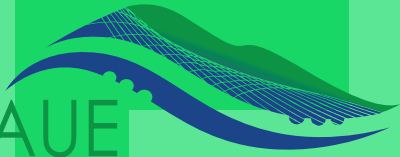


NGATI
WHAKAUE



15 MARCH 2025

TE KOMITI NUI O NGĀTI WHAKAUE

SPECIAL GENERAL MEETING REPORT

SPECIAL GENERAL MEETING

15 MARCH 2025

TE PAPAIOURU MARAE

Purpose:

‘to provide an open and safe forum to allow Ngati Whakaue to have a korero on perceived issues of the current TKN trustee representation model’

In Attendance 56 a tinana

Online ZOOM 11

Karakia Rukingi Haupapa

Mihi from the Chair and stated purpose for the SGM hui – being the result of a resolution made at the 2024 AGM of the General Business Item:

Resolution:

‘That Te Komiti Nui o Ngati Whakaue call a special general meeting in the new year to discuss representation on Te Komiti Nui’.

Moved: Hamu Mitchell **Seconded:** Tony Wihapi **All in favour ae but noted:** 6 objected

- Explained process for the hui and next steps at conclusion
- Hui commenced with PP presentation: including background for calling hui, current trustee representation, where they were voted in, and touched on the refresh mandate hui where issues were raised about representation.
- Chair clarified the korero from this hui is being recorded and therefore all korero will be summarised, views/analysis considered and the Board will look at the Options. If the Option/s are such that a change is in the best interest of settlement negotiations moving forward, then legal advice will be sought as to what changes will need to be made to the Trust Deed.

Power point presentation

- Showed all extant Claims and updated claimants to each WAI claim as advised by the Waitangi Tribunal
- Reminder, the WAI claims will not be negotiated individually, but the overview of all the claims tell us most are about land loss and access to and use of our natural resources, the effects of Crown actions on Ngati Whakaue whanau/hapu social and economic wellbeing
- Management has given a 2 month timeframe to complete this work.

Question

- Before moving on Kingi wanted clarity about the proposed 2 months time line (at slide 6) should there be a strong wish from today to initiate a change to the current representation; His question, ‘should there be a view for a change to the current representation and given this is an election year, and if the feedback is such that there needs to be a change, will the planned elections still be had, or will there be a vote on the preferred Option first.

Chair response

- TKN will take the korero from today, review and analyse each option, seek legal advice on the consequences of each option to the refreshed mandate.

- While management has set a timeline to come back to you, our Claimants, Ngati Whakaue hapu/iwi to vote on the option/s it is still the responsibility of the board of trustees to make an informed decision in the best interests of the claimants and the negotiation process.

Chair invited Hamu as the mover of the resolution from the 23 Nov 24 AGM to give his opening remarks.

Hamu Mitchell	Starting point, he was the Settlor of TKN Deed of Trust, since 2009, has a long standing understanding of the Trust Deed & is premised on the Mandate Strategy that was submitted in 2009 & approved by the Ministers 2010. Gave background to how and why current representation was determined. He and John Kahukiwa were tasked to create not only the Mandate Strategy but the Trust Deed as well. Is the trust deed fit for purpose today?; His view, the Deed & DOM is immutable, back in 2009 they were to be read together. Is this understanding still relevant?. He thinks it is a healthy to have a review process, whether events have happened since 2009 and whether the trust is still fit for purpose. For example - Notwithstanding nga hapu, Hurunga, Taeotu & Te Kahu are direct beneficiaries from the CNI settlement, which took in WAI 317 and WAI 268 Whakarewarewa Geothermal Valley and as we know this is still before the courts. So does East South East interest still need 2 trustees nominated & represented from hui at Hurungaterangi/Ngapuna – hapu in East, Sth East interest; Forest lands and Whakarewarewa Thermal Valley are the direct beneficiaries of the Forest, Whaka Valley & Te Puia business John was adamant that in describing Ngati Whakaue in our Trust Deed it needed to be pono as to whom we are derived from, ie: Whakaue Kaipapa and more particularly to his youngest son Tutanekai – that is why all hapu are described in the Deed, even those 4 who settled with Te Pumautanga. He & John persisted with the model to show the Crown the extent of our region since 1840 He raised a point where even though 3 or 4 of our Ngati Whakaue hapu had settled with Te Pumautanga, one hapu affiliated to TPT have tried to come in on Ngati Whakaue extant claims & this Board – is that fair, no, one cannot have insert themselves to have another bite of the cherry, engari, TKN is still to have engagement and korero with them. Recognition of the mana of the 6 koromatua, emanated from this whare. I am aware of ructions emerging out of Maketu – thinks that is a valid issue that needs to be addressed – increasing or decreasing representation – is up for debate - If there is going to be an increase in other areas is up for debate. He thinks they have valid issue which needs to be debated by the board of trustees. Hamu believes, It's not just about the numbers on this Trust, in the mix is the popularity vote – popularity vote does not necessarily attract the right people with the right skills. If we look at the attrition rate since 2009 it is 'phenominal' some trustees have left or not made themselves available, voted off etc. But whether increasing or decreasing the number of trustees
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	will get Ngati Whakaue a better settlement – that is debatable – whether it be 10 or 7 who knows what the magic number is – but if its an odd number any decisions are better reflected with an even number the Chair effectively can have 2 votes. It's a question of whether you think doing anything about the numbers on this trust are going to increase the likelihood of you getting a good settlement, a fair and just settlement from the Crown. Did not want to give a steer because he was mindful that this meeting is to get feedback from you, all of us, and for them (the trustees) to go away and do what they're gonna do. But I do think that this a healthy part of the process and it doesn't happen enough that we review our entities and we question whether or not we're attracting the right people to do the job require of them.
Chair	Opening remarks informed the basis of how the Deed of Trust & representation was determined – Hamu has also highlighted 2 occasions that events have happened since 2009, (outside of this TKN Claims process) in terms of settling 2 Claims (317 & 268) and because the direct beneficiaries of those settlements are nga hapu e toru – do they still need 2 representatives to the East South Eastern interest – this is something the trustees need to consider 19 April 2009 - Original trustees: Hoki Kahukiwa, Anaru Te Amo, Kiri Mitchell, Peter Staite, Pauline Tangohau, Tupara Morrison, Eddie Mutu (Chair), Ray Pou Poases, Maru Tapsell and Paul Tapsell. As at Nov 2022 – Rawiri Bhana (Chair) Hoki, Ray, Karena Bird, Selwyn Insley, Tipene James, Aleisha Mitchell, Maru, Mokonuairangi (Kingi Biddle resigned) Those who have been on the Trust – Hamu Mitchell, Larissa Wharepouru, Anaru Te Amo (ex Chair), Paul Tapsell, Eddie Mutu, Te Poari Newton, Joe Edward, Tupara Morrison – Maru has been in and out, Pauline Tangohau (ex Chair) Kingi Biddle (ex Chair) Maria Horne IS THIS PHENOMINAL?
Tony Wihapi	As seconder to the resolution The issue, from his point of view, is that they have not represented the claimants, 19 claimants have had to give over their claims to TKN, the current model does not reflect representation of the current claimants – he asserts that Hurunga have more representatives He believes claimants should have the say on who should represent them on TKN – he thinks NW negotiations have not moved forward because he is of the notion that TKN does not have the support of the principal claimants – and there are some big claims in there - geothermal He attended a Maketu hui last week, he feels that it was very constructive, that the claimants should be the ones who choose the trustee representatives they are comfortable with because they are the ones who suffered the loss <i>'Consideration that claimants establish an 'electoral college' to elect their representative to TKN – even if it is a board of 10, they should be able to choose their trustee representative'</i>
Chair	Your assumption that negotiations have not moved forward because TKN does not have the support of the principal claimants is wrong – the reason we have not moved forward since 2016, you may well recall, Ngati Whakaue voted to reject the Crown's offer and were subsequently removed from the active OTS work program. That has been 6 years.

	Since my appointment as Chair I can say from Sept 2022 the Crown has agreed to recommence engagement with TKN. As you know we have had to undergo a process to refresh the TKN mandate. And here we are today, having korero around representation as the issue was brought during that process. Electoral college is a no goer in my view – it is contrary to the deed of trust and democratic election process – its more like a closed process
Hoki	Tony your pointing the finger that Hurunga are over represented on this board is mischievious, those of us on the board sitting here can whakapapa to one or more of the 6 koromatua, probably as most of us in this room do – so your comment is not helpful.
Tarewa Rota	Is this TKN functional, this Trust has been in operation for years so something needs to change - Update claimants to each WAI Claims as some have passed on Communication and engagement – found out about the hui in the Herald, not on Social Media, beating the feet rather than conducting hui on social media is a good start
Roana Bennett	First and foremost, - I acknowledge the board for arranging this SGM and allowing a space for views to be expressed on the representation on Te Komiti Nui. We were one of a number of voices seeking a change in the representation, so it's appropriate for us to be here, in person and online. - Second, I acknowledge the work that has gone into putting together the whakaaro and principles that this presentation is built on. This has been a taxing process for our whānau at Maketu and for their sake I hope that we can get to a resolution, a point at which we can all agree, “ae, let’s move forward together”. I have been asked by a group of Maketu whānau, claimants, marae and Runanga to speak today about ways in which the <u>hapū rangatiratanga</u> and <u>mana Motuhake</u> of Ngāti Whakaue ki Maketu can be better represented in both the model of representation and the negotiation process going forward. - To be clear, our purpose is not to disrupt or derail the Ngāti Whakaue settlement journey, but to stand up for our rights, to have our voices heard and to maintain the decision-making authority that we have exercised without interruption since before 1840. I’ve been asked to make two main points: First statement The Ngāti Whakaue Area of Interest for Negotiations is described in the Deed of Mandate as “from the eastern Bay of Plenty Coast at Maketu inland to the Ngāti Whakaue traditional rohe, considered Ngāti Whakaue’s tribal estate, including the lands south to the Mihi Bridge.” The problem with this description is its vagueness. - The coastal area of interest for Ngāti Whakaue, as identified in the 1875 minute book is, “From the mouth of the Waihi, up to Kaikokopu stream thence across to Pakotore and the Kaituna River, then down the Kaituna to Te Kopua, thence in a straight line to the mouth of the Wairakei Creek on the Coast, thence along the coast to the starting point overlaid across the blocks that are wholly or partly included in the boundary.” Key features in our coastal area of interest include Maketu Peninsula, Ongatoro Estuary

	or Te Awa o Ngātoroirangi, and Bledisloe Park or Te Kāhuirangi as we know it. - It is this area to which the Ngāti Whakaue ki Maketu whānau assert mana Motuhake and tino rangatiratanga over. There are presently claims by Ngāti Whakaue ki Maketu pursuant to the Marine and Coastal Area Takutai Moana Act (MACA) being prosecuted in the High Court. - We have long advocated primacy of rights and stewardship over lands and resources at Maketu and extending out to the 200-mile territorial Zone. We have successfully persuaded significant Crown institutions and agencies of this fact and have key rangatiratanga and kaitiakitanga obligations with respect to, for example, the Taiapure created at Maketu and in the Fisheries Settlement outcomes of Te Kotahitanga O Te Arawa as a whole, to name just two examples. - This is just part of the modern-day acceptance of the matrix of rights that we possess and have done since prior to the signing of Te Tiriti o Waitangi in 1840. What we are talking about in respect of the proposed TKN mandate and representation is not new. So that’s the first point, that our Ngāti Whakaue ki Maketu whānau assert mana Motuhake and tino rangatiratanga over the Ngāti Whakaue coastal interest. I’ll begin my second point by asking the question: Ko wai a Te Komiti Nui o Ngāti Whakaue? Te Komiti Nui o Ngāti Whakaue is constituted under or by way of a private or common law trust. The Deed of Trust was adopted by the hui-ā-iwi held on the 19 April 2009. It’s general purpose and intent is “to constitute the representatives and mandated body of responsible individuals through which Ngāti Whakaue may treat and engage with the Crown in respect of the Settlement Negotiations principally for the resolutions and settlement of the Ngāti Whakaue Claims in accordance with the Ngāti Whakaue Settlement Position.” <i>We note the date of the Trust Deed is 2009. Ngāti Whakaue ki Maketu believe the Trust Deed itself should be refreshed to take account of a number of significant issues of hapū rangatiratanga and mana Motuhake that have transpired into positive Crown relationships with Local Government agencies like the Bay of Plenty Regional Council, the Western Bay District Council and the Tauranga City Council; and various Crown agencies including the Ministry of Fisheries and the Ministry of Environment; and other large government entities important to Maketu whānau such as the Tauranga Hospital.</i> Clause 6 of the Trust Deed provides a representative structure where Ngāti Whakaue ki Maketu is only one of the 10 members of Te Komiti Nui. In the Deed of Mandate it is unclear as to how our interests will be represented in any negotiation process. These two documents must be taken together. - This is important because the mandate will allow Te Komiti Nui to, amongst a number of other obligations, appoint negotiators to negotiate with the Crown a draft Agreement in Principle and a draft Deed of Settlement. - We see the description in clause 6 and the processes described in the Deed of Mandate as being <u>too vague</u> to provide any confidence
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	that our mana Motuhake and hapū rangatiratanga will be actively protected and respected in any negotiation process with the Crown. So, our second point is that Te Komiti Nui does not adequately represent us, nor are there sufficient protections in either the Trust Deed or the Deed of Mandate to give us confidence that our interests will be represented. So, where to from here? There are a range of potential approaches and solutions to resolve these matters. For the sake of brevity, we wish to put forward two options, acknowledging that there will be others. One approach is for the current Trust Deed to be amended. This is our preferred approach, and we see this as the most pragmatic and expedient way to get to where we all need to be. Under this approach we would propose that: - the Deed of Trust be amended to enable at least 3 members from Ngāti Whakaue ki Maketu to be represented and not just one as provided by Clause 6; and that - a parallel negotiation be designed to cover the Coastal Area of Interest and that claims that fall within that territorial area be controlled and managed by Ngāti Whakaue ki Maketu; and that - the proposed Deed of Mandate be amended to provide for at least One Negotiator and a Claims Management Team to negotiate those matters in the Coastal Area of Interest and a veto over any decisions that directly affect Maketu. An alternative approach could be that a complete overhaul of the Trust Deed be undertaken that would see a new refreshed model emerge – a model of representation that would satisfy the following <u>fundamental principles</u>: - that the claimants would have direct participation in the way in which trustees were appointed to ensure that the trustees would have the trust and confidence of the claimants; and - that the mana Motuhake and hapū rangatiratanga of Ngāti Whakaue ki Maketu hapū and whānau will be actively protected and respected in any negotiation process with the Crown. Furthermore, in order for the above to happen we <u>request</u> of the Te Komiti Nui board that they have advisors <u>appointed immediately</u> to effect the changes now being proposed in the interests of ensuring the integrity and tikanga of ngā Hapū o Ngāti Whakaue and Ngāti Whakaue Ki Maketu to be properly taken account of. A point to note, we are not taking anything away from anyone else in Whakaue by asking for these things. We’re just standing up for our rights. I’ll close my kōrero today with reference to a quote we have heard a lot of lately: Ko Whakaue ki tai e tiaki te takutai moana, Ko Whakaue ki uta e manaaki ngā roto - Historically, this phrase was never used in a way meant to keep us apart. Rather, it was used as a way to describe how we relate to each other. But this process has damaged Whanaungatanga relationships – relationships among hapū; between whānau; among claimants and between claimants; between Te Runanga O Ngāti Whakaue ki Maketu and the claimants who prosecuted the Claims for Ngāti Whakaue ki Maketu, and
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	the other hapū and individuals promoting Te Komiti Nui o Ngāti Whakaue – many relationships have been damaged. We’ve been asked “oh, so you people over at Maketu don’t want to be Ngāti Whakaue anymore?” No. That’s not what we are saying. We are not asking for separation. All that we are asking for is a return to the status whereby there is respect for the hapū rangatiratanga and mana Motuhake of Ngāti Whakaue ki Maketu and that the sense of whanaungatanga that is contained in the short phrase, Ngāti Whakaue ki uta, Ngāti Whakaue ki tai, is honoured. Nō reira Ngāti Whakaue, tēnā tatou, tēnā tatou, tēnā tatou katoa.
Response	1st statement incorrect This relates to the ‘wider area of interest’ map on Pg 4 of DOM the description of the Coastal area in the Deed of Mandate is on Pg 5 word for word on what Roana read out. Second statement asked ‘ko wai a Ngati Whakaue’, accordingly the Trust Deed states, its general purpose etc and noted it was adopted in 2009. In the Deed of Mandate (Re-freshed one) on Pg 5 describes the coastal area of interest with the map Coastal area of interest (as interpreted from Minute Book Reference: NZ Archives 1875 MA 13.18c) “From the mouth of the Waihi, up to Kaikokopu stream thence across to Pakotore and the Kaituna River, then down the Kaituna to Te Kopua, thence in a straight line to the mouth of the Waiarakei Creek on the Coast, thence along the coast to the starting point overlaid across the blocks that are wholly or partly included in the boundary. Key features in our coastal area of interest is Maketu Peninsula, Ongatoro Estuary Te Awa o Ngatoroirangi, Bledisloe Park (Te Kahuirangi). Don’t have an issue with Ngati Whakaue whanau – who live in Maketu – asserting their mana Motuhake and tino rangatiratanga over the coastal interest – noting also that Ngati Whakaue are not the only Iwi/hapu living in Maketu. Thank you for that Roana, so whanau, there are 2 options offered from Ngati Whakaue ki Maketu.
Norma Sturley	Norma loved the korero. Also stated they were denied their lands at Maketu – taken under the consolidation act and our lands were given to returned soldiers and so on. So wondering whether, because their Claim is in Maketu wants to ensure the claim is established there she’s all for it being included with Maketu claims.
Response	Roana recognises WAI 1101 and happy to include in conversations going forward.
Tony Wihapi	I don't mind Maketū. I couldn't really just steal your thunder. I'm only apologizing to Maketū for having raised that issue. I'm totally, totally for everything that you have said. We are at a state where we need to consider everything on the table and I'm here again to, yes, Mr. Chair, to you, the board as well, for giving us the opportunity to realistically review where we're at.

Vicki-Mae Bhana	Parehuia, my kuia, older sister of Haerehuka, have always lived at Maketu – kuia & koroua buried up at the Urupa on Te Awhe St. Never been invited to your hui – we have a constant representative at Maketu - we're all from Maketu, we're all the same people We have never been invited to your Maketu hui, we have whanau living at Maketu, my son lives at Maketu, my kuia are all buried in the urupa – we are all Ngati Whakaue ki Maketu. We're all the same people.
Roana Bennett	There is nothing exclusive to what we are saying. So if you feel excluded, apologies for that. And we'll put that into the thinking moving forward. However, I will disagree with you in terms of Ngati Whakaue ki Uta, Ngati Whakaue ki Tai, Ngati Whakaue ki tai being something new in our historical research. And we're a little bit down the track in terms of collating a lot of that information. We've got references to NW ki tai NW ki Uta going back to the 1800s. So it is a phrase that was used. But like I said, it was never used to separate us. It was used to describe our relationship to each other. So when there's a tangi inland, the tono would go out to Maketū to bring the mussels and the fish inland. When there's a tangi at Maketū, the tono goes inland to bring Kai out to the coast. And another piece that I looked at, it's not a phrase that we would ever use outside of our region. Because outside of our region, we are all Ngati Whakaue. We travel together as Ngati Whakaue when we're outside of the region. But inside of the region, there's a clear difference as to which whānau are looking after which resources. And in the process that we have currently that we're talking to the board about is that we see that there's not sufficient representation for the whānau at Maketū in terms of this process. Kia ora
Larissa Wharepouri	Not invited to or included in hui last week, been excluded, those one in that roopu are never seen, not at the Marae or in the kitchen – talking about years ago – they are not the claimants. Comfortable, more than comfortable, supported TKN at the Mandate hui & through the submissions process. That roopu has created division and dysfunction at Maketu. TKN knows the Maketu claims, the legitimate claimants, as per Waitangi Tribunal advice. We have open communication and transparency with TKN, there is no confusion, no need for an electoral college, what ever that means. Tautoko TKN and support Karena as the Maketu/coastal rep. We have spoken with members of the whanau as well, we have had those conversations and we are willing to work together, to come together, a Maketu. In regards to ki uta and ki tai, the only difference is that there has always been that ki uta look after ki uta and ki tai looks after ki tai, because we know our areas, but we come together a Maketu for Whakaue. So in answer to you Vicki Mae, we will be Whakaue together, we are a whanau together, but we need to acknowledge that each one has their rule for their respective areas.

	Response TKN is well aware of WAI claims 676, 1791, 1475, & the claimants position & support for TKN as the mandated entity. Thank you Larissa
Raewyn Bennett	WAI 676 so you can tell its a really old claim by the low number allocated. Claimants need to be in there or have a meaningful input, confident TKN process will ensure this happens. There was a time when I wavered but I can say I have confidence in the current board. People do have genuine raru that needs to be resolved, engari, can I just say the Runanga does not represent my Claim. Another thing, seeing we bringing this altogether, I need to tell you that the Runanga's got this habit. If you don't agree with them, they send you a letter to say you're not part of the Whakaue Runanga anymore. My daughter has got a beautiful letter, and I've kept it. I might frame it, saying that, signed by the chairman. There's nothing in their deed that says they can do that, but they did. And recently, the chairman went to one of the claimants and said, "You'll have to leave the Runanga because you don't agree with us." And he said, "But I've never been part of the Runanga." So, I'm just saying, I don't think really, honestly, we have the capacity in Maketu to do our own thing. We just haven't. I sympathise with the fact that quite often, more than should happen, that over here in Rotorua, somebody will speak for Te Arawa, and we in Maketu don't know anything about it, haven't had a say, but we're not included in a conversation. Well, that's got to stop. We don't believe in that colonial model. I belong to other Iwi and I can say that Whakaue, have been the best at including the claimants. So, Kia ora that's me.
Mihaere Kirby	WAI Claim 2286 On behalf of Y2286, I would like to thank the members of the TKN. As the Independent Chair of the Maketu mandate hui, Maketu turned up in full force to the Whare, It was full to overflowing. "I takoto te korero, I takoto te manuka." And they spoke. Na Waimarie
Skip Savage	On behalf WAI 1357 Wharetutaki Claim We went to Maketu last year, to listen and give our support to TKN going forward, as the whanau has done previously. On behalf of our family, it was just before the mandate was put in place. And I went around from Auckland to Hamilton to Maketu and we ended up following a better story. And there were discussions that were had about what they would look like. But the three main components for us is; having a mandate. Making sure that we all have representation and our voices have been heard. For our Wharetutaki Claim, we have been into TKN & sat with some of the trustees of the board, not once, not twice, but at least three times, to make sure that we, our Wharetutaki 1357 claim was required to be heard. They made us think about the impacts the Crown actions have had on our whanau. Tautoko Larissa and the whanau at Maketu – I hope the outcome of this hui does not have an impact on the mandate otherwise the mandating hui would be all for nothing. Thanks Te Komiti Nui, and here to tautoko TKN.
Melissa Brown	Came asking for support from Ngati Whakaue to the issue at Rotokakahi Chair thanked Melissa bu said korero not rrelevant to today's 'take'.
Jimm Manley	Kia ora, I'm looking at the representatives for Ngapuna why don't you drop one of the Ngapuna representatives but still keep it and just change the name.

Kerry Bird	I just want to put a wero to Hamu who's had such a long period of working with the trust and being the settler who actually put the motion, but not actually put up a rautaki on how that might be reformed. I think that's something you have to do Hamu if you're going to put the motion up you have to follow it up with how you expect one of the options might be - we've heard two options from Te Runanga o Maketu - but one of the telling things that we have heard from Raewyn a claimant, from Larissa a claimant from Skippy with whanau and from Mihaere a claimant that they all whakaae, they tautoko the kaupapa inaianei o te Poari so at least we've got four claimants who are in support and we've got the Runanga who put up two other options on how we might consider changing the kaupapa of representation, so just in summary that's just how I see the whakaaro i roto i te whare inaianei.
Wirihana Tapihana	And they do not speak for Maketu. They are under the auspices of the Te Komiti Nui. The only ones that speak for Maketu at this stage, in my reckoning and what we've been doing down there, is our Runanga, the trustees and the claimants. And we have claimants. I wanted to claim. Just come on board. Now, this Hui was supposed to try and navigate a way where we can all become one. At the moment we're miles off. And I think those people up in the top echelon there, they should be the leaders of trying to navigate our way through this quagmire of distrust and hate. And that's what's happening. It's pitting one whanau against the other whanau. I was born in 1945 by the way, and I had all my kuia and koroua around me. And they always used to talk about ki uta and ki tai. And the koroua were the ones that you'd sit down with them and they'd korero it all. Outside, smoking, having their korero off, and you learn a lot from them. So that goes right back. And we were united one another. They had many values in those days. Those values that we try and keep, they've been watered down, watered down, watered down to the colonisation that we've been put through. Now, let's find a way where we can work together, where we can't come as one, not pit one another against one another. We are all related. We are all related. And we need to work together to be strong. Tainui has done it. Ngai Tahu has done it. It's about time that we did it. We're lagging behind. The other one is the waka is lagging behind. Anyway, I'll finish my korero by saying thank you for listening to me. And I just want to get some things right that, yes, that's the second in water. Kia ora tatou katoa.
Tony Wihapi	Tony went through all the Claims that have been shown in TKN publications over time and asked if there were representatives in the hui today. As he read each WAI claim number claimants confirmed presence - Satisfied there was wide representation of claimants in the hui.
Online	Question from Dotty Can we include rangatahi, lets not talk about them or make decisions for them. What is or can TKN do to include rangatahi representation in their midst? lets include them
Aleisha Mitchell	Wanted everyone to hear her korero not as a trustee, not as a successive claimant, but as a Whakaue member. I think that this hui has been really, really great. It's good to korero, but there's also been some missing points that haven't really been spoken about as well. So you've got a good representation, you've got some of the original claimants on our board. You've got rangatahi, you've got people in between. And then you've also got representatives who were formed there by the iwi from the original hui.

	Can you put your hand up if you were at the original hui in Tama in January? in 2009. Yeah, so I think it's a really good indicator here as well is that these decisions were made. Many of these people are no longer here. They're not in this room anymore. And there are certain people, rangatira, who are sitting in this room who made these decisions. And, it says in our Trust Deed that it was unanimous. It was a unanimous decision on the makeup of Te Komiti Nui o Ngati Whakaue. And with the times of change, you want to change it now, that's kei te pai, but in my mind, I'm like, well, my elders decided on this, why would I not carry it through? And were their decisions not tika back then? And I really think they were then. However, another consideration is that if we go through this process, and I'm being very objective, it's not because I'm on the board. It's like, okay, so how much money did today cost? It's coming out of the trust, right? How much will successive hui cost to sort out a new trust deed and then re-mandating? How much will that cost us? How much time will that cost us? You know, that takes a long time. And to get that all wrapped up and tied up before our AGM at the end of the year, that's hard. That's really hard. And then in that time, if we are so disgruntled to the point where we need to have a new structure, what is that going to look like to the Crown? What? They're going to look at Whakaue and think that we're not organised, we haven't sorted anything out, unless we do actually sort out this new structure, but we're wasting time. That's been a forefront of my mind for coming to these hui's all the year. There's so much time has passed. We've had so many people who have passed who were original claimants that aren't going to be here to see Ngati Whakaue sign a Deed of Settlement. So that's something I didn't hear today and that's something that's always at the forefront of my mind in these hui. So please consider that.
Kiri Potaka-Dewes	I'm a bit confused. Were you, the last speaker, talking about the original board? When the original board was put together, what was the basis? Was it the koromatua at the base determining that board and was there room for rangatahi as well? I'm not sure how that board was selected. Could someone explain? Secondly, Tony has his main point of difference, that the claimants have a right to be represented on the board. He doesn't think that there's sufficient room there for claimants to be represented. So there's 19 claimants. There's the original board that was unanimously voted on. And we're now looking at considering the current model, what's most appropriate now. And the committee, presumably, is the voice of Ngati Whakaue. Is it? Do you have that mandate? Is there support for it? What evidence can you show? Do you actually get all those PSGEs and hapu committees and whatever, sports, everything? Kapahaka, all that. Is this the collective place, a gathering place where all those voices can be submitted? Each have their own sovereignty. Each have their own governance. But they come here to share the korero at all. Is that the model? I'm not sure. I'd like to get some clarity on what you guys are thinking when we talk about looking at an appropriate form of representation. Kia ora.

Rawiri response to Kiri P-D	I'll just quickly respond. Te Komiti Nui O Ngati Whakaue's specific purpose for establishment is the representative and mandated group which Ngati Whakaue may treat and engage with the Crown to negotiate a settlement for the outstanding claims. You asked 'do we have the mandate for all of Ngati Whakaue', I think what you are referring is a different call. We are mandated as I've explained, we just recently refreshed the mandate and received over 80% support to progress claims through negotiation with the Crown. Today's hui is about the representation on TKN, as you would have heard during the korero today, some of our whanau have shared their concerns & issues. What you're talking about is likely to be in the Post Settlement Governance structure korero – that is another structure our people will be called upon to not only have input what the entity or structure might look like, but to also vote for representatives on the entity.
Rawiri Te Kowhai	Kia ora, I hear this word Koromatua or the six Koromatua. I did hear Hamu talking about double dipping and stuff like that. So where does Te Roro O Te Rangi sit in all of this because they are part of the six Koromatua? If you leave them out, then the Koromatua is not functioning. Kia ora.
Chair response	So they're not sitting out because they are actually in conversation, but not included in these negotiations. Some of the WAI claims, Uncle Tony read out. Ngongotaha maunga, or parts of, were offered to Ngati Whakaue hapu who settled through TPT. Puketawhero is Uncle Hiwinui Heke's claim, he said no, that does not sit with Te Rorooterangi. These are conversations we have Te Roro & TPT. So, in terms of the six Koromātua, Ngati Tura are in conversations just like our claimants. So, Uncle Brown, Clark, who's the chair of Te Rorooterangi, have ongoing conversations with us all the time because, again, they're very cognizant that they are one of the six Koromātua, and they foresee a future where we are all working together as one.
Maru Tapsell	The role of trustee is to govern and those who have got claim numbers are there to manage their claims. I'm a bit of a mixed bag, I've 2 Claim numbers, the minute I do that I'm in conflict with my role in governance. My view, we, as trustees then give all the support to those claimants, whether they want lawyers, historians or local government or any of that sort of matter to assist the claimants. The claimants manage their own claims. They're the key factor because they know what their claims are about. I don't want to be sitting on this trust, expecting to be negotiators for claimants. It's the claimants who know the history. That's why they put in a claim. I wanted to explain that because if I do get involved in the two claims I'm in, then I'm resigning as trustee. I've got to resign because I can't be in governance of my own management. I just wanted to explain that.
Chair	Thank you Maru I think each and every trustee on this Board know their role and that they are there to set the strategy and approach to negotiations, communications to claimants for all WAI claims. Even though we do have a couple of claimants on the board they do not profess to be negotiators.
Hamu Mitchell	Kia ora ana tatou Just a couple of things. There's been this swirl of discussion around the rights and role of the claimants in the settlement process. As I said at the AGM, Ngati Whakaue

	agreed to go into direct negotiations with the Crown. It also agreed to put aside its opportunity to take the specific claims to the Waitangi Tribunal. We accepted the position of the Crown at that time after the first Central North Island inquiry that was held in this meeting house. The Crown accepted that it had created grievances by way of statute and its policies. Ngati Whakaue from that point agreed and brought it back to a Hui of NW that we would engage with the Crown in direct negotiations and not go to the second level of hearings with the Waitangi Tribunals about specific claims. Now what I'm hearing is that people want to re-litigate that. Well, here's the thing. If you had any part in submitting a claim to the Waitangi Tribunal, yes, you enter your name as an individual member of whatever the claimant tribe Hapu is, in this case Ngati Whakaue and its various Hapu. But at the same time, if you're doing it properly, you do it on behalf of those Hapu and your Iwi. You don't do it as an individual claimant. Every claim that I've seen go to the tribunal, including my own, have stipulated that. So now people want to sort of back up and say, well, you know, can we really trust this trust to, you know, represent our interests as claimants? Well, you have to. You have to invest in them your trust that they will do right by you. And let's not lose sight. It's the Crown that sets the parameters of what it's going to settle on. Not us. In the negotiations that are yet to take place again, when we sit down opposite the Crown, the Crown does not want to talk to you about individual claims. You can forget that. That's not what they're about. The other thing my cousin over there said, why didn't I make a suggestion? Well, I have a suggestion. And it's this, I think you don't need more trustees, and I'm not certain that you even need 10 trustees. We have a number of entities that have the maximum of seven. And that number has always been popular with me because when you're a board and you're looking at different take and you're expected to arrive at a decision as a board, a majority decision, it's easier to arrive at that when you have an uneven number sitting at the table. Where you have an equal number, you are then, in principle, agreeing the Chairman has two votes, a casting vote. I think we've come quite a long way in this process where it doesn't matter if there are 10, but I prefer seven, and it doesn't matter if there are seven who's going to act in the best interest of Ngati Whakaue, including its claimants, including its hapū, including the iwi. If these people have that in their hearts to do that, and they're not there because they're pursuing a particular selfish or self-interested take, that's not the game, people. Option proposed So, number seven, four-three split in my view. Anybody who's on ki uta, of the four that are on ki uta in my proposal, you have, as some of you have already said, represent a number of hapū of Ngati Whakaue. You're not just with the koromātua. You're not just with Hurunga. Some of us can say our claims as members of different hapū, yes, cover the six koromātua, but some of us can say we're in Waoku, Rautao, Ngāti Te Kahu, we can all say that. That, to me, is the least of your boasting rights. The penultimate boasting right is that you are going to do a bloody good job on their behalf and get the best settlement possible on behalf of Ngāti Whakaue. Kia ora.
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	Online question Kapai, just reading out a wee comment online from Dotti again. Similar to what Uncle Hamu just said, the crown's design of how they want to settle our claims with us is the problem. It's designed to divide and rule. A question, she does have a couple of questions, ask the tribunal who's who, and the tribunal does send Rawiri and Pauline updates. I can answer that one. Where's the whānau minute to mandate the representation of claims to sort out the opposing kōrero? Response: Larissa: the minutes for Claim WAI 1475 is with the Waitangi Tribunal & is confirmed. And then she's asked the question again, who's paying the fiscal cost for representation on TKN, for example, holding and running these hui? Is it Te Tari Whakatau? Is it them or is it Komiti Nui? Oh, Kerryann said it's us. Okay. So Komiti Nui, has paid for these hui.
Tony Wihapi	I'm starting to wonder whether I'm in the right hui. This is the second hui where I'm rising to totally agree with something that Hamu has said. I totally agree with the way you're, wherever you're coming from, Hamu. It is totally correct. The board is there to represent the claimants, and Ngati Whakaue and to do the best job for the claimants. And that's why it's important that the board should be conflict of interest free. It needs to be free and treat all the claimants as equal according to the strength and manner of their claims. But the kaupapa, that's the only way we're going to get through. I would probably tautoko seven, because this people, we're developing a strategy to deal with the Crown And if we can place our trust in seven of our closest Ngati Whakaue, who will carry this thing forward on behalf, then we have a chance of getting somewhere. But that's the reality that we've got to address. There obviously are two voices in this house, and there is a need for us to achieve finality for those two voices to come together somewhere. And Hamu is touching on something that provides a solution. You cannot proceed in this hui as if nothing has happened. This hui has been of tremendous value to firstly for me. I am not a claimant. I am not a claimant. I am here on behalf of Iwi. And in that capacity, that's why I can talk to the claimants. We should be here. We, the hapu and Iwi, should be here to tautoko, to ensure that this gets through as soon and as possible, with a body that has the true confidence of the hui, the claimants and the Iwi. And if we can somehow negotiate that position, then we're going to finish this. We're going to convert the titanic that's currently sunk into a nuclear-powered submarine. And that's where we want to go. And we have the capacity to do it. But we have here this, and for Whakaue is one of the few tribes that we can achieve. The iceberg that you hit was Whakaue. That was the iceberg. And now you're there, and we're in a position where we're rethinking the situation. Excellent, I think. Oh, 15 years too late. Will not go down how much TKN has costed us. But it's great to be in a hui where we're understanding the seriousness of what we're discussing. And to be heard is fantastic, to be listened to even by Hamu is incredible. So that hopefully will be my last korero in this hui.

Kingi Biddle	Tena Tatou Tuatahi - Aleisha next time stand up there. One of things when we look at the quorum, trustees are counted twice. Firstly, within their Ngati Whakaue whakapapa as well. So next time you have such an awesome kōrero like that, tū ki tera o ngā tepu. Because you sounded like a Ngati Whakaue and you sounded like a trustee that I'd vote for. Tena koe i roto i tera whai. I want to mihi my Uncle. My Uncle Hamu – i te tuatahi te whai whakaaro kia kite ano ai a Ngati Whakaue i roto i te tepu, i roto i te whakaaro me whakahou kare rānei. I think that's awesome over the years for us to test that. To test to see how does the tepu sit, how does the tepu feel as we move forward to complete our claims. Kia mohio rānei tatou, he nui ngā kōrero e pa ana ki ngā hunga kerēme, engari he hunga hei to wai ano i ngā kōrero a taku Uncle, a Hamu. He kanohi he reo kōrero ngā hunga kerēme ki ngā iwi whaipānga. Our claimants, a kanohi, a reo for our beneficiaries. And that sucks that name beneficiary. He iwi whaipānga. We don't benefit from grief, we don't benefit from fighting each other, so we are not beneficiaries of anything. We're iwi whaipānga, and that pānga allows us to touch that whenua that we've lost. E tangi tonu ana te ngākau – is that whenua over here but it belongs to someone else, but yesterday it belonged to us. Then we turned away and then turned back and next minute we get kicked off the land that belongs to us. So, we are all iwi whaipānga, literally if you look at the Ngati Whakaue taonga claim, we have Paul and Anaru ā Ngati Whakaue, are the iwi whaipānga. So the mamae belongs to all of us, but we are lucky enough to have the hunga kerēme to be able to whakakanohi and whakakorero ngā kōrero. So for myself I really get the kōrero of my Uncle Hamu, and mihi to Uncle Hoki. "I'm ok with seven, I'm ok with ten. I'm ok with seven, I'm ok with ten". Because we have a huge mahi ahead of us as Aleisha was saying, and while we're having this kōrero, the Korokoro o te Parata otherwise known as the three-headed-taniwha, are having their way with legislation. But, there are some real kōrero here – "for the Aue to be settled; we need the Aue to be settled here firstly". And I think what that is Rawiri, the question – he pehea e whai reo ai ngā iwi, ngā kerēme, me ngā hapu i runga i te tepu? Whether you have seven whether you have ten if you have a board that doesn't listen "kare he tika, kare he pai". And I totally agree with my Uncle, for some of our elections it's the one with the most whanau members in the whare that gets on. But they might not be the right person that needs to be doing that, so I totally get it. Ahakoa whitu, ahakoa tekau, ko ngā taringa o te tepu tatou e hiahia ana. So more hui like this, not where we are trying to sort ourselves out – but where you can bring your kōrero: "this is what we're looking at, this is what we're thinking about. What do you think?". He aha te kōrero a mea? He aha te kōrero a mea? And then you have another hui with our hunga kerēme. These are what we're thinking. What do you think? What do you think? And I think if we get to a stage where there's no table, there's just taringa. And you know let me tell you aye Rawiri you and I have been to some hui
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	over the years where it was tepu, tepu, tepu – and then when the hui finished it was like “<i>ohhh chuuu</i>”, we made it through but, he aha ngā kōrero i puta, he aha ngā kōrero i mau? That’s what my kōrero for us today is, we’re not voting today, but this is my kōrero, ahakoa whitu, ahakoa tekau – he pehea e whai reo ai te iwi, ngā kai kerēme, me hunga kerēme me Ngati Whakaue whānui ki tera o ngā tepu. Kia mohio rānei matou kua rangona e koutou ngā hiahia o matou. I think that’s what I have to offer for you. It’s about what is your whakaaro, that’s my whakaaro, and take that back to your hui. Whether its seven, whether its ten, if we don’t have your taringa then kua titoki te waka. Also Karena, thank you for your mahi.
Karena Bird	Can I just follow on from you? Thank you so much. I just thought I'd get up and just say what I have to say. So, when I was elected two years ago, Larissa was actually in opposition of me being on Te Komiti Nui. And I just wanted to use that as an example of what we’ve been doing in terms of working with our named claimants, getting them on board. Obviously, with te Roopu Whakahaere, there's still some work to do. But we have made progress in the last two and a half years I've been on the board. So, we went around and got mandating. We got over 80% of the vote. We've done that. We've had open ears because now we're here having this hui when there was something brought up at the AGM about representation. When, you know, we have a lot of korero about, it should be claimant led, and the iwi and hapu are here to back the claimants. Anthony, thanks for going through that list, because as you could see, there was actually a really fair representation of the claimants here, and very vocal support actually from people in Maketu who are named claimants of Te Komiti Nui. Seven people, ten people, kei a koutou. But I do think that we've proven that we've listened to people. Obviously, we're not perfect. And I think the issue of representation and whoever has the biggest whanau get to put the people on the board is an issue that runs throughout all of the boards in our rohe. In terms of intention, I don't see anyone on this board who's out to bolster their ego or put themselves forward in any type of way that isn't for the benefit of our mokopuna, rangatahi, taiao. Everybody's intention here, from my experience, is for the betterment of everybody. And I think a lot of the time, some of the claimants' voices get lost, and they're sick of having to get up and say, "we tautoko, we tautoko, let's get on with it," without trying to shut people down. I agree that obviously resources are expended the longer we take, but I don't think there's any problem in taking our time either. But is it taking our time with a goal in mind, or is it just because we don't have trust that we're going to be represented properly? In terms of negotiation, I'm sure that there can be some underlying fundamental things we can have in our negotiation with our negotiator that says, "If they don't agree to this, then we're off the table. There's no point continuing." So in terms of protection, I know it's scary when everything gets bundled up into one lot, but we can have things in place. We are working with Chris Finlayson at the moment. If you've been watching his feedback on what's happening with the Tiriti o Waitangi Bill at

	the moment, he's been an incredible spokesperson. He was actually one of the lead Crown negotiators when we were negotiating, and so he knows his ins and outs. I think that because it's a voting year, there's a real huge opportunity as well for the claimants to actually have a meeting and put forward the people that they want to sit in those seats, and we can have a meeting within our different areas, Maketu, Ngapuna here, to say, "Just so you know, these are the people the claimants have actually put forward and are happy to represent them on the board." So we can actually put people in that are respected and have the skills, and the people on the board aren't going to be the negotiators. We've got amazing people in our rohe, our takiwā that have great skills, and it's not going to be this team doing it by themselves. I think at the moment we've been a bit stagnant because we're getting all these tick boxes done to just say we can carry on. But I think if we can get past this and actually find a way that people feel like they can be represented properly in the future, there's going to be lots of in-depth korero with the claimants and what they want to see happening. I really think that we can work with the rest of the whānau so we can all work together. But in terms of working with the claimants who support Te Komiti Nui, I'm really happy with the progress we've made. I just tautoko everybody and thank you for coming to all of these hui that we've been having to make sure that we're starting to get on the right page. Tena koutou katoa. And e mihi ana to everybody who's – kua takahia tenei ara i mua i a matou, thank you to all the work that all of the trustees before us have done. It's not easy. And I'm really proud to sit in the Maketu seat and looking forward to future negotiations with everybody. Tena koutou.
Kingi Biddle	Kia Ora Karena I think Dotti’s first question was answered about rangatahi, but I just really wanted to say one final thing, is that I totally support pou marika tenei o nga Poari o tatou. Tena koutou.
Chair	Closing remarks If anything, Karena basically summed everything up. As on one of the previous slides there, this entire meeting has been recorded. The korero & whakaaro have been put forward from everyone in the whare today. We'll pull it together, no doubt have some hard discussions, get legal advice, and come back to you. This is an important take, it is important, because this Board's challenge is that if a change in representation is decided, all the risks to the mandate will need to be considered, as there could potentially be changes to the Trust Deed. But I’m getting ahead of myself, but whanau that is what my fellow trustees and I will debate. So, we don’t have the luxury of time to review and analyse the options put forward. Why? Because this is an election year, which will be held closer to the AGM date in November. If you are totally dissatisfied with the performance of the current makeup of the board of trustees, you have the opportunity to vote us off. If we don't have the support of our people vote us off, we're more than happy with that. It's not about the individuals who currently sit on the board. We all are here, we have listened and heard what has been said today. Can I just say, each and every member on this board, whilst nominated & elected for interest areas I can say that they are here for all claims across those interest areas. Uncle Hoki is not here to just represent Horohoro, Ray & Selwyn do not just represent Ngapuna and the east/southeast interests, Karens is not just here

	just for Maketu and our Koromatua reps are not is just for central interests. We are here for all the claimants and Ngāti Whakaue claims katoa. Aleisha's not just there representing the claims of her Nan and Pops, she's representing Ngāti Whakaue. Karena is there as the Maketu rep. She's there very much with a stake in the sand making sure that our whānau at Maketu are represented but she's also carries the interest of all of Ngāti Whakaue. No one on our board talks about, "I represent just that." We've been elected by our people, to represent all of Ngāti Whakaue. Karena did make a salient point, in that we do remember everyone who's passed. I would have loved to have been talking about something else today after two and a half years. It would have been really nice to be having a conversation about our AIP, PSGE and about our deed of settlement, but he aha these past 2 years and the Crown mandate process have thrown up a few curve balls that needed to be resolved. And here we are. I love what you said there Uncle Tony, the iceberg has been us. The iceberg has been Ngāti Whakaue. We have not been in whawhai with the Crown in the last two and a half years. We've been in whawhai with each other. We spent 18 months to get the mandate, which we got last year, as I said earlier. There was 80 percent support. The same with the written submissions there. So, we got the whakaae for the mandate. That's why the kaupapa today wasn't about TKN mandate, today's korero was just about representation, and there's been some wonderful korero from everyone today around that, about what we look like. As it says on that bottom, the green one there, but you can't read it there, Aunty Pauline, who I dragged out of retirement, I was still going to go, and I did. I dragged out of retirement as a past trustee & Chair. I sit with Uncle Eddie Mutu as a past year, and they have been aware that they want to see this finished too. Aunty Rae said that she wants to do this while, while she's still above ground its on her bucket list. So, that's important too, I always wanted Koro Bom to be one of the signatories. But again, as we were the iceberg, we've got people who passed away who won't be there to sign that document when it comes that day. And I'm looking forward to that day, whether it's the people to my left who are on that board, or new representatives. When we get to the day of being out the front of Tama and signing that document, we will still be in support of everybody. Whoever the board is, who our people decide, that will be the board, and our board of today will support that. We are here for our people. So, we've got lunch inside, Aunty Buncie's made lunch. So, please come and, again, a big mihi atu to us all. Uncle Tony brought up that point about moving our way around and going to Maketu and stuff like that. We do realise that time and money putting petrol in cars and stuff, we really do acknowledge our whanau from Maketu who have travelled over today, and who will travel back to Maketu and Papamoa and wherever they live. But with that, we will be feeding back to our people. Tarewa brought up about how he found out about the hui thru the Herald advert. So, we do try to advertise widely. In the Herald, the three Bay of Plenty papers, the Daily Post, the Bay Times and Te Puke Times as well as our social media platforms. So, we do try and get it out. We also use the means of the different email chains. So, Aunty Norma pushes it out on that one there. So, we do our very best to ensure that all of our people get to hear. As we heard from Melissa Brown, she saw it this morning and came to
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	talk about Rotokakahi, which was a different kaupapa altogether. But with that, I'm going to... Tony.
Paratene Haupapa	Kōrero Whakakapi Oh, well. Kia ora tatou e te whanau, Look, I was looking at this last panel here, and I was looking at the registration voting. It will take about two months. I was over at my nephew's place before we come here, and we discussed about the registrations of our whanau. And I look up there, it's got to be within two months. Well, I got... Our whanau is all over the motu, and some of them are overseas. And it's going to take us two years to get their registrations. So, that's a concern that I just brought up. I don't want to have a Q&A about it. I just want to talk about whakaaro.
Chair	Tony we can talk about how we can get our whanau connected, especially those whose contact details you may have and how they register and receive pānui. OK With that Chair called hui to a close. Karakia Whakamutunga Rukingi Haupapa

COLLATION, REVIEW and ANALYSIS of Options Proposed at the 15 March SGM

The obvious starting point for the trustees following collation of korero and a unanimous theme for change is evident the TKN board needed to consider the practicality, achievability and legal ramifications if any.

The trustees also needed to:

- 1 consider the current position and work TKN has commenced with the Crown for Ngati Whakaue treaty settlement negotiations,
- 2 take into account TKN elections this year. and
- 3 that should TKN and the Crown reach an agreed Deed of Settlement, they asked themselves 'is this a good use of time, energy and any costs for legal advice?

OPTIONS

Option 1	Option 2	Option 3	Option 4	Option 5
Claimant Electoral College	Amend Trust Deed	Status Quo	Odd number of trustees	Change the name of 1 of the Ngapuna East Sth East seat
Overhaul	Amendments	No change	Amendments	
suggests that the claimants have direct participation in the way in which trustees are appointed	to enable at least 3 members from Ngati Whakaue ki Maketu to be represented	10 trustees 6 x koromatua reps for the central interests: 1 x Maketu for the coastal interests: 1 x for the West Sth West interest and 2 for the East South east interest	this option suggests a 4 x 3 split, Rationale is that the majority of Ngati Whakaue can whakapapa to the 6 koromatua, including Ngati Whakaue at Maketu - 4 reps for ki uta and 3 for ki tai	Rationale - 2 reasonably large claims for the East Sth East area of interest are almost complete
This alternative approach suggests a requirement for a complete overhaul of the TKN Trust Deed	Suggest parallel negotiation that is designed to enable control and management over coastal area of interest by Ngati Whakaue ki Maketu			
That the mana Motuhake and hapu rangatiratanga of Ngati Whakaue ki Maketu and whanau will be protected and respected in any negotiation process with the Crown	That the trust deed be amended to provide for at least one negotiator AND a Claims management team AND veto over any decision that directly affects Maketu			

Legal Advice JB Morrison (Helen Nathan & Curtis Bidois)

Prefaced as follows:

- 1 the Deed of Trust spells out the composition of the board of trustees and representative interests, and obviously how you were nominated and represent.
- 2 Your (TKN) refresh mandating hui showed Ngati Whakaue, from Auckland through to Hamilton, Maketu and Rotorua, also those online voted for TKN to hold the mandate to engage with the Crown to settle Ngati Whakaue's extant historical claims.
- 3 The Minister for Treaty Negotiations has recognised and approved TKN mandate based on the Deed of Trust and the Deed of Mandate.
- 4 Advised TKN to undertake the conditions in the Minister's letter
 - Make every effort without delay to reconcile with the Runanga and Marae trustees that should include:
 - Making every effort to meet with the Runanga and Marae trustees at least once a month;
 - Reporting back to the Crown on these meetings, and;
 - Agreeing to facilitation if you are not able to make progress with the Runanga and the Marae trustees independently.
- 5 Legal advice also noted that from experience and involvement with treaty negotiations, the Crown only want to work with a large natural grouping, which Ngati Whakaue has been recognised as.

Advice then turned to the Options table

Options 1, 2, 4 & 5

Option 1

- Only Claimants have direct say on who should be on TKN
- Moving away from 1 person 1 vote, ie: Ngati Whakaue registered voting members will not have a vote
- Significant amendments to the Deed of Trust required

Option 2

- Amendment to the trust deed (Clause 6) to reflect 3 trustees for Maketu,
- Plus 1 negotiator, and a management team and right of veto over any decision that directly affects Maketu
- This does not reflect a natural grouping, it is a breakaway from TKN mandate

Option 4

- Does that split sound fair 4 ki uta & 3 ki tai, given the number of claims to be settled in the respective areas of interest
- We can all whakapapa to the 6 koromatua, so can accommodate the 4 x 3 split
- Will require amendments to the trust deed.

Option 5

- Will require hui with Ngapuna –
- Does this mean give a seat to Maketu or just rename it

- ## Risks

- 1 Ngati Whakaue members may be shut out of the voting process for composition of trustees on TKN.
- 2 Mandate will at risk - should any of the options 1, 2, 4 & 5 be voted on – the mandate will be null and void. The refreshed mandate process was approved based on the existing Deed of Trust and the partnered Deed of Mandate strategy which the Crown approved to go out for mandate.
- 3 TKN will need to engage legal to make the amendments to the Deed of Trust, then TKN will need to take the amended deed out for ratification by Ngati Whakaue.
- 4 TKN will then to review and amend Mandate Strategy; which will then need to be signed off by the Crown and go back out to Iwi members for mandate.
- 5 Point 3 & 4 are likely to take 6 – 10 months to complete and there is no guarantee the Crown will pay for another mandating process.

After meeting with our legal advisors from JB Morrison the trustees made the decision to stay with Option 3 (in the Options Table) Status Quo because of the identified risks. It was also decided not to hold a registered voting hui and that a supplementary report will be provided at the AGM.

Nga mihi

RLQ

Rāwiri Bhana
Chair

NAME OF HUI - SGM - TKN Representation				DATE Saturday 15 March 2025		Pg 1
1	Waiare Bond	15, 03-25	Tinianporo mar. 1022-			
2	Amele Malone Tetuaki	36 Haulohi Rd	Ngungotahi			
3	Tania Hinehai Butcher	P O BOX 201 Ngungotahi	Ngungotahi		0274950038	
4	Raewyn Bennett	Maketu				
5	Violet Nairiki	Panui Rd Koutu				
6	Popata Scott	Ngapuna	Rotorua			
7	David Lake	" "	"		02102748040	
8	Klang Scott	" "	"		0214265888	
9	WIKI MARIE K.A FLAVELL	46 Seaview 10 Lake Road, Rotorua	Rotorua		0272382399	
10	Ling Bidelle	28 Taranaki St TE KOU	Rotorua		021349421	
11	JOSEPHINE SCOTT	15 LAKE RD, OHANGURI Rotorua	Rotorua		0273248932	
12	EMERSON JONES	46 Huratai St Koutu	Rotorua		02108538787	
13	JASON NARIN	46 Lytton Street	Rotorua		0273543414	
14	MARIA PINE	3 Brough Rd Maketu	"		02109928916	
15	Liam Tapsell	~~Rotorua~~	Maketu		0211227365	
16	Frances Devon	~~Rotorua~~	Rotorua		0277500002	
17	Lynne Fawcett	~~Rotorua~~	Rotorua		0212742550	
18	PJ Butcher	6445 Tongariro	Rotorua		0211227365	
	Wendy Tapsell	0210674524	Maketu		0211227365	

Name	Address	Koromatua	Phone
Bee Tapscott	32A Giff Rd, Wanganui	Whelan Kaipara	0275533929
Sarah Wulky	1108 Fern St Palmer	Tendropo	021 855 127
Ngahaua Swag	5 Apollo Pl	Tutea, Ti	0272323995
Polindene Kahurangi	4 Perc St Kaiti	Taeo'u	
Vicki Mace	21 Kaiti Street	Junohopo	0215866150
Hayden Fanning	42 Scott Ave, Owhata	Hunungaterangi	0299129951
Janawa Raiti	39 Fairview Rd	Ngati Whakau	0220671924
Norma Smart	WAKETU	Ngati Taetoku	021 376662
Kerry Birt	Market	Whakaukenipapa	0212469001
Sue ENSH	Market	Ngati Whakau	022 5076336
Reene Bessie	Market	Ngati Whakau	0212421828
Adrienne Nigro	465 Matapiki Rd, RDSTCA	Ngati Whakau	0212964873
Madeline Deven	2B Hawthorne Ave Ngapua	Hunungaterangi	0272953305
Serraine Hall	"	"	0272524124
Roy Pau Rouse	6 Bennett's Rd, Kaiti, Rolleston	Ngati, Tirohoro, Te Koro-te Koro	0276620315
Michael Kiehy			

Revelene McDonald	P.O. Box 700 Tenge	Rotorua	0279774536
Cockburn Georgine	"	"	0277777935
Angela Grant	Unit 9/16 Ian St, Kaiti	Rotorua	0273702344
Tim Tapscott	411 Devonport Rd	Tauranga	02102456186
Devi Pokaka-Deves			027 3624 000
Tony Whapi	P.O. Box 303 Tairua		027 4363 510
Makeniara ngi Kungi	3 Kibara St, Ohinemutu		0224553901
Larissa Wharepauini	Market		021 607607
Melissa Brown	47 Shaw Rd, Whakakau		02040966387
Hamuera Mitchell	29 Ratawhiri Dr		022 061 21 74
Kerri Jane Hince	130A Hamedale St, Rotorua		021 363 292
Nicky Simon	2 Walker road, Pet, 3015		0223728664
Dan Tapscott	465 Masfay, 171		



TE KOMITI NUI O NGĀTI WHAKAUE

Te Whare Koromatua o Whakaue

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