MĀORI ENGAGEMENT FRAMEWORK

HE RITENGA MAHITAHI

A GUIDE FOR WAIKATO REGIONAL COUNCIL STAFF
WHAT IS IN THIS GUIDE
HE AHA TĀ TE PUKA-ĀRAHI NEI?

THE PURPOSE OF THIS DOCUMENT IS TO PROVIDE COUNCIL STAFF WITH GUIDANCE AND INTRODUCE A SET OF TOOLS THAT WILL ASSIST THEM TO DETERMINE WHEN AND HOW TO SUCCESSFULLY ENGAGE WITH IWI MĀORI.

This document ("the guide") forms part of the council’s Māori Engagement Framework – a key component in the overarching Māori Partnership Approach (See Appendix One), which prescribes how council will move towards a future where it’s business as usual for all our staff to view council work through a Māori responsiveness lens, and where our staff have the confidence and capability to engage with Māori in an effective, enduring and valued way.

AIM
To enable Māori engagement that ensures council’s partnerships with iwi Māori are enduring, effective and valued.

OUTCOME
Consistently successful engagement with iwi Māori that results in better decision making, more robust and lasting solutions, and more engaged people and communities, while maintaining the relevance of council’s role and contribution in the region.

OBJECTIVES
The objective of the Māori Engagement Framework is to:
• provide council staff with a better understanding of the council’s approach to Māori engagement
• help raise the cultural capability and confidence of staff to work more effectively with Māori by providing a range of tools and advice to help plan and deliver effective engagement
• ensure that it is practised consistently throughout the organisation so iwi Māori receive high quality engagement in all relevant council operations.

FRAMEWORK COMPONENTS
There are four framework components:
1. A guiding document ("the guide") that provides the overarching rationale for creating a framework, why it is necessary and how it should be carried out.
2. A detailed description ("the toolkit") of what to do, how to do it and when will be prescribed through Promapp, with linkage to IRIS and OurMaps, and further information on our intranet and/or any mobile platform that may arise via the council-wide learning and development strategy.
3. A series of workshops and tutorials on how to use and implement the framework.
4. A review and evaluation cycle to ensure continual improvement in the way the organisation is responsive to Māori.

THE GUIDE’S FORMAT
This guide makes reference to methods stepped out in our council systems and processes (i.e. Promapp, IRIS, OurMaps, Project Management Framework) that can guide council staff when planning effective engagement and organising cultural events. It also:

OUTLINES WHY IWI MĀORI ENGAGEMENT IS IMPORTANT AND THE BENEFITS THAT ARISE FROM IT

PROVIDES STAFF WITH SOME BACKGROUND TO IWI MĀORI WITHIN OUR REGION AND GIVES AN OVERVIEW OF TREATY OF WAITANGI LEGISLATION RELEVANT TO REGIONAL COUNCIL

SHOWCASES THE CURRENT PARTNERSHIP PLATFORMS THE COUNCIL HAS WITH IWI MĀORI

IDENTIFIES THE SPECTRUM OF ENGAGEMENT TOOLS AVAILABLE TO THE COUNCIL’S STAFF

ILLUSTRATES SOME SPECIAL CONSIDERATIONS, VALUES AND PRACTICES TO TAKE INTO ACCOUNT DURING THE ENGAGEMENT PROCESS.
## CONTENTS

### TE RĀRANGI KAUPAPA

<table>
<thead>
<tr>
<th>WHAT IS IN THIS GUIDE</th>
<th>.................................................................</th>
<th>2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outcome</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Objectives</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Framework Components</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>The Guide's Format</td>
<td></td>
<td>3</td>
</tr>
</tbody>
</table>

### WHY ENGAGE WITH IWI MĀORI AND HOW IS IT BENEFICIAL?............6

<table>
<thead>
<tr>
<th>Why engage with iwi Māori?</th>
<th>.................................................................</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enabling improved engagement</td>
<td></td>
<td>7</td>
</tr>
<tr>
<td>The benefits that flow from improved engagement</td>
<td></td>
<td>7</td>
</tr>
<tr>
<td>Going beyond statutory obligations</td>
<td></td>
<td>8</td>
</tr>
</tbody>
</table>

### IWI MĀORI IN THE WAIKATO REGION ...........................................9

<table>
<thead>
<tr>
<th>Kingitanga and Waikato</th>
<th>.................................................................</th>
<th>9</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Treaty of Waitangi</td>
<td></td>
<td>11</td>
</tr>
<tr>
<td>The Treaty Principles</td>
<td></td>
<td>11</td>
</tr>
<tr>
<td>Enabling the Treaty through Legislation</td>
<td></td>
<td>12</td>
</tr>
<tr>
<td>Treaty Settlement Legislation</td>
<td></td>
<td>14</td>
</tr>
</tbody>
</table>

### COUNCIL’S CURRENT IWI MĀORI PARTNERSHIP PLATFORMS .................16

| Co-Governance within Waikato Regional Council | ................................................................. | 17 |
| Māori Representation |                                                                                   | 17 |
| Joint Management Agreements (JMAs) and Co-Managed Lands Agreement | ................................................................. | 17 |
| Vision and Strategy Relating to the Waikato and Waipā Rivers | ................................................................. | 18 |
| Iwi Environmental Management Plans (IEMP) |                                                                                   | 19 |
| Engagement in the Resource Consent Application Process |                                                                                   | 19 |
| General Engagement through Planning Processes |                                                                                   | 20 |
| Developing Iwi Māori Capacity to Engage |                                                                                   | 21 |
| The Challenges of Council’s Evolving Partnerships | ................................................................. | 22 |

### COUNCIL’S ENGAGEMENT TOOLKIT ..................................................24

| International Association for Public Participation (IAP2) | ................................................................. | 25 |
| Specific considerations for engaging with Māori | ................................................................. | 28 |
| Planning for Effective Engagement | ................................................................. | 31 |

### APPENDIX ONE – MĀORI PARTNERSHIP APPROACH..............................35

### APPENDIX TWO – METHODS OF ENGAGEMENT ....................................36

### APPENDIX THREE ............................................................................41

### Further Reading ............................................................................42

### KEY DEFINITIONS AND ABBREVIATIONS ........................................43

| Abbreviations | ................................................................. | 44 |
WHY ENGAGE WITH IWI MĀORI AND HOW IS IT BENEFICIAL?

NĀ TE AHA TĀTOU E MAHITAHI NEI ME TE MĀORI? HE AHA NGĀ HUA?

THE FOLLOWING SECTION OUTLINES WHY THE COUNCIL ENGAGES WITH IWI MĀORI, BEGINNING WITH THE PARTNERSHIP ENVISAGED BY THE TREATY OF WAITANGI AND ITS CONTINUED RELEVANCE TO HOW WE WORK WITH OUR IWI PARTNERS TODAY.

WHY ENGAGE WITH IWI MĀORI?

Council works on a wide range of policy and planning issues that may require some form of Māori and/or iwi engagement.

In some cases, Waikato Regional Council has statutory obligations to engage with Māori and iwi organisations. In other cases, Māori and iwi organisations may be engaged with because of the importance they hold within the Waikato regional community (either by population size, or as landowners, water and natural resource managers and users, resource developers or business owners). In all cases, Waikato Regional Council is committed to growing its partnership with iwi Māori through considered collaborative engagement as befitting a true partner.

Although the council has, in recent years, taken solid steps toward growing our internal capability and progressing its iwi Māori relationships, this is a complex and often challenging process.

Our engagements with Māori and iwi organisations are sometimes carried out in an ad hoc and reactive fashion, driven by council deadlines and council priorities. On occasion, this approach is unavoidable, but often it is a consequence of not having worked with iwi and hapū to develop a realistic, appropriately resourced engagement plan while the project or activity is in its planning phase.

ENABLING IMPROVED ENGAGEMENT

Tai-ranga-whenua is seeking to help raise the cultural capability and confidence of staff to work more effectively with Māori by providing a range of tools and advice to help them plan and deliver effective engagement and to ensure that it is practised consistently throughout the organisation.

THE BENEFITS THAT FLOW FROM IMPROVED ENGAGEMENT

There are many benefits we acquire as we build better relationships with iwi Māori. A real opportunity exists to form enduring and effective relationships with iwi Māori that strengthen our partnerships and demonstrate the council’s responsiveness to Māori in a tangible way.

As we improve our engagement with our iwi Māori partners, we will generate benefits for council as a whole, by:

- Better understanding our iwi Māori partners, their aspirations and what they seek from our partnership, and growing trust between us. We can work to develop agreed partnership views and integrate and align these into our approach and our projects.
- Providing a more consistent, coherent and effective way to engage with Māori, tangata whenua and iwi organisations, thereby making it more efficient and effective for all parties.
- Growing enduring, proactive and more effective relationships.
- Enabling staff to carry out Māori engagement as part of conducting their core business activities.
- Reducing the risks around ineffective engagement that may jeopardise established relationships and impact the delivery of projects and programmes.

These benefits will:

- have the combined effect of leading to better decision making
- provide more robust and lasting solutions
- provide a solid platform for iwi Māori and council to work through difficult issues
- result in more engaged people and communities
- help maintain the relevance of council’s role and contribution in the region.

Early and meaningful engagement does produce better quality outcomes through:

- a greater understanding of one another’s expectations and aspirations
- increased opportunities to establish shared projects and partnerships
- improved processes based on an understanding of one another’s priorities, expectations and available resources
- more efficient use of council and Māori resources
- supporting Māori expectations and aspirations to promote the wellbeing of Māori and the wider community.

Simply put, given all the reasons outlined above, iwi Māori engagement is, “a good thing to do.”
GOING BEYOND STATUTORY OBLIGATIONS
Not all Māori engagement is driven by statute. Māori have a wealth of knowledge about the cultural, natural, physical and social environment and are key players in regional economic development. There will be many occasions where input from Māori will inform and enrich the work of the council.

Aside from the Treaty and legislative context, there are compelling reasons for local government and Māori to work together.

FROM THE MĀORI POINT OF VIEW, THESE REASONS INCLUDE:
• a way to exercise kaitiaki responsibilities
• a desire to care for the country of their ancestors
• being able to advocate for the wellbeing of their people
• being able to assist with developing long term relationships
• it’s more effective to involve Māori in the front end of processes than at the litigation phase once decisions have been made (collaborative input rather than reactive opposition)
• information sharing and dialogue often enables problems to be overcome sooner.

FROM THE COUNCIL’S POINT OF VIEW, THESE REASONS INCLUDE:
• Māori are an important sector of our community that receives local government services.
• Māori have a significant amount of knowledge and understanding (mātauranga Māori) regarding our collective stewardship of resources and the environment that can be incorporated into our strategic and operational work.
• Māori culture is a New Zealand treasure – integrating it into local government, such as through waiata (Māori song), pōwhiri (welcome ritual) and karakia (prayer) adds greatly to the richness of local government culture.
• Good relationships with Māori can make consent processing, planning and other council activities easier and produce more effective sustainable outcomes.
• Māori can be strong allies for environmental protection.
• The Māori economy is increasingly influencing development directions.
• A good working relationship between local government and Māori groups strengthens local government while supporting the wellbeing of Māori, and supporting their ability to exercise their kaitiaki responsibilities.

IWI MĀORI IN THE WAIKATO REGION
NGĀ IWI O TE ROHE
Iwi Māori are a unique and defining part of the Waikato region and, although historically disadvantaged, are a growing economic and political influence.1

Although Māori make up just 22 per cent of the Waikato region population, they are a relatively young and growing demographic, meaning that, all things being equal, they will increase their share of the total Waikato region population over time.
• The average age of Māori is 24 years compared with the average age of 38 years for the total population.
• The medium age of Māori mothers (26 years) is younger than that of non-Māori mothers (30 years).
• The fertility rate of Māori woman (2.49 births per woman) is higher than that of non-Māori (1.92)2

Hence, it is no surprise that New Zealand Statistics’ 2038 medium range projections are that Waikato region Māori will grow to 28.6 per cent (148,200) of the total, while Māori children (under 15 years) in the Waikato region will also grow from 35 per cent in 2013 to 46 per cent in 2038 (approximately 33,000 to 43,000).3

The Māori asset base is $6.2 billion, of which $2.8 billion are collectively owned assets. Māori businesses account for $3.3 billion of the Waikato Māori asset base. Māori contribute 8 per cent to the total GDP of the Waikato region, and make up a quarter of the people employed in the region. Nevertheless, the average weekly income for Māori is $189 a week, which is 25 per cent less than for non-Māori.

Within the Waikato region there are many Māori authorities and tribal entities that derive from a number of waka, the main ones being Te Arawa, Mātaatua, and Tainui. Confirmed contacts within council’s database4 and corresponding iwi websites are:
• 208 iwi and hapū; and
• 187 marae5

See the next page for a map of our region and prominent iwi.

KINGITANGA AND WAIKATO
Established in 1858, the Kingitanga (Māori King Movement), one of New Zealand’s most enduring political institutions, is based at Tūrangawaewae marae in Ngāruawāhia.1 Its founding purpose was to unite Māori under a single sovereign. This institution is supported throughout Māoridom and wields a high level of influence within the Tainui region and beyond.

Another influential Māori institution is te whare kāhui o Tūwharetoa and its resident paramount chief of Ngāti Tūwharetoa, Sir Tumu Te Heuheu, who also holds a high level of influence both within Māoridom and local, regional and central government.

1 See (HB46627) for more information on iwi Māori demographics, iwi boundaries and planning downloads.
2 See (HB46627) and (HB46627).
3 See (HB46627) and (HB46627).
4 See (HB46627) Te Kāhui Puna Inga
5 See the indicative compiled list of iwi and Hapū within the Waikato Regional Council area (HB46627).
6 Information taken from the Te Puru info web site Te Kāhui Puna Inga: (HB46627) – (HB46627).
7 Further information on the Kingitanga at: http://www.ionline.govt.nz/kingitanga-the-maori-king-movement/
THE TREATY OF WAITANGI

The Treaty of Waitangi (“the Treaty”) was signed in 1840 by Māori and the British Crown. It is a constitutionally significant document and the foundation of how Māori and other New Zealanders interact with each other. It represents a contractual relationship whereby both Māori and the Crown made promises that they intended to honour. Māori gave the Crown rights to govern and to develop British settlement, while the Crown guaranteed Māori: full protection of all their valued resources, the same rights as a British citizen, and that their tino rangatiratanga (authority) within their tribal areas would remain intact.

LAND CONFISCATION

Understanding our regional history helps provide an important context to the nature of our current relationships with iwi Māori. It also gives insight into the role iwi Māori have within our region. Such an appreciation can assist the council’s staff. Within this context, land confiscation is of particular historical importance to the Waikato region.

It is generally accepted that since 1840 there have been many breaches of these Treaty promises and that these breaches have resulted in the alienation of Māori land, waters and other resources from their owners, the displacement of many hapū (sub-tribes) and the loss of their authority over their tribal regions. The 1863-64 war for the Waikato had an incredibly profound influence on the shaping of this region. It stripped 1.2 million acres of premium land from a thriving Māori economy, it substantially reduced the Māori population, and the survivors were forced to retreat to poverty in the fastness of the King Country. It is argued that this has contributed to multiple economic and social disadvantages for many Māori and their affects are still present today. It wasn’t until the empowering of the Waitangi Tribunal, in 1985, to investigate historical breaches and to make recommendations of redress that a sea change began to occur. These breaches are being redressed through Treaty settlements negotiated with affected Māori groups and implemented through legislation (see below for the Treaty settlements that affect council areas of responsibility).

THE TREATY PRINCIPLES

It is the principles of the Treaty of Waitangi which form the primary basis for Māori involvement with local government.

To give effect to the Treaty, the courts, government and the Waitangi Tribunal have developed a number of principles or implicit requirements on both parties. For example, Justice Robin Cooke, in the lands case (1987), stated that the treaty “signified a partnership between the Crown and Māori requiring both parties to act reasonably” towards each other “and with the utmost good faith”. Other principles include:

- the Crown’s freedom to govern and its duty to actively protect Māori interests
- Māori’s right to tribal autonomy and redress for past breaches
- duty to consult.

The Treaty principles also state that Māori retain rangatiratanga over their resources and taonga, including all valued resources and intangible cultural assets.

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8 See Cabinet Office Introduction
9 It should be noted that there are several copies of the Treaty that were signed by the various iwi, and there are two versions of the Treaty. Suffice to say that the Treaty principles assist with the interpretation for both parties.
10 Local and General, Yellow Dancing dead, 7 April 1860
11 Why are there Treaty of Waitangi Claims?
12 See Principles of the Treaty and the list of treaty principles provided in (49427133).
ENABLING THE TREATY THROUGH LEGISLATION

Although the Treaty is between Māori and the Crown, the Crown has made certain requirements of local government in order to meet its Treaty obligations. Consequently, councils operate under a number of statutory regimes that require them to either ‘consult’ or ‘engage’ with Māori or tangata whenua, or ‘provide opportunities for participation’ in some capacity.

Underpinning all terms is the assumption that dialogue should be occurring in order to understand and include the values, aspirations and interests of local and regional Māori organisations. Several pieces of legislation direct central and local government agencies to “take into account” or “have regard to” the principles of the Treaty of Waitangi.

The dominant frameworks are as follows.14,15

THE LOCAL GOVERNMENT ACT 2002 (LGA)

The LGA specifies that local government has responsibilities which include providing for Māori participation in decision-making processes, enhancing Māori capacity to participate and contribute to decision-making processes, and options for enhanced representation by Māori.16

With significant decisions, section 77 of the LGA requires council to take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga.

The provisions in the LGA (2002) act as levers that can be used to influence institutional behaviour rather than specific requirements that can be easily monitored.

A prime example of this influence relates to the Soil Conservation and Rivers Control Act 1941 and Water and Soil Act 1967, which have a substantial bearing on how the council operates within the Waikato region (see Soil Conservation and Rivers Control Act 1941 below).

THE RESOURCE MANAGEMENT ACT 1991 (RMA)

The RMA recognises Māori interests in ancestral lands, water sites, waahi tapu and other taonga as "matters of national importance" and requires all who exercise powers under the RMA to “have particular regard to” kaitiakitanga and iwi environmental management plans and to “take into account” the principles of the Treaty of Waitangi. The RMA recognises Māori interests in natural and physical resources and contains specific provisions for consulting and working with tangata whenua.17

THE LAND TRANSPORT MANAGEMENT ACT 2003 (LTMA)

The LTMA provides a number of principles and requirements that are intended to facilitate participation by Māori in land transport decision-making processes, particularly with relation to the national transport fund, Māori roads and with reference to consultation requirements of long term plans in the LGA Act (2003).18

THE BIO-SECURITY ACT 1993 (BSA)

This Act concerns the exclusion, eradication and effective management of pests and unwanted organisms, including those pests and organisms that may have adverse effects on "the relationship between Māori, their culture, and their traditions and their ancestral lands, waters, sites, wahi tapu, and taonga". The role of regional councils is to undertake monitoring and surveillance of pests and to propose and implement regional pest management plans and regional pathway management plans. Plan proposals need to set out how they will affect the Māori aspects that are mentioned above.19

SOIL CONSERVATION AND RIVERS CONTROL ACT 1941

The reorganisation of local government in 1989 gave regional councils statutory responsibility under the Soil Conservation and Rivers Control Act 1941 for erosion and soil conservation works previously administered by catchment boards. As a result, Waikato Regional Council became responsible for soil conservation (or catchment management) works across the region.

The overriding purpose of the Soil Conservation and Rivers Control Act 1941 is to make provision for the conservation of soil resources, the prevention of damage by erosion and to make better provision for the protection of property from damage by floods.

Overall, catchment management aims to achieve:
• more stable rivers and catchments
• reduced sedimentation of rivers, harbours and estuaries
• promotion of land and water sustainability
• improvement or maintenance of water quality
• improvement or protection of biodiversity.

Integrated catchment management activities are largely consistent with achieving the outcomes sought by iwi. Particularly those activities related to water quality enhancement, the protection of heritage sites and landscapes of significance to whānau, hapū, iwi and the community at large.

14 Provisions are also found in legislation governing conservation, coastal management, flood management and transport. See (#246738) for further information on the LGA, RMA and LTMA.
15 A set of references to legislative obligations the council works under can be found here: Legislative Obligations to Māori
16 Sections 4, 14, 77, 81-82 and schedule 10 of the LGA.
17 An Act to promote a national policy in respect of natural/water, and to make better provision for the conservation, allocation, use, and quality of natural/water, and for promoting soil conservation and preventing damage by flood and erosion, and for promoting and controlling multiple uses of natural/water and the drainage of land, and for ensuring that adequate account is taken of the needs of primary and secondary industry, water supplies of local authorities, fisheries, wildlife habitats, and all recreational uses of natural/water.
18 Sections 6, 7, and 8 of the RMA 1991.
19 Sections 4, 18(a), 18G, 18H and 22 of the LGA Act (2003).
20 Sections 74 (a) to (s), Section 74 (a) (aa) of the BSA 1993.
TREATY SETTLEMENT LEGISLATION

Requirements and obligations to engage and consult with specific Māori entities/iwi in the Waikato region have also been provided for in their respective settlement legislation. The following Treaty settlement legislation relates to the Waikato region:

2. Ngāti Tūrangitukua Claims Settlement Act 1999
3. Pouākani Claims Settlement Act 2000
4. Affiliate Te Arawa Iwi and Hapū Claims Settlement Act 2008
6. Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010
7. Ngāti Tūwharetoa, Raukawa, Te Arawa River Iwi Waikato River Act 2010
8. Ngā Wai o Maniapoto (Waipā River) Act 2012
10. Raukawa Claims Settlement Act 2014
13. Tūhoe Claims Settlement Act 2014

The Treaty settlement legislation listed above (6, 7 and 8) has led the council to form joint management agreements, co-management arrangements and co-governance relationships with the following iwi:

- Raukawa (through the Raukawa Settlement Trust)
- Ngāti Maniapoto (through the Maniapoto Māori Trust Board, and this joint management agreement is a collective agreement with the Waikato Regional Council, Otorohanga District Council, Waikato District Council, Waipā District Council and Waitomo District Council)
- Te Arawa (through the Te Arawa River Iwi Trust)
- Waikato-Tainui (through the Waikato Raupatu River Trust)
- Ngāti Tūwharetoa (through the Tūwharetoa Māori Trust Board).

These joint management agreements, co-management arrangements and co-governance relationships are discussed below. In addition, under the RMA, council must take into account iwi environmental management plans when considering resource consent applications and plan changes.

There are other Treaty settlements that are in the negotiation phase. Settlements that are likely to be settled in the next few years, and which will result in further co-governance requirements, include: the Hauraki Collective (comprised of 12 Hauraki rohe iwi); Mangatangi and Mangatawhiri Streams; the West Coast Harbours; the Ngāti Tūwharetoa and Ngāti Maniapoto comprehensive settlements.

To date, the joint management agreement (see the following section) has been the most common arrangement for formalising the council’s relationships with particular Māori entities. However, it is envisaged that in the future the council will create formal relationships with different iwi/hapū through co-governing entities and other arrangements.

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21 See (#9241133) for more information on regional Treaty settlements. The Maniapoto Māori Trust Board (MWTB) is seeking a mandate to represent Maniapoto in negotiations with the Crown for the comprehensive settlement of all the historical claims of Maniapoto. (http://www.maniapoto.iwi.nz/treaty-claims-mandate/)
COUNCIL’S CURRENT IWI MĀORI PARTNERSHIP PLATFORMS
NGĀ ARA RANGAPŪ MĀORI O TE KAUNIHERA

WAIKATO REGIONAL COUNCIL HAS MADE SIGNIFICANT STEPS TOWARDS ENSURING THAT THE WAY THE COUNCIL WORKS REFLECTS ITS PARTNERSHIP WITH MĀORI.

The following areas signify the council’s current partnership platforms that focus on working with iwi Māori to determine expectations regarding resources and taonga, incorporating legislative requirements and obligations arising from Treaty settlements, and iwi and tangata whenua engagement and consultation.

CO-GOVERNANCE WITHIN WAIKATO REGIONAL COUNCIL

The co-governance relationships in council derive from provisions in Treaty settlement legislation requiring iwi participation in natural resource management decision making. Co-governance in the council is embodied through four co-governance standing committees, each one specific to an iwi relationship (Waikato Raupaturu, Te Arawa River Iwi; Raukawa; Ngā Wai o Waipā).

Iwi Māori co-governance is important to Waikato Regional Council. It was one of the council’s five strategic direction priority areas during the 2013-16 triennium. Moreover, the council has acknowledged the benefits of these co-governance arrangements, which include:

• recognising the partnership relationship envisaged under the Treaty of Waitangi and the resulting responsibilities under the various treaty settlement Acts that are placed upon local government
• broadening the input into decision making, thereby enriching the process, leading to more robust and enduring outcomes
• helping to protect public use rights to waterways and other social benefits for all
• entrenching ‘iwi co-ownership’ of both the issues and the solutions
• providing a method for effective and efficient iwi engagement on environmental issues that recognises Māori values and aspirations.22

MĀORI REPRESENTATION

In 2012, the council created two Māori constituencies (Ngā Hau e Whā Māori constituency in the northwest, and Ngā Tai ki Uta Māori constituency for the remainder of the region). As a result, two of the 14 councillors specifically represent Māori. At the time, the council’s rationale for creating these constituencies was as follows:

• It strengthens the democratic process for the whole community through greater Māori participation (who constitute over 20 per cent of our regional population).
• It is no different to geographic-based democracy in terms of fair representation as it still maintains the principle of one person, one vote.
• It follows the precedent for Māori electorates set at a national level since 1870.
• It recognises the partnership relationship envisaged under the Treaty of Waitangi.
• The absence of any request from ratepayers to disestablish these seats is a sign they are seen as part of the fabric of local representation.23

JOINT MANAGEMENT AGREEMENTS (JMAs) AND CO-MANAGED LANDS AGREEMENT

Waikato Regional Council has five JMAs and one co-managed lands agreement with Waikato rohe iwi. These derive from the provisions within the iwi-specific Treaty Settlement legislation. The council has current JMAs with the following entities:

• Waikato Raupaturu River Trust – Waikato-Tainui (has the sole co-management agreement with council for river related lands)24
• Tōwharetoa Māori Trust Board
• Raukawa Settlement Trust
• Te Arawa River Iwi Trust
• Maniapoto Māori Trust Board (this is a collective agreement with all the relevant local authorities in this rohe).

22 See Waikato Times - Opinion - Vaughan Payne (2016 Sep 14) and (W6820938).
23 See (a) Representation review aims to enrich local democracy; and (b) Council votes to establish Māori seats.
24 The single co-management agreement relating to the Waikato river related land (flood plains) between Huntly and Mercer complements the Waikato Taumutu JMA.
VISION AND STRATEGY RELATING TO THE WAIKATO AND WAIPĀ RIVERS

The Waikato River Authority (WRA) was established through the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, the Ngāti Tūwharetoa, Raukawa and Te Arawa River iwi Waikato River Act 2010, and with additional responsibilities arising from the Ngā Wai o Maniapoto (Waipā River) Act 2012. The WRA is required to set the Vision and Strategy for the Waikato River to achieve the restoration of the health and wellbeing for further generations.

The Vision and Strategy, known as Te Ture Whaipamo o Te Awa o Waikato, applies to the Waikato River and activities within its catchment affecting the Waikato River. The Vision and Strategy is the primary direction setting document for the river and it forms part of the Waikato Regional Policy Statement. Its status means that it prevails over any inconsistencies in other polices, plans or processes affecting the river.

The Vision and Strategy must be “given effect to” by regional and district plans within the river’s catchments.

The WRAs other functions include promoting an integrated, holistic and coordinated approach to the implementation of the Vision and Strategy and the management of the Waikato River, and to fund rehabilitation initiatives for the river, in its capacity as the trustee of the Waikato River Cleanup Trust. The 10 members WRA is comprised of five Crown-appointed members and five from each river iwi. One Crown member is nominated by Waikato Regional Council, with a second nominated by territorial authorities.

Recently, the council’s Waikato and Waipā River iwi partners, along with Waikato Regional Council, co-developed a process that drafted a change to the Waikato Regional Plan (Healthy River/Wai Ora) to help restore and protect the health of the Waikato and Waipā rivers. The process was undertaken by a group of 24 stakeholders collectively known as the Collaborative Stakeholder Group (CSG).

IWI ENVIRONMENTAL MANAGEMENT PLANS (IEMP)

Under the RMA, iwi have the option to develop IEMPs. An IEMP is an iwi developed and approved document that addresses matters of resource management activity of significance within their rohe. The plans contain information relating to cultural values, historical accounts, descriptions of areas of interest (hapū/iwi boundaries) and consultation and engagement protocols for resource consents and plan changes. There are specific legislative requirements which place a duty on the council to take these plans into account in the management of the region’s natural resources, thus providing a formal mechanism for iwi interests to be incorporated into the council’s decision-making processes.

Iwi environmental management plans provide us with a robust view of the aspirations and interests of individual iwi – it helps us better understand their rohe through their eyes. By understanding these IEMPs we can incorporate these aspirations and interests into our work.

Specifically, IEMPs assist council by:

- identifying iwi/hapū of the region, their rohe, values and interests and when they may be affected by activities subject to resource consent applications
- aiding decision-making, particularly matters pertaining to Māori cultural values and interests (RMA section 104(1)(c))
- providing a planning tool for engagement and partnerships
- outlining preferred methods of engagement
- highlighting any other matters important to the tangata whenua of the district/region that may be relevant and necessary to determining the application
- helping resource applicants identify, early on, relevant matters that should be considered in preparing an assessment of environment effects (AEE) through the information requirements contained in RMA section 88(2). IEMPs assist applicants and councils to identify where a cultural impact assessment report may be required to inform the preparation of an AEE.

There may be some information that iwi/hapū decide not to include in their IEMP. One of the challenges in preparing IEMPs relates to the disclosure of sensitive information, such as the location of wāhi tapu.

Therefore, even if there is an IEMP in the region/district, consultation with tangata whenua is still necessary to fully identify issues and assess changes.

While IEMPs help facilitate resource management processes for councils and applicants for resource consent, they are not a substitute for consultation and engagement.

ENGAGEMENT IN THE RESOURCE CONSENT APPLICATION PROCESS

Resource consents are issued and monitored by the council to make sure that the conditions to protect the environment are being met. These consents permit the use or taking of water, land or coastal resources, or allow the discharge of water or wastes into air, water or onto land. When considering consent applications, the council takes into account the principles of the Treaty of Waitangi and the special relationship Māori have with the land or natural resources affected.

For any applications that are in the Waikato River Catchment below Huka Falls, the council is also required to consider the Vision and Strategy for the Waikato River (established by the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010).

Iwi Environmental Management Plans (IEMPs) are used in the resource consent process (see previous section). In addition, it should be noted that engagement protocols, including resource consents and authorised customary activities, have been codified in the council’s joint management agreements with iwi. These protocols are to be

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25 Co-governance - Arrangements in which ultimate decision-making authority resides with a collaborative body exercising devolved power – where power and responsibility are shared between government and local stakeholders. Co-governance - the collaborative process of decision-making and problem solving within the administration of policy.

26 The Waikato River Authorities predecessor, the Waikato River Guardians Establishment Committee, realised the Vision and Strategy.

27 Refer to Sections 9 to 17 of the Waikato Tainui Raupatu Claims (Waikato River) Settlement Act 2010.

28 This co-governance approach is summarised in the report, ‘Local Authorities and Māori: Case Studies of Local Administrators’ (GUNZ 2011).

29 An IEMP is an iwi developed and approved document that addresses matters of resource management activity of significance within their rohe. IEMPs are used in the resource consent process (see previous section). In addition, it should be noted that engagement protocols, including resource consents and authorised customary activities, have been codified in the council’s joint management agreements with iwi. These protocols are to be

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29 See Tūwharetoa Whaipamo Claims. See (9240427) for a list of current iwi Environmental Management documents relating to the Waikato region.

30 Note: section 36A of the Resource Management Act 1991 (RMA) clarifies that neither an applicant for resource consent nor a council has a duty to consult any person in respect of applications for resource consent or notices of requirement. However, councils still need to consider whether specific iwi/hapū are an affected party, and applicants and/or the council may need to make contact to identify any potential effects on Māori cultural values or interests.

31 The regional council issues five types of resource consents (land use, water, discharge, coastal and some subdivision consents). District councils issue subdivision consents, however often regional consents are also required for activities associated with new subdivisions, e.g. stormwater, sewage disposal. See What are resource consents

32 For more information see iwi Management Plans.
undertaken in good faith and as efficiently as possible. However, where following these protocols would result in time frames being breached, the council may revert to standard protocol. The council’s preferred choice should always be to follow the JMA engagement protocols with our iwi partners – reverting to standard protocols is by exception only. Our relationship with iwi is valued, and deviation from our trusted collaborative way of working can impact the strength of that relationship.

**GENERAL ENGAGEMENT THROUGH PLANNING PROCESSES**

The council works on a wide range of policy and planning issues that may require some form of Māori and/or iwi engagement. There are some cases where Waikato Regional Council has statutory obligations to engage with Māori and iwi organisations. In other cases, Māori and iwi organisations may be engaged with because of their importance within the Waikato regional community (either by population significance, or their interests as land owners, water and natural resource managers and users, resource developers or business owners).

For example, council engages with Māori as part of the planning and policy cycle in the following areas:

- inclusion and involvement in Healthy Rivers/Wai Ora plan change 1
- proposed engagements for the Waikato Regional Plan and Regional Coastal Plan
- various zone and catchment plans
- inclusion in operational work such as monitoring projects
- building and maintaining long standing relationships built at a local level between council staff, whanau, hapū and marae groups that interact on a regular basis.

The council has identified in its strategic direction and long term plan the need to take into account iwi Māori influence (i.e. the increasing political and economic influence of iwi, particularly following Treaty settlements) as one of the key drivers that will change the council’s operating environment over the next three to five years. This creates an opportunity to form enduring and effective relationships with iwi Māori to elevate our partnership approach and demonstrate the council’s responsiveness to Māori in a real way. This all provides better opportunities for joint decision making, helps us to make sure our policy and planning processes are effective, and promotes, in the medium to long term, more efficiency through collaboration and better outcomes for the Waikato region.

Nonetheless, there are still some instances where council engagement with Māori and iwi organisations is carried out in an ad hoc and reactive manner driven by council deadlines and priorities, and revealing a lack of understanding of iwi paradigms/worldviews. Very occasionally, this approach is unavoidable, but usually it is a consequence of not having an overarching engagement strategy and a process for implementing it. As a trusted partner, it is up to us to honour the agreements we have made and avoid, wherever possible, short-cutting our agreed engagement protocols (and potentially damaging our relationships). The greater the trust between the partners, the more agile the relationship is to deal with the unavoidable.

Furthermore, it is important to note that IEMPs are useful when preparing or reviewing policy statements and plans, for:

- identifying the relevant tangata whenua, hapū and iwi authorities who may be affected by the proposed policy statement or plan
- identifying methods to assist iwi/hapū to engage in plan preparation
- identifying resource management issues of significance to iwi authorities in the region when preparing regional policy statements (RMA section 62(1)(b)), and how those issues can be resolved in a manner consistent with cultural values
- meeting the requirements of Schedule 1 of the RMA (particularly clauses 3(1)(d), 3B, 3C) to consult with iwi authorities who may be affected by policy statements and plans.

**DEVELOPING IWI MĀORI CAPACITY TO ENGAGE**

Most iwi entities have limited capacity to engage with local government authorities in their rohe. In this regard, we are obligated by the LGA (2002) to support iwi to develop their capacity. We have done this through:

- scholarships/student work placements
- joint hosting of a regional mana kaitiaki capability conference
- sharing the council’s expertise with iwi, including environmental related training and technical support
- Tai-ranga-whenua (TRW) unit deployment, which includes providing hot desk space to iwi partners where appropriate.

**TAI-RANGA-WHENUA**

In general, Tai-ranga-whenua provides cross-council advice, guidance and support on iwi and Māori cultural related matters, and continues to oversee the building, maintaining and strengthening of our working relationships with tangata whenua in the region at operational, technical and governance levels. Key aspects of Tai-ranga-whenua’s work include:

- providing Māori focused policy and strategic advice
- providing Māori focused support for staff and councillors
- facilitating a council wide collaborative approach through the Iwi Relationships Forum
- maintaining the council iwi database, providing assistance on iwi engagement.

Tai-ranga-whenua is also heavily involved in the council’s Māori cultural and engagement related processes, including:

- servicing council co-management arrangements and working alongside Democracy series in servicing co-governance committees
- facilitating JMA commitments into council processes
- providing Māori focused training and development for staff
- incorporating iwi environmental management plans into council processes.
THE CHALLENGES OF COUNCIL’S EVOLVING PARTNERSHIPS

Waikato Regional Council has come a long way in delivering on its Treaty obligations and growing its partnership relationships with iwi, but the journey is far from over. This is due mainly to the fact that the landscape of partnership relationships between local government and Māori across New Zealand and within this region is continually evolving. This evolution produces a number of issues and challenges, some of which are discussed below.

ESTABLISHING BEST PRACTICE MODELS

Council aspires to establishing best practice models of how local government agencies practically deliver on the principles of the Treaty of Waitangi. The challenge before the council, then, is to build best practice models through a process of innovation and review.

GROWING IWI EXPECTATIONS TO BROADEN THE SCOPE OF THEIR INVOLVEMENT

Iwi are increasingly wanting to move beyond regulation of how they exercise their kaitiaki functions of natural resources to focus on social, cultural, economic and environmental outcomes. Given that the council has a similar scope, this creates an opportunity to collaborate on mutually beneficial goals.

The challenge for both council and iwi is appropriately resourcing this growth.

UNDERSTANDING OF AND ALIGNMENT WITH TE AO MĀORI PERSPECTIVES

Given the council’s obligation as a partner to act reasonably and in good faith, and the potential for te ao Māori33 and, within it, mātauranga Māori34 to deliver benefits for iwi Māori and the Waikato community, it is essential that the council finds ways to embrace these in its processes and culture.

Currently, however, mātauranga Māori is not well understood by the council and not easily integrated into the council’s processes.

A TE AO MĀORI PERSPECTIVE AT EXECUTIVE LEVEL

The council supports having te ao Māori (the Māori world) as a core tenet in order to reflect the value we place on our partnerships with iwi Māori and honour the Treaty. This te ao Māori perspective is available at a councillor level through our two Māori constituent councillors.

The council’s Executive Leadership Team (ELT) is (quite appropriately) looking to balance the needs across the organisation in their decision making and leadership. It may be challenging at times for directors to draw on a distinct te ao Māori perspective. We are fortunate that current ELT members are able to provide this.

The challenge ahead is to ensure a te ao Māori perspective endures at this level irrespective of the make up of the ELT, and remains a core part of the ELT’s collective responsibility.

THE INCREASING ROLE OF TE REO MĀORI

“My dream for Te Mātāwai is ... to be able to walk into a bank or a shop and be able to conduct my business in English or te reo Māori.” Hon. Te Ururoa Flavell

The Māori Language Act 2016 has signalled a new era in Māori-led Māori language revitalisation. It established an independent joint Crown-Māori statutory entity, Te Mātāwai, to develop and implement an iwi Māori strategy and to assist the Government in developing a Crown strategy that supports national te reo revitalisation efforts. Its initiatives are likely to include greater visibility and use of te reo in public domains and a greater level of work at iwi /hapū/whānau levels.35

Te reo Māori is an essential part of mātauranga Māori and te ao Māori. It provides an unbroken link to the mātauranga first brought to Aotearoa by Polynesian ancestors. It is often critical to understanding and working in te ao Māori. The requirement for te reo Māori to be a part of council/iwi Māori partnerships will continue to grow. Two of the council’s iwi partners are implementing goals for the restoration of the Māori language. The Raukawa vision is that te reo Māori will become the first language within their rohe by 2170. The Waikato-Tainui vision is that 80 per cent of their people will be fluent in te reo by 2050.

Council’s Te Reo Policy (Doc# 3602692/v4) is one way the increasing role of te reo Māori is being addressed.

33 The Māori world. An introduction into te ao Māori can be found in (9242229).
34 Māori traditional and customary knowledge encompassing both what is known of the universe from a Māori perspective and how it is known. It incorporates core Māori cultural values, distinctive cultural practices, identity, creativity, aspirations and well-being of Māori communities as well to their relationship with their environments. See (9242229) for a more in-depth definition of mātauranga Māori.
35 Te Ururoa Flavell quotation derived from Te Mātāwai Pamphlet. See (9241348) for more information on Te Mātāwai.
COUNCIL’S ENGAGEMENT TOOLKIT

THE COUNCIL’S IWI MĀORI ENGAGEMENT TOOLKIT

The council’s Iwi Māori Engagement Toolkit consists of the following components:

- Promapp
- IRIS
- OurMaps
- Maori Engagement Evaluation Template (MEET)

The core values and the public participation spectrum taken from the International Association for Public Participation (IAP2) are also a key philosophy behind this guide and the engagement approach supported within it.

INTERNATIONAL ASSOCIATION FOR PUBLIC PARTICIPATION (IAP2)

This Māori Engagement Framework is founded on engagement best practise. The engagement approach in this guide is based on the approach outlined by the International Association for Public Participation (IAP2) for effective public participation. It uses the core values (see next section below), for developing and implementing public participation processes, and the Public Participation Spectrum (see section below), both of which are aimed at helping inform better decisions that reflect the interests and concerns of potentially affected people and entities.

Waikato Regional Council uses this IAP2 approach in all of its other engagements with stakeholders.

CORE VALUES

IAP2 developed Core Values for the Practice of Public Participation for use in developing and implementing public participation processes. The Core Values (listed below) were developed with broad international input to identify those aspects of public participation that cross national, cultural and religious boundaries. The core value statements have been adjusted to reflect iwi Māori engagement participation.

1. Iwi Māori participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
2. Iwi Māori participation includes the promise that the iwi’s contribution will influence the decision.
3. Iwi Māori participation promotes sustainable decisions by recognising and communicating the needs and interests of all participants, including decision makers.
4. Iwi Māori participation seeks out and facilitates the involvement of those potentially affected by, or interested in, a decision.
5. Iwi Māori participation seeks input from iwi in designing how they participate.
6. Iwi Māori participation provides iwi with the information they need to participate in a meaningful way.
7. Iwi Māori participation communicates to iwi how their input affected the decision.

THE IAP2 PUBLIC PARTICIPATION SPECTRUM

The IAP2 Public Participation Spectrum is designed to assist with the selection of the level of participation that defines the public’s role in any community engagement programme. Differing levels of participation are legitimate depending on the goals, time frames, resources and levels of concern in the decision to be made. However, and most importantly, the spectrum sets out the promise being made to the public at each participation level and the corresponding level of decision-making authority. The spectrum is widely used and is quoted in most community engagement manuals and forms part of the “Waikato significance and engagement policy” for Waikato Regional Council and other local authorities in the area.

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36 The International Association for Public Participation (IAP2) is the preeminent international organisation advancing the practice of public participation. IAP2’s core values, code of ethics, and public participation spectrum are foundational elements of effective public participation processes. IAP2 encourages individuals and organisations to adopt and incorporate these principles into their processes.
37 See Appendix One for the full IAP2 Spectrum
38 Waikato significance and engagement policy Doc #3146752
COUNCIL’S IWI MĀORI ENGAGEMENT SPECTRUM

It is important to note that as the level of engagement increases:

• Māori participation and decision-making power increases
• the length of time required for engagement processes increases
• the investment (time, resources and relationship) required from all parties increases
• the council’s decision-making power and control over outcomes decreases
• decisions are more likely to impact on social or environmental areas.

See Appendix One for a set of tables that identify the kinds of engagement activities (e.g. workshops, newsletters, hui, websites, etc.) recommended under each of the forms of engagement below.

The council’s approach to the differing levels of iwi engagement is summarised as follows:

Inform  
- PROVIDE INFORMATION  
- THE COUNCIL WILL KEEP IWI INFORMED ABOUT WHAT IS HAPPENING.

Consult  
- OBTAIN COMMUNITY FEEDBACK  
- THE COUNCIL WILL LISTEN TO IWI – THE COUNCIL WILL MAKE AN INFORMED DECISION.

Involve  
- WORK DIRECTLY WITH THE COMMUNITY  
- THE COUNCIL WILL INVOLVE IWI IN THE DECISION-MAKING PROCESS. THE COUNCIL WILL ULTIMATELY MAKE THE DECISIONS.

Collaborate  
- PARTNER WITH IWI  
- IWI AND THE COUNCIL WILL DISCUSS AND DECIDE TOGETHER ON AS MUCH AS POSSIBLE.

Empower  
- IWI MAKE DECISIONS  
- IWI MAY CHOOSE TO DISCUSS WITH US.

Information-giving is the most basic form of engagement as there is no participatory element. Providing information underpins all other levels of engagement because it enables Māori to be informed of activities that may impact them. It is essential that Māori are provided with the appropriate information, such as council reports, project plans, resource consent applications, research, maps and photos.

At this level of engagement, the objective is to seek the views and opinions of Māori on proposals, analyses, alternatives and/or decisions. This is not about putting ideas into action. Consultation can be done face-to-face at hui. Sufficient time needs to be provided to enable iwi or hapū to undertake follow-up discussion and wider consultation amongst themselves before providing a response back to council.

The aim at this level is to have Māori more involved in the decision-making process. Iwi or hapū representatives can be elected or appointed to committees, focus groups or working parties in an advisory capacity. Council retains the decision-making authority.

The goal of this level is to have processes that allow for sharing and acting together and to have all parties holding equal power. Both parties make the decisions as much as possible. Collaboration is more demanding of resources for all involved, needs significant lead-in time and planning, and can only be established by council resolution.

This level is the most ambitious, aiming to maximise empowerment of Māori and, at its farthest reach, will see Māori having complete decision-making power. Treaty claim settlements in the region mean the council is working to develop strategies and processes that support the sharing of roles in the short term and may, in some situations, ultimately lead to the handover of some roles to Māori.
SPECIFIC CONSIDERATIONS FOR ENGAGING WITH MĀORI

PLANNING ENGAGEMENTS THAT SUIT BOTH COUNCIL AND IWI

Whenever we are planning to engage with iwi Māori, we need to factor in the capacity and capability of those we engage with, including their skills, knowledge, competing priorities, resources and the time they require to effectively respond to our participation request.

Remember, engagement is fundamentally about building effective relationships. Wherever possible, pick up the phone or make kanohi ki te kanohi (face-to-face) contact, rather than sending letters or emails.

Iwi and other Māori organisations often have very limited capacity for working with councils, among a number of other competing priorities. Māori groups are under a lot of pressure to respond and react to requests from multiple agencies. Council has paid staff working full time on resource consent applications, plan development or reviews, whereas iwi and hapū generally do not. Iwi resources are limited and much of their workforce works on a voluntary or part time basis. Hapū or iwi must be involved in the planning of engagement, so that an achievable and appropriate engagement process is designed that suits both parties.

What will I need?

Who will handle logistics such as sending out correspondence and information, making bookings for venues/marae, equipment, travel, liaising with participants?

Will hapū/iwi representatives be required and if so, in what capacity? For example, will they attend scheduled meetings, sit on advisory committees, act as project cultural advisors or provide cultural impact assessments?

If using a marae venue or observing Māori protocol in meetings, will you need support for this?

What council representation will be required? Will the CE or Councillors be required at any point?

Is the budget adequate for the planned engagement?

What staff will be involved and how much of their time will be required?

What resources will I need?

### FINANCIAL SUPPORT AND REMUNERATION

When staff ‘inform’ Māori of an issue or matter there is no direct cost to council.

When staff ‘consult’, depending on the nature of the project, remuneration by iwi is unlikely to be necessary. However, for other levels of engagement (involve, collaborate or empower), remuneration should be allowed for. This is discretionary but should be offered fairly when participants are asked to give their time and resources, and must be factored into the project planning. Please see table below for guidance and. If unsure, please discuss with Tai-ranga-whenua.

Note that the current koha policy (Doc# 1922784) is being reviewed.

It is common practice for most iwi and hapū entities to deal with a range of regional authorities and central government agencies. This means that there will likely be a raft of remuneration practices that these groups have experienced. This scale will commence at one end, where the services iwi and hapū provide will be available free of charge. It will move along the scale to a place where the council seeks ways of limiting the financial burden on Māori by providing petrol vouchers, organising catering or giving a koha for services. Further along this scale, the services sought will bear some kind of cost to the council. In some IEMPs, a more prescribed method has been taken where iwi have laid out an hourly rate for submission, peer review or resource consent advice, determined a set meeting fee, made estimates on the cost of cultural impact assessment, provided marae venue hireage costs, and differentiated services provided free of charge.

Some other councils dealing with iwi in our region provide an annual set fee for service that covers various aspects of council and iwi engagement.

A number of iwi, who have already reached settlement with the Crown, have their ongoing working relationship on certain matters covered in the settlement redress, while other matters may not be covered, requiring negotiation of a payment regime.

The recommended approach is to have the ‘remuneration conversation’ as early as possible in a clear and honest way. In the process of having this discussion, it is important to clarify that:

- you are entering these discussions in good faith
- as council staff you are restricted to operate within current council practice and procedure
- you acknowledge that the Māori entity you may wish to engage with will likely be working under an assortment of remuneration arrangements that may have a bearing on the conversation
- you are seeking a fair and equitable arrangement that reflects the value you place on their involvement and balances this with the limits placed upon you as a representative of council.

If you are unsure how to proceed, discuss this with others in your team or staff who have experience working with the particular Māori entity. These people are likely to be a wealth of information and an invaluable resource. If you are still unsure on how to proceed, please discuss your concerns with Tai-ranga-whenua.

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<thead>
<tr>
<th>Inform</th>
<th>Consult</th>
<th>Involve</th>
<th>Collaborate</th>
<th>Empower</th>
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<tbody>
<tr>
<td>No remuneration required</td>
<td>Remuneration is discretionary and costs associated with hui such as catering, venue hire and petrol vouchers for those who have to travel can be paid by the council.</td>
<td>Remuneration is discretionary and associated costs can be covered by the council. Resources contributed by Māori must be factored into the plan and budget. E.g. consultant engagement - when the council involves Māori by employing their services to undertake specific research and/or provide reports that cannot be provided by council staff.</td>
<td>Remuneration for time and/or resources contributed by Māori must be factored into the plan, similar to involve stage (e.g. consultant engagement etc).</td>
<td>Remuneration may be considered depending on the extent of the council’s involvement.</td>
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<td>There is a likely expectation of paying actual and reasonable costs if no alternative arrangements have been made.</td>
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TIME FRAMES
Giving reasonable notice of meetings and allocating time for iwi to conduct their own internal consultation is essential. Talk to the hapū or iwi about this during your engagement planning and mutually agree upon realistic time frames.

Decision making by consensus requires a high level of community involvement and debate, and leaders can be reluctant to express views that have not been approved by group members. Therefore, allowing sufficient lead-in time for participants to prepare is especially important. Tangata whenua may need to carry out their own engagement processes after a hui – get and understand from the hapū or iwi about what their time requirements will be and factor this time into your engagement timelines.

Always ask, never assume.

DISCUSSIONS OUTSIDE YOUR ENGAGEMENT BRIEF
Māori culture is based on a holistic view of life and the world. This holistic worldview can mean that participants may raise issues you perceive to be outside your brief. Be prepared to listen and consider these issues before moving on to your particular area of focus.

For those not working in the large organisations, bureaucracies can be very difficult and time consuming to navigate. Māori are dealing with multiple bureaucracies on a day-to-day basis and so our organisation and issue is just one of many competing for their resources and attention. Do what you can to help them navigate the council’s processes. For example, be a ‘champion’ for those you are meeting with, and carry their messages to the council staff who need to hear them, rather than fobbing people off and saying that this is not your area of work, department, etc. The relationship you develop with individuals in the various hapū and iwi can only make future interactions more efficient and effective, and overall helps strengthen the council’s relationships. Relationships are built by individuals working with individuals, and reflected through organisations.

UNDERSTANDING KAWA AND TIKANGA
It is important to know about and to respect tikanga (customs) and kawa (protocols/rules) when engaging with Māori and especially when you are visiting a marae. This is a prerequisite for developing relationships based on mutual respect, co-operation and goodwill.

The marae is a very special place to Māori. It’s a place where they can come together to celebrate special occasions. It’s a meeting place where people can talk, pray or weep for their dead. It’s a place where they can look after their guests. Māori see a marae as a home. It is their tūrangawaewae, a place where they know they belong.

Each iwi has its own particular kawa (protocols/rules) that it follows on the marae, although many things are similar. If you don’t know what kawa you need to observe, ask the people of the marae you will be visiting. They decide the kawa and what meetings are held on the marae and who should be involved. They also get the marae ready for guests. Seek help from others, including Taí-ranga-whenua, if you are not familiar with doing this. Attend the council’s co-governance and co-management committee meetings to observe and/or participate in a cultural setting. These meetings integrate or combine cultural elements into council business.

To assist you in planning occasions or events that require a strong Māori cultural component, the following is a quick list of things to consider.

| **POWHRI** | Do you have a kaikōrero (orator) and a kaikāranga (ceremonial caller)? Do you have an appropriate waiata to support your kaikōrero? If a formal pōwhiri (welcome) is required, you will need to be prepared to follow the right etiquette and custom. |
| **VENUE** | Have you arranged the venue? The marae is the best place to engage with Māori. While a neutral venue may be more appropriate in some instances, tikanga Māori and tribal enga can still be applied there to varying degrees, e.g. a mihik whakatau (an official welcoming speech) may be more appropriate than the more formal pōwhiri. |
| **KAUMĀTUAA** | Who will liaise with kaumātua (elders)? Relationships are important here. Strong relationships will go a long way to gaining their support when you need them. Kaumātua may be selective with the events they attend and officiate at because of increasing pressures on their time to deal with hapū and iwi obligations and/or special civic ceremonies. |
| **TRANSLATOR** | Will the council officials require a translator? |
| **INVITATIONS** | Have the appropriate people been invited to the event? |
| **KOHAA** | Have you arranged koha? You will need koha (gift) for officials for their contribution and koha for placement on the marae/venue. |
| **DRESS CODE** | What is the most appropriate attire? Men should wear long trousers (not casual shorts) and women should dress conservatively, wearing dark coloured skirts or dresses if attending a pōwhiri. |
| **TRANSPORT** | Do you need to make transport arrangements to and from the event? Consider providing petrol vouchers or koha to kaumātua who have to use their own vehicles to travel to support you. |

PLANNING FOR EFFECTIVE ENGAGEMENT

The engagement with Māori starts during the planning phase of your project. You will have already identified iwi Māori as a stakeholder prior to developing the project management plan. The Māori Engagement Framework process takes you through collaborative planning with iwi Māori.

This section of the guide leads you through the important steps required for planning and delivering effective engagement with Māori. It is an overview of the engagement process prescribed in Promapp (Māori Engagement). Council staff are strongly encouraged to read this section of the guide to begin with, and then click the link to Promapp to complete the process which has been set out.

The following is an overview of the steps you need to follow to plan, deliver and review engagement with Māori. Beneath the flowchart is a tabulated explanation of each step.

As you proceed through the Promapp steps you’ll be completing sections within the Māori Engagement Evaluation Template (MEET), which acts as a record of your engagement planning and forms part of your project management plan. MEET has been designed to both guide you and enable you to make informed decisions about why, who with, how and when you will engage. Steps 1 to 10 are to be completed as part of planning the project – the information gathered from each of these steps will add robustness to the Māori engagement planning part of your overall project plan. For levels of engagement beyond ‘inform’, you’ll develop an engagement plan with each of the iwi or hapū involved. This pre-engagement planning will ensure that the time, cost and resource requirements for both parties are allowed for in your project management plan when it is approved for execution by your project steering group.
Steps 1 to 10 form the ‘planning your engagement approach’ phase of your project. The closing task in step 10 of this planning phase provides an opportunity for you to complete a final planning checklist (Māori Engagement Checklist). This checklist will assist with determining whether all the necessary steps have been undertaken in order for you to execute your engagement plan with confidence. This checklist is part of MEET. However, it has been replicated here (see the table below) to help guide your approach from the beginning, before embarking on this engagement exercise. In addition, all of the steps necessary to plan, deliver and give feedback on the engagement exercise (Steps 1 – 12) are outlined in the last table – Planning Steps.

MĀORI ENGAGEMENT CHECKLIST FOR STEPS 1 – 10

(Pre-Engagement)

<table>
<thead>
<tr>
<th>PROJECT TITLE</th>
<th>Project Purpose and Objectives (optional)</th>
</tr>
</thead>
<tbody>
<tr>
<td>We have established that engagement is required. [PROCESS STEP 1]</td>
<td></td>
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<tr>
<td>We have a clearly identified purpose for the engagement. [PROCESS STEP 3]</td>
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<tr>
<td>We have correctly identified who we will be engaging with. [PROCESS STEP 4]</td>
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<tr>
<td>We have correctly identified the level(s) of engagement we’ll be undertaking for each of the iwi/hapū. [PROCESS STEP 6]</td>
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<tr>
<td>For each iwi/hapū with an engagement level of consult or above, we have discussed our engagement approach with them and understand their requirements to be able to deliver on our engagement expectations. [PROCESS STEP 7]</td>
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<tr>
<td>We have confirmed what engagement activity we will be undertaking. [PROCESS STEP 8]</td>
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<tr>
<td>We have identified where the conduct the engagement and allowed for resources and logistics to undertake it. E.g. If you are going to a marae, have you got someone to assist with the powhiri/whakatau (welcome on the marae)? Have you arranged the koha? Do you need a kua/koroua (tribal elders) staff member to accompany you? If in doubt, seek advice from Tai-ranga-whenua. [PROCESS STEP 9]</td>
<td></td>
</tr>
<tr>
<td>We have identified the level of engagement will change as your project progresses. [PROCESS STEP 10]</td>
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</tr>
<tr>
<td>We have consulted about timing of engagement with other council departments (combining with other engagement processes can prevent overload and assist capability issues for Māori). [PROCESS STEP 11]</td>
<td></td>
</tr>
<tr>
<td>We have confirmed involvement with managers, directors and/or CE involvement requirement and with Democracy Services. [PROCESS STEP 12]</td>
<td></td>
</tr>
<tr>
<td>We have consulted managers with elected members involvement to determine the level of engagement required is reaffirmed, the process stops here.</td>
<td></td>
</tr>
<tr>
<td>We have obtained endorsement that the engagement planning has been completed appropriately and we are aware of any monitoring and compliance conditions. (i.e. from manager/TEL) [PROCESS STEPS 5 AND 9]</td>
<td></td>
</tr>
<tr>
<td>We have identified and requested assistance or advice from other staff [PROCESS STEPS 1 – 10]</td>
<td></td>
</tr>
<tr>
<td>We have outlined in the external briefing document how participants input will be used and acknowledged. [PROCESS STEP 7]</td>
<td></td>
</tr>
<tr>
<td>Tai-ranga-whenua involvement has been sought throughout the process where required and at the recommended steps and we have taken account of their input. [PROCESS STEP 10]</td>
<td></td>
</tr>
</tbody>
</table>

Signed:_____________________________Date:___________________
DELIVERY PHASE

STEP 11
ENGAGE WITH IWI MĀORI
Consider and where possible give effect to any Tai-ranga-whenua advice. Engage with iwi and hapū.

FEEDBACK PHASE

STEP 12
SHARE THE FEEDBACK AND DEBRIEF
What have we learned? What has hapū/iwi told us? How can we improve things?

APPENDIX ONE – MĀORI PARTNERSHIP APPROACH

ĀPITIHANGA TUATAHI

VISION WAHATA
Council partnerships with iwi Māori are enduring, effective and valuable to all.

MISSION KAUPAPA MATUA
Partnering with iwi Māori to build a Waikato region that has a healthy environment, a strong economy and vibrant communities.

OUTCOMES NGA HUA

Outcome One - The Waikato Regional Council has the capability and confidence to effectively partner with iwi Māori.
1. Council’s capability to work with Māori is consistent and effective through the resourcing and implementation of a Māori Cultural Training Pathway, which ensures;
   a. All new staff have participated in Māori cultural training as part of their induction
   b. All staff / Councillors have been trained in Māori engagement bestpractice (where their role requires it)
   c. All staff have access to tools and advice that assist them to work with Māori more confidently
2. A plan to embed aspects of mātauranga Māori into everyday council operation has been implemented in a meaningful way.
4. A strategy to increase the status, knowledge and usage of Māori language and tikanga Māori within council has been implemented. Targeted recruitment which recognises te ao Māori as a key competency, is embedded in relative roles.

Outcome Two - The Waikato Regional Council has strengthened relationships with iwi Māori through achieving collective initiatives that expand iwi capability and broaden the scope of shared work.
5. Iwi partners are enabled to engage and participate effectively as an equal partner particularly in co-governance / co-management meetings.
6. An increased understanding between us and our iwi partners on how and where the scope of shared work could be broadened.
7. An increased number of collaboratively developed projects and joint ventures.
8. Meaningful partnership arrangements have been established with all iwi Māori entities in the region following their Treaty settlement.

PHASES NGA WAHANGA

PHASE 1
Identify Needs and Plan

PHASE 2
Implement Changes

PHASE 3
Embed as BAU
## Methods of Engagement

### Inform

<table>
<thead>
<tr>
<th>Responsibilities to Māori</th>
<th>Method/Tools</th>
<th>Description</th>
<th>Benefits</th>
<th>Limitations</th>
<th>Remuneration Required</th>
<th>When</th>
<th>Examples of Engagement Tools</th>
</tr>
</thead>
<tbody>
<tr>
<td>To provide balanced and objective information to assist whānau/hapu/iwi in understanding what council is proposing.</td>
<td>Open days and events</td>
<td>Displays or presentations at public or community events, such as open days, A&amp;P Shows, Home Shows.</td>
<td>Able to present simple key messages to various sectors of the community. Can gather informal feedback on quickly absorbed ideas.</td>
<td>People usually casual passers-by and cannot absorb much information. Māori not well represented at many of these events.</td>
<td>No</td>
<td>To provide information to the general public or a specific group of people.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Māori media - broadcasting</td>
<td>Media releases or stories for TV, radio and print media.</td>
<td>Capable of reaching large audiences with substantial amounts of information. Medium to low-cost method of information distribution.</td>
<td>Limited access to Māori media in rural areas.</td>
<td>No</td>
<td>To provide information to a wider group of people.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Website</td>
<td>Information in written, graphics and video formats hosted on website.</td>
<td>Capable of reaching large audiences with substantial amounts of information. Low-cost method of information distribution.</td>
<td>Limited access of Māori to internet. Information overload and poor design can discourage/prevent people from contributing.</td>
<td>No</td>
<td>To provide information to a wider group of people.</td>
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</tbody>
</table>

### Inform/consult

<table>
<thead>
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<th>When</th>
<th>Examples of Engagement Tools</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council will keep whānau/hapu/iwi informed.</td>
<td>Stakeholder meeting</td>
<td>Provide opportunity to speak without interruption.</td>
<td>Limits dialogue. Many dislike public speaking. May not be representative of Māori community if there is low turnout. Potential to be dominated by vocal minority.</td>
<td>Maybe appropriate (case by case basis). Statutory obligations to consult. Setting up public forums to support council strategies.</td>
<td>No</td>
<td>To provide information to the general public or a specific group of people.</td>
<td></td>
</tr>
<tr>
<td><strong>CONSULT</strong></td>
<td><strong>RESPONSIBILITIES TO MĀORI</strong></td>
<td><strong>METHOD/TOLS DESCRIPTION</strong></td>
<td><strong>BENEFITS</strong></td>
<td><strong>LIMITATIONS</strong></td>
<td><strong>RENUMERATION REQUIRED</strong></td>
<td><strong>WHEN</strong></td>
<td><strong>EXAMPLES OF ENGAGEMENT TOOLS</strong></td>
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<tr>
<td><strong>To obtain feedback from whānau/hapū/iwi to inform the council's decision making.</strong></td>
<td>Council will inform whānau/hapū/iwi and seek their feedback.</td>
<td>Open days and events</td>
<td>Displays or presentations at public or community events such as open days, A&amp;P shows, Home Shows. Feedback forms provided as well as awareness of other information and feedback options available.</td>
<td>Able to present simple key messages to various sections of the community. People usually casual passers-by and cannot absorb much information. Māori not well represented at many of these events.</td>
<td>No</td>
<td>To provide information to the general public or a specific group of people, and invite feedback.</td>
<td>• Applications  • Fact sheets  • Maps  • Websites  • Māori media</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Māori media - broadcasting</td>
<td>Media releases or stories for TV, radio and print media. Provides information and directs viewers/listeners/readers to where they can provide feedback.</td>
<td>Capable of reaching large audiences with substantial amounts of information. Medium to low-cost method of information distribution. Limited access to Māori media in rural areas.</td>
<td>No</td>
<td>To provide information to a wider group of people, and direct them to provide feedback.</td>
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<td>Information in written, graphics and video formats hosted on website. Feedback invited and provided for on website.</td>
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<td>No</td>
<td>To provide information to a wider group of people, and direct them to provide feedback.</td>
<td></td>
</tr>
<tr>
<td><strong>Inform/consult</strong></td>
<td>Stakeholder meeting</td>
<td>Formal meeting with scheduled presentations offered and feedback sought. This may include specific engagement hui ata mara.</td>
<td>Provides opportunity to speak without interruption and provide feedback. Limited access of Māori to internet. Information overload and poor design can discourage people from contributing. Limits dialogue. Many dislike public speaking. May not be representative of Māori community if there is low turnout. Potential to be dominated by vocal minority.</td>
<td>Maybe (case by case basis)</td>
<td></td>
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</table>

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<tr>
<th><strong>INOLVE</strong></th>
<th><strong>RESPONSIBILITIES TO MĀORI</strong></th>
<th><strong>METHOD/TOLS DESCRIPTION</strong></th>
<th><strong>BENEFITS</strong></th>
<th><strong>LIMITATIONS</strong></th>
<th><strong>RENUMERATION REQUIRED</strong></th>
<th><strong>WHEN</strong></th>
<th><strong>EXAMPLES OF ENGAGEMENT TOOLS</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>To work directly with whānau/hapū/iwi throughout the process to ensure that aspirations, requirements, issues and concerns are consistently understood and considered.</strong></td>
<td>Council will work with whānau/ hapū/iwi to ensure that their aspirations, requirements, issues and concerns are directly reflected in options and provide feedback on how their input influenced the decision.</td>
<td>Advisory committee</td>
<td>A group of representatives assembled to provide public input to the planning process.</td>
<td>Provides for detailed analysis of project issues. Participants gain understanding of other perspectives, leading toward a compromise. General public may not embrace committee’s recommendations. Members may not achieve consensus. Time and labour intensive.</td>
<td>Yes</td>
<td>When cultural input is required in a project/proposal/strategy.</td>
<td>• Māori committee interviews  • Workshops  • Hui  • Feedback  • Māori as consultants  • Cultural impact assessments  • Hapū/iwi management plans  • Advisors on council projects  • MoU  • representation on hearing committees  • Membership on advisory committees</td>
</tr>
<tr>
<td></td>
<td>Māori committee</td>
<td>Presentation of information to Māori councillors and other elected members. Recommendations or submissions on the matter may be made to council.</td>
<td>Councilors informed of engagement. Committee introduce process to Māori. Assist and support council with process.</td>
<td>Location and timing of meetings may limit attendance. Consultation via the committee may still lead to the need for wider engagement with Māori.</td>
<td>Yes</td>
<td>When seeking to introduce a project, proposal, strategy to the Māori community. When seeking council recommendations.</td>
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<tr>
<td></td>
<td>Workshop</td>
<td>An informal meeting that may include presentations, websites and interactive working groups.</td>
<td>Excellent for discussion and analysis of alternatives. Maximizes feedback obtained from participants Foster Māori ownership in solving the problem.</td>
<td>Needs availability of facilitators and technical expertise to be effective.</td>
<td>Yes</td>
<td>When requiring specific input from Māori.</td>
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</tbody>
</table>
COLLABORATE

Responsibilities to Māori

Method/Tools Description Benefits Limitations Remuneration Required When

Working parties A group of experts or representatives formed to develop a specific product or policy recommendations. Provides constructive opportunity for involvement. Member may not achieve consensus. Time and labour intensive. Yes When council has established a formal project.

Co-management When governance over a specific area or resource is shared by council and wānanga. Helps build capability and capacity of wānanga members involved. Can mean more compliance officers on the ground that live in the area. Risks increase particularly if wānanga members have not received comprehensive training. Yes When established through Treaty Settlement.

Co-governance When governance over a specific area or resource is shared by council and wānanga. Helps build capability and capacity of wānanga members involved. Yes When established through Treaty Settlement.

EXAMPLES OF ENGAGEMENT TOOLS

1. Working parties
2. Consultants
3. Joint management agreements
4. Co-governance
5. Co-management and joint venture partnerships
6. Shared strategic planning
7. Joint committees

EMPOWER

Responsibilities to Māori

Method/Tools Description Benefits Limitations Costs When to Use this Method/Tool Example of Engagement Tools

Council will implement what hapū/iwi decide.

Marine and Coastal Area Act Right of veto in resource consent process. Hapū/iwi becomes decision makers. Removes responsibility from council. May conflict with council responsibilities under the RMA/LGA. Administration costs for both parties. In customary rights over the marine and coastal area have been recognized (MACA).

Treaty Settlement Legislation Transfer of ownership of resource to wānanga. Iwi control the resource. Council no longer responsible for the resource. Ongoing costs for wānanga. When established through Treaty Settlement. Iwi own natural features such as rivers, forests or mountains.

Section 33 Transfer of Powers RMA Transfer of Powers under the RMA. Provides a vehicle for iwi to exercise treaty rights. Requires a special consultative procedure under s83 of the LGA. Council can revoke the transfer at any time. There will be costs involved in the transfer process. Ongoing costs for wānanga. When legislated through Treaty Settlement. When legislated through Treaty Settlement. Iwi own natural features such as rivers, forests or mountains.

*Adapted from the IAP2 Spectrum of Public Participation - © International Association for Public Participation www.iap2.org.

APPENDIX THREE

ĀPITIHANGA TUATORU
FURTHER READING

EXTERNAL DOCUMENTS


WAIKATO REGIONAL COUNCIL DOCUMENTS

13. Council’s iwi Māori Partners (#9240427)
14. The Treaty and Principles. (#9241133)
15. Te Ao Māori – A Māori Perspective. (#9242229)
16. The Māori Language Act 2016 and Te Mātāwai. (#9241348)

KEY DEFINITIONS AND ABBREVIATIONS

NGĀ WHAKAMĀRAMA, NGĀ INGOAPŪ

MĀORI TERMS | DEFINITIONS
--- | ---
Hapū | A sub-tribe of an iwi. A hapū is a collective of whānau who derive mana whenua over their hapū rohe through a common ancestor.
Iwi | An extended kinship group, tribe, nation, people, nationality, race – often refers to a large group of people descended from a common ancestor and associated with a distinct territory.
Kaitiaki | Guardians or stewards
Pōwhiri | Formal welcome usually conducted in a marae setting
Koha | A gift given voluntarily
Kai | Food and beverage
Kaumātua | Tribal elder(s)
Kaiwaiata | Singer
Kaikaranga | Women who call visitors onto the marae
Kaikōrero | Orators/speakers
Kaikōrero Whāikōrero | Formal speeches made as part of the pōwhiri
Kaitiakitanga | The exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources. It includes the ethic of stewardship.
Mana | Spiritual power, prestige, authority
Mana whenua | Power associated with possession and traditional occupation of tribal land. Sometimes refers to the people, iwi, hapū or whānau that hold mana whenua
Māori | Māori organisations, entities and individuals, their whānau, hapū and iwi.
Mātauranga | Māori traditional, customary and contemporary knowledge and understanding grounded in Māori principles, values and concepts. (see Te Ao Māori – Māori perspective) In the regional council context, mātauranga Māori is knowledge, comprehension or understanding including ways of knowing and doing shaped from a te ao Māori perspective, and where it relates to Waikato Regional Council
Mihi Whakatau | A term used to describe a formal speech (or speeches) of greeting made during an official welcome to acknowledge those gathered together for a particular purpose and traditionally used for welcoming, introductions, openings and general purpose which take place off the marae
Pou Tōhono | The head of the Tai- rangā-whenua team
Rangatiratanga (tino) | Authority; self-government, self-determination, rule, control, power
Rohe | A territory, boundary or district. A tribal boundary
Tai | Natural world or environment
Tai-ranga-whenua | The name of the Waikato Regional Council’s Māori focus unit of which the literal interpretation means to “Weave the land and the sea”
Tangata whenua | People of the land; in relation to a particular area, it refers to the iwi or hapū that holds mana whenua. In context of this document, it can refer to Māori that remain resident in their own traditional territories as opposed to those Māori who are living outside their areas and commonly referred to as rua here, mātāwaka or rāwaho.

People of the land: in relation to a particular area, it refers to the iwi or hapū that holds mana whenua. In context

Tangata whenua

Tangata whenua

People of the land; in relation to a particular area, it refers to the iwi or hapū that holds mana whenua. In context of this document, it can refer to Māori that remain resident in their own traditional territories as opposed to those Māori who are living outside their areas and commonly referred to as rua here, mātāwaka or rāwaho.
MĀORI TERMS | DEFINITIONS
--- | ---
Taonga | Something highly prized or treasured, tangible and intangible, that contributes to Māori wellbeing. Included are te reo (the Māori language) wāhi tapu, waterways, fishing grounds, mountains and places names.
Tapu | Restricted, reserved, sacred
Te ao Māori | Literally the Māori world. This refers to tikanga, institutions, practices and worldview that are typical of Māori.
Tikanga / kawa | Māori customary values, protocols and practices, ways of doing things.
Wāhi tapu | Sacred sites
Waka | Literally a canoe. Also refers to the people and tribal groups that descend from that waka as well as the geographical area over which they have mana whenua.
Whānau | Extended Māori family, including the nuclear family.
Whenua | Land. Also after-birth or placenta.

ABBREVIATIONS
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ELT | Executive Leadership Team
IEMP | Iwi Environmental Management Plan
JMA | Joint Management Agreement (including council’s co-management agreement)
TA | Territorial Authority
TRW | Tai-ranga-whenua
WRC | Waikato Regional Council
MPA | Māori Partnership Approach
CSG | Collaborative Stakeholder Group