, Te Aakitai, Ngaati Paretauua, Ngaati Tiipaa, Ngaati Aamaru, Ngaati Naho, Ngaati Hine, Ngaati Taratikitiki, Ngaati Pou, Ngaati Maahanga, Ngaati Tamainupo, Ngaati Wairere, Ngaati Makirangi, Ngaati Koroki, Ngaati Ruru, Ngaati Werokoko, Ngaati Paretekawa, Ngaati Ngutu, Ngaati Hikairo, Ngaati Puhiaawe, Ngaati Mahuta (North and South), Ngaati Te Wehi, Ngaati Whaawhaakia, Ngaati Kuiaarangi, Ngaati Tai, Ngaati Raukawa ki Panehakua, Ngaati Tahinga, Tainui-a-whiro, Ngaati Apakura, Ngaati Hauaa.

For the purposes of the above definition:

- A person is **descended** from another person if the first person is descended from the other by: birth; legal adoption; or Maaori customary adoption in accordance with Waikato-Tainui tikanga;
- **Waikato-Tainui ancestor** means an individual who exercised customary rights by virtue of being descended from a Waikato ancestor of the Tainui waka, being a recognised ancestor of any hapuu listed above; and exercised those customary rights predominantly in relation to the rohe of Waikato-Tainui after 6 February 1840;³ and
- **Customary rights** mean rights according to tikanga Waikato-Tainui, including: rights to occupy land; and rights in relation to the use of land or other natural or physical resources.

What are the “excluded claims” for the purpose of this mandate?

21. Because a number of Waikato-Tainui claims have been settled through previous settlements or are subject to a mandate of another group to settle, the Negotiator and Te Whakakitenga o Waikato are proposing that some claims be excluded from the proposed remaining claims mandate, even though they may fall within the definition of “Waikato-Tainui” set out above. These are:
 - Raupatu claims (as defined by section 8 of the Waikato Raupatu Claims Settlement Act 1995 and section 88 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010);
 - Claims settled by the Ngaati Korokii Kahukura Claims Settlement Act 2014;
 - Claims settled by the Ngaati Hauaa Claims Settlement Act 2014;
 - Claims settled under the Ngai Tai ki Tāmaki Claims Settlement Act 2018;
 - Claims settled under the Ngaati Tamaoho Claims Settlement Act 2018;
 - Claims subject to an Agreement in Principle signed between the Crown and Te Aakitai Waiohau on 16 August 2016 (see: <https://www.govt.nz/treaty-settlement-documents/te-akitai-waiohau/>);

³ For the purposes of this document “rohe of Waikato-Tainui” means the “area of interest” set out above.

- Claims that the Ngaati Te Ata Claims Support Whaanau Trust has a mandate to negotiate the settlement of as recognised by Ministers on 20 May 2011 (see: <https://www.govt.nz/treaty-settlement-documents/ngati-te-ata/>);
 - Claims that the Ngaati Koheriki Claims Committee has a mandate to negotiate the settlement of as recognised by Ministers on 12 June 2012 (see: <https://www.govt.nz/treaty-settlement-documents/ngati-koheriki/>);
 - Commercial and non-commercial fishing claims settled by the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992;
 - Any other claim to the extent it derives from Waikato-Tainui but is settled by an act of Parliament or subject to a mandate recognised by the Crown; and
 - Any claim that a member of Waikato-Tainui may have that is founded on a right arising as a result of being descended from an ancestor that is a Maniapoto tupuna.
22. The Negotiator has consulted directly with a number of Waikato-Tainui hapuu and marae representatives, who as a hapuu/group are in the process of holding their own internal hui to discuss the proposed mandate, and are yet to make a decision on whether to have their claims included in the proposed mandate at this stage. This includes the following claims of:
- Ngaati Hikairo (including Wai 1112, 1113, 1437, 2208, 2351, 2352, and 2353);
 - Ngaati Apakura (including Wai 1469 and 2291);
 - Ngaati Tahinga (including Wai 537 and 1106); and
 - Ngaati Wairere (including Wai 2067).
23. The Negotiator has also consulted directly with representatives of the following hapuu, who advised the Negotiator they did not wish the claims of those hapuu to be included in the proposed mandate at this stage:
- Tainui-aa-whiro (including Wai 125); and
 - Ngaati Maahanga (including Wai 1327), which include the claims of Ngaati Whakamarurangi (including Wai 2273).
24. For the time being, the proposed remaining claims mandate does not cover the claims of the hapuu listed at paragraphs 22 and 23. The Negotiator will undertake further discussions with representatives of these hapuu to address their concerns. If concerns can be addressed and the hapuu formally resolve to come into the remaining claims mandate, the claims of these hapuu will be included in the mandate, prior to seeking Crown recognition. Otherwise, a process will be provided for these hapuu to bring their claims into the remaining claims mandate post-Crown recognition if they choose to. This process is set out in more detail at paragraphs 34-36.

Which “Wai claims” are covered by the proposed mandate?

25. For the purposes of this mandate strategy, “Wai claims” means historical claims made to the Waitangi Tribunal. Because the remaining claims mandate seeks to negotiate unsettled claims of Waikato-Tainui, including Wai claims, the Negotiator and Te Whakakitenga o Waikato provide here a list of specific Wai claims that have been included in this proposed mandate, by virtue of their whakapapa interests to Waikato-Tainui.
26. It is important to note that this list of Wai claims is preliminary and may need to be refined further as more information comes to hand throughout this mandate process and/or negotiations. This list contains claims that may have both historical and contemporary aspects. The proposed remaining claims mandate only covers the historical claims of any such mandate.

Wai #	Description
2	Waiau Pa (southern arm of Manukau harbour)
8	Manukau claim
29	State-Owned Enterprises Act 1986 claim (Kāwhia, Whaingāroa, Aotea and Manukau)
30	Tainui land claim
185	Pepepe Land Claim
340	Newmarket Land claim (Auckland railway lands)
426	Te Uku Landing Reserve claim
441	Tainui Education Claim
530	Ngā Uri o Whawhakia claim
614	Te Maika Land claim
617	Parish of Taupiri claim
677	Allotments 441 & 442, Ngaruwahia rating claim
746	Rakaumanga School West Huntly claim
775	Whaingāroa and Other Waikato Waters claim
827	Oioroa Block, Aotea Heads (King Country) claim
908	Manuaitu blocks (Waikato) claim
1409	Lands and Resources of Ngāti Ngutu/Ngāti Hua
1410	Aotea Harbour and Waahi Tapu claim
1435	Mahuta Hapu Lands and Resources claim
1438	Ngāti Te Patupo Kāwhia and Aotea Harbours claim
1439	Oparau Station Trust claim
1448	Ngāti Te Wehi Kāwhia Harbour and Resources claim
1495	Pearl Comerford Hapu of Te Rohe Potae Claim
1499	Vernon Houpapa Ngāti Ngutu Hapu claim
1501	Petunia Taylor Te Rohe Potae claim
1502	Okapu F2 Land Block claim
1534	Okapu C Block (King) claim
1587	Ngāti Mahuta (McQueen) claim
1588	Phillip Tauri King and Verna Tuteao for and on behalf of Ngaati Mahuta
1589	Phillip Tauri King and Verna Tuteao for and on behalf of Ngaati Mahuta
1590	Phillip Tauri King and Verna Tuteao for and on behalf of Ngaati Mahuta
1591	Phillip Tauri King and Verna Tuteao for and on behalf of Ngaati Mahuta
1592	Moerangi (Descendants of Te Apiti) claim
1596	Forbes Whānau claim
1603	Iwitahi Hapū Native Council Claim (Kāwhia, Aotea and Whaingāroa)
1611	Moke Whānau claim
1763	Ngāti Naho claim
1766	Descendants of Te Wiwini a Rongo, Te Wera and Edna Coffey claim
1767	Te Akau B No 121 Land claim
1772	Descendants of Patara Te Tuhi claim
1777	St Stephen's College (McKinnon) claim
1802	Maramarua 9D Block claim
1804	Descendants of Tokotahi Moke claim
1826	Tekikiri Meroiti Haungurunguru Toangina Toto Whānau Trust claim

Wai #	Description
1897	Ngāti Mahanga Hourua, Ngāti Wairere, Ngāti Tai, Ngāti Paoa, Ngāti Patupo (Dixon) claim
1899	Ngāti Te Wehi (Elizabeth Mahara) claim
1900	Okapu F2 Land Block claim
1908	Wallis Whānau claim
1967	Ngāti Pane and Ngāti Māhanga claim
1974	Mokoroa, Waipuna and Awaroa Blocks (Hepi) claim
1992	Ngāti Māhanga, Ngāti Tamaoho and Ngāti Apakura (Tahapeehi) Lands claim
1995	Ngāti Hikairo, Ngāti Tamainu, Ngāti Taiharuru and Ngāti Kiriwai (Jerry) Lands claim
1996	Ngāti Ngutu and Ngāti Hua (Toia) Lands claim
2035	Ngāti Naho and Te Paina (Heta) claim
2039	Ngaati Amaru and Ngaati Pou Lands Claim
2081	Ngāti Amaru and Ngāti Pou (Katipa) claim
2086	Ngāti Hua and Ngāti Mahuta (Houpapa) claim
2087	Ngāti Kiriwai and Ngāti Mahuta Lands (Uerata) claim
2102	Descendants of Manganui Ngaamo Lands claim
2103	Descendants of Hiakai Uerata and Others Lands claim
2117	Ngāti Tahinga, Ngāti Tanetinorau, Ngāti Te Whatu and Other Lands and Resources (Walsh) claim
2121	Ngāti Tahinga, Ngāti Maniapoto and Other Health Issues (McKinnon) claim
2125	Mana Wahine (Nelson) claim
2126	Puketarata Block and other lands (Mahara) claim
2135	Ngāti Maniapoto and Ngāti Te Wehi Lands (Moke) claim
2137	Hapū rangatiratanga claim
2169	Descendants of Hetaraka Takapuna Lands (Hetaraka) claim
2183	Ngati Hikairo, Ngati Patupo and Ngati Te Wehi Lands (Mahara) claim
2308	Hopuhopu Block (Hokio Tarawhiti) claim
2322	Ngati Naho and Mahuta Lands and Other Issues (Pumipi) claim
2330	Tapuwaeonuku Block (Pokaia) claim
2331	Davis Apiti claim
2345	The Descendants of Wetini Mahikai and Hera Parekawa (Tuteao) claim
2346	Tanumeha te Moananui, Te Pou and other Pare Hauraki and Pare Waikato peoples (Paynter) claims
2354	The Moetara Uri claim
2492	Ngati Mahuta (Hotere) claim
2495	Pokeno Lands (Falwasser) claim

27. Crown officials have informed us that, in their view, the following Wai claim cannot be excluded from the mandate as they relate to hapuu that are covered by the mandate:

Wai #	Description
330	Auckland-South Auckland-Waikato claim

28. The Wai 330 claim was made by Huakina Development Trust (HDT) on behalf of the Waikato-Tainui iwi members who affiliate to 11 marae north of the Waikato River. The trustees of HDT have indicated to us they do not wish the claim to be covered by the mandate strategy. We are continuing discussions with the trustees of the HDT.

What is the role of Te Whakakitenga o Waikato in this mandate?

29. The proposed Waikato-Tainui remaining claims mandate sits with the Negotiator. The Negotiator was appointed by Te Whakakitenga o Waikato in November 2017. Te Whakakitenga o Waikato, through the Waikato-Tainui tribal entity, will support the Negotiator and deliver the process being used to obtain the mandate. If the mandate is recognised by the Crown, Te Whakakitenga o Waikato will continue to provide support to the Negotiator in negotiations. Te Whakakitenga o Waikato will manage claimant funding on behalf of Waikato-Tainui. Any claimant funding management policy needs to be approved by Te Whakakitenga o Waikato. The Negotiator will provide regular updates to Te Whakakitenga o Waikato at their respective quarterly meetings scheduled throughout the year in respect of the mandate and negotiations.
30. Waikato-Tainui, including Te Whakakitenga o Waikato, is responsible for ratifying any deed of settlement.

How can the Negotiator be replaced or removed?

31. The Negotiator is appointed by the Te Whakakitenga tribal parliament for the term of the parliament (3 years) by ordinary resolution in accordance to the rules of Te Whakakitenga o Waikato Incorporated. The rules are attached at *Appendix 10* of this document.
32. In the event of the Negotiator resigning or being unable to continue in the position for any other reason, Te Arataura must propose a new Negotiator be appointed by ordinary resolution in accordance with the rules of Te Whakakitenga o Waikato Incorporated. If a new Negotiator is appointed, Te Arataura must inform the Minister of Treaty for Waitangi Negotiations and the Minister of Māori Affairs and seek the transfer of the recognition of the mandate to the new Negotiator.
33. The Negotiator may be removed by special resolution in accordance with the rules of Te Whakakitenga o Waikato Incorporated as if the Negotiator were an officer of Te Whakakitenga o Waikato.

How can hapuu or whaanau withdraw their claims or include their claims in this proposed mandate?

34. Hapuu, marae and whaanau can choose to include or withdraw their claims from this mandate at any time. This has been the position stated by the Negotiator at all engagement hui.
35. The Negotiator and Te Whakakitenga o Waikato are committed to providing a pathway for hapuu or whaanau of Waikato-Tainui to withdraw from the remaining claims mandate if it is recognised by the Crown. Te Whakakitenga o Waikato is developing a process that will be fair and workable for any representatives of hapuu or whaanau who wish to seek the withdrawal of their claims from the remaining claims mandate. Te Whakakitenga o Waikato and Crown officials will inform affected wai claimants and other relevant parties when the withdrawal process has been finalised. It will be included in the Deed of Mandate before submissions are called for.
36. The Negotiator and Te Whakakitenga o Waikato are also committed to providing a formal pathway for hapuu or whaanau of Waikato-Tainui to include their claims in the remaining claims mandate if it is recognised by the Crown, should they decide to do so, at any stage of the process.

How can tribal members of Waikato-Tainui comment on this mandate strategy?

37. If you are a tribal member of Waikato-Tainui and would like to make comment on this strategy or ask a question in relation to it, please contact Terri Hohneck, Settlement Protection & Claims Manager, Waikato-Tainui on 07 858 0400.

38. If you would like to submit your views on this mandate strategy directly to the Crown, please contact the Office for Māori Crown Relations – Te Arawhiti (formerly the Office of Treaty Settlements) on: submissions@tearawhiti.govt.nz

How will this mandate strategy be used?

39. This document is the first version of this mandate strategy. The Office for Māori Crown Relations – Te Arawhiti has called for submissions on it until 22 February 2019. For further information on the submissions process please visit: www.tearawhiti.govt.nz/treaty-settlements-ropu/
40. The Negotiator will be provided with any submissions the Office for Māori Crown Relations – Te Arawhiti receives. He will revise the mandate strategy in response to any submissions if required and make the final version of it available for Waikato-Tainui tribal members information by 15 March 2019.

**Appendix 1: Letter Minister for Treaty of Waitangi Negotiations to
Rahui Papa, 1 February 2018**

Appendix 2: List of Hui to Discuss Waikato-Tainui Mandate Issues 2004-2016

Appendix 3: List of Hui to Discuss Waikato-Tainui Mandate Issues November 2017-2018

Appendix 4: February 2018 Engagement Presentation

Appendix 5: February 2018 Engagement Key Themes and Outcomes

Appendix 6: May 2018 Engagement Paanui, Presentation and Key Themes

Appendix 7: July 2018 Engagement Paanui, Presentation and Key Themes and Outcomes

Appendix 8: Marae and Hapuu

Appendix 9: Details of mandate information hui-aa-iwi and Te Whakakitenga o Waikato tribal parliament vote

Appendix 10: Te Whakakitenga o Waikato Incorporated Rules