

RANGITĪKEI DISTRICT COUNCIL

MEMORANDUM OF UNDERSTANDING

TŪTOHINGA

Between: Rangitikei District Council

And: Te Tangata Whenua o Rangitikei

Ngāti Parewahawaha

Ngā Wairiki - Ngāti Apa:

- Ngā Ariki
- Ngāti Kauae/ Taurira
- Ngā Wairiki Ki Uta Kauangaroa (withdrew 2023)*
- Whangaehu (withdrew 2023)*

Rātana Community

Ngāti Hauiti

Ngāti Hinemanu/ Ngāti Paki

Ngāti Tamakōpiri

Ngāti Whitikaupeka

Ngāti Te Ohuake

Ngāti Rangituhia

**New or withdrawn members (for example from Kauangaroa and Whangaehu) may be accepted at any time*

Represented on Council by: Te Rōpū Ahi Kā

Version Control

- Agreed to by Te Rōpū Ahi Kā on 10 October 2006
Agreed to by Council on 26 October 2006
- Amended under review by Te Rōpū Ahi Kā on 14 August 2012 (12/IWI/019). Confirmed by Council 30 August 2012 (12/RDC/151)
- Draft v2
- Amended by Te Rōpū Ahi Kā on 17 December 2019. Final Document approved and confirmed 17 December 2019
- Amended by Te Rōpū Ahi Kā on 11 June 2024

Introduction – Kupu Whakataki

This Memorandum of Understanding has been put together on the basis of:

- Both parties have entered into the Memorandum of Understanding - Tūtohunga in good faith and with a view to making the partnership work.
- Both parties recognise that there may be constraints from time to time in respect of resources.
- Both parties can see mutual benefits being derived from the establishment of the Memorandum of Understanding - Tūtohunga.
- Both parties express the wish that their partnership will develop and become stronger over time.

Tūtohunga

MEMORANDUM OF UNDERSTANDING

1. Introduction

- 1.1. The Rangitikei District Council and iwi of the District wish to enter into a number of protocols, which are intended to reflect the basis on which they will conduct their affairs of common interest.
- 1.2. For the purposes of this Memorandum, the iwi of the District are the Tangata Whenua that hold Mana Whenua in relation to a particular area of the District. The Tangata Whenua of the District comprise the hapū and iwi, which are represented on Te Rōpū Ahi Kā, a standing committee of Council.
- 1.3. Hapū and iwi acknowledge each other's tino rangatiratanga, arising from their Mana Whenua, when speaking for their area.
- 1.4. Hapū and iwi put forward delegates to Te Rōpū Ahi Kā to represent issues and consider Council policy, making resolutions and representations to Council. This clause does not preclude iwi, hapū or individual interaction with Council on issues that concern them directly.
- 1.5. Te Tiriti o Waitangi is the starting point for determining the relationship with hapu, iwi and the Rangitikei District Council.
- 1.6. Within the Rangitikei District, the Māori community of Rātana Pā is recognised as being integral to decision-making on Māori issues and therefore, the Rātana Pā Community, through their nominated representative, have membership on Te Rōpū Ahi Kā.
- 1.7. The Council's procedures are governed by statute and must comply with all relevant legislation, including Te Tiriti o Waitangi.
- 1.8. The Council and iwi of the District agree to the protocols set out in Section 2 below. They are intended to be exercised in the utmost good faith to ensure that the needs of both Māori and the wider community be met.

2. Protocols

- 2.1. These protocols constitute policy of the Rangitikei District Council and can be reviewed from time to time, in consultation with Te Tangata Whenua o Rangitikei.
- 2.2. If agreement of any changes cannot be reached the Memorandum of Understanding may lapse, but only in relation to those matters on which agreement cannot be reached.
- 2.3. If further protocol(s) are agreed they can be added to the Memorandum of Understanding by way of amendment.
- 2.4. Te Rōpū Ahi Kā, as a Standing Committee of the Rangitikei District Council, may recommend to the Council, any changes to the representation of hapū and/or iwi on Te Rōpū Ahi Kā, within three months of each triennial election, and at other times, if appropriate.
- 2.5. The Council's total financial liability pursuant to these protocols shall be determined by the Council following consultation with Te Rōpū Ahi Kā annually as part of the Council's annual planning process.
 - (i) In undertaking any consultation, both parties will ensure that the timeframes otherwise specified in any relevant legislation are complied with.
 - (ii) Where the Council requires Te Rōpū Ahi Kā to undertake any work, which is not otherwise identified in the Memorandum of Understanding, that work will be specified in a separate consultancy agreement.
- 2.6. Te Rōpū Ahi Kā will regularly review its Terms of Reference, ideally at the first meeting of each triennium following the Local Authority elections.
- 2.7. The Council will otherwise be responsible as follows:
 - (i) To ensure that consultation takes place prior to and during the preparation of Council's Policies, Bylaws, Long Term Plan, Annual Plan and other activity plans. This will normally mean prior to the adoption by the Council of the draft documents and before the documents are put out for initial public consultation. The Council will ensure that sufficient information and time is made available to Te Rōpū Ahi Kā to determine what issues, if any, require further investigation and/or consultation.
 - (ii) To define any issues of concern to iwi of the District, to identify any reports that may be required to address such issues and to otherwise determine the methodology and resources (financial or otherwise) necessary to properly achieve Protocols 2.9 (i) and (ii), and such consultation will otherwise be conducted in a manner defined by the 'Consultation Process Plan', see Appendix 1.
 - (iii) To develop in consultation with Te Rōpū Ahi Kā, steps to build Māori capacity for contributing to its decision-making processes including representation of the komiti on Council — standing committees, working parties and reference groups.
 - (iv) To ensure that Te Rōpū Ahi Kā is kept informed of all progress in relation to the preparation of the District Plan and any reviews or variation after that plan becomes operative.
 - (v) To ensure, like hapū/iwi, that the following values are considered in all operational undertakings with the operational focuses and outcomes detailed in the 'Māori Responsiveness Framework':
 - a. **Manaakitanga:** Council will at all times endeavour to listen with an open mind, act with fairness and equity, engage in a transparent manner and be accountable to the people of the Rangitikei for its behaviours, choices and outcomes.
 - b. **Rangatiratanga:** As steward of the district, Council takes its responsibilities seriously, understanding that it operates in the best interests of all people, acknowledging the diversity of wants and needs within iwi/hapū throughout the rohe. Council acknowledges its role in building capability and capacity within whānau/hapū/iwi focusing on self-determination, increasing access to economic opportunities and sustainability. Council's behaviours will reflect this rangatiratanga at all times. Everyone who works for the Council will conduct themselves in a manner that enhances the reputation of hapū/iwi. Everyone who works for Council is committed to collaborating, maximising productivity and creating maximum value in this partnership.
 - c. **Ūkaipōtanga:** Council acknowledges this value for hapū/iwi in revitalising their kōrero tuku iho — the transferring of knowledge within whānau and hapū. Council will show recognition and acknowledgement to hapū and iwi to their whenua. Council will support opportunities for hapū and iwi members to live on tupuna lands (ie. Papakainga). It is a value/outcome that will continue to be set within the 'Māori Responsiveness Framework'.

- d. Whanaungatanga:** Council will at all times endeavour to support whanau, hapū and iwi in the development of collective approaches for education and wellbeing. Council will act and behave in a manner that reflects tika and pono (in good faith), and demonstrates partnership with iwi/hapū and their kaupapa; creating positive relationships internally and externally.
- e. Kaitiakitanga:** Council is not only responsible for the infrastructure vital to our district's economy but is also responsible for the environmental and cultural wealth of the district. Council will work with other organisations and sectors of our community to work together to create a sustainable environment within which whānau and hapū and communities in general can flourish. Council will demonstrate responsible and sustainable development in its projects.

Me whakatipu i ngā pakihi, ōtira me tiaki i te whenua, ngā awa, ngā maunga me te taiao. (Grow business opportunities but always consider the health and well-being of the land, the rivers, the mountains and the environment)
- f. Wairuatanga:** Council acknowledges the spiritual connections of Mana Whenua and Tangata Whenua and seeks to appropriately incorporate these traditions into both the governance and operational areas of Council.
- g. Kotahitanga:** Council as a physical place and as a community structure, aims to be a safe place to have difficult conversations. Council aims to treat everyone with respect and use the connectedness of hapū/iwi to everyone's advantage generating harmony and opportunity from any differences. Council will show a commitment to work together.
- h. Whakapapa:** Council acknowledges the whakapapa connections of hapū/iwi, and endeavours to support the telling of these stories through traditional and contemporary communication channels.
- i. Te Reo me ōna Tikanga:** Council acknowledges the fundamental/essential/critical importance of Te Reo Māori to all things Māori. Te Reo Māori will be encouraged through Council practices and behaviours.

3. Indemnity

- 3.1. At no time will the Council bear responsibility or liability in respect of any unlawful action arising out of the conduct of Te Rōpū Ahi Kā or its agents.

4. Dispute

- 4.1. If any disputes arise concerning the interpretation or application of these protocols, the parties will mutually agree the appointment of an independent mediator, with a view to the parties reaching agreement by way of mediation concerning that dispute.
- 4.2. If no such agreement can be reached following mediation, any disaffected party must thereafter be free to pursue any legal remedy that may otherwise be available to it, should it choose to do so.

5. Vires

- 5.1. The application of these protocols must at all times be subject to the provisions of the Local Government Act 2002 (and any amendments or re-enactment thereof), the Resource Management Act 1991 (and any amendments or re-enactments thereof) and/or any other legislation applicable to the process being undertaken pursuant to these protocols from time to time.
- 5.2. The Rangitikei District Council and Te Rōpū Ahi Kā hereby both acknowledge that the interpretation, application and operation of these protocols is at all times subject to the relevant empowering legislation.

6. Review

- 6.1. The Memorandum of Understanding: Tūtohunga will be reviewed prior to the Council's Representation Review, usually undertaken every six years.

APPENDIX 1: CONSULTATION PROCESS PLAN

1. Membership of Te Roopuu Ahi Kaa is defined by Tangata Whenua of Rangitikei and represent hapū, iwi, and marae within the Rangitikei District:

- Ngāti Parewahawaha – one representative
- Ngā Wairiki - Ngāti Apa – four representatives:
 - Ngā Ariki
 - Ngāti Kauae/ Taurira
 - Ngā Wairiki Ki Uta Kauangaroa (withdrew 2023)*
 - Whangaehu (withdrew 2023)*
- Rātana Community – one representative
- Ngāti Hauiti – one representative
- Ngāti Hinemanu/ Ngāti Paki – one representative
- Ngāti Tamakōpiri – one representative
- Ngāti Whitikaupeka – one representative
- Ngāti Te Ohuake – one representative
- Ngāti Rangituhia – one representative

*New or withdrawn members (for example from Kauangaroa and Whangaehu) may be accepted at any time

2. If Council propose to do work or make decisions on the following, Council must seek engagement from the appropriate iwi / hapū

- Rivers, Streams, Creeks, Lakes, Ponds, 3 waters
- Environment, Land, Sub-divisions
- Significant Sites, Wāhi Tapu, Marae
- Roothing, Infrastructure
- Community, Well-Being

3. Step by step process to effective iwi / hapū engagement

Step 1: Council staff to make contact and organise a meeting with the Council's Strategic Advisor for Mana Whenua to identify the following:

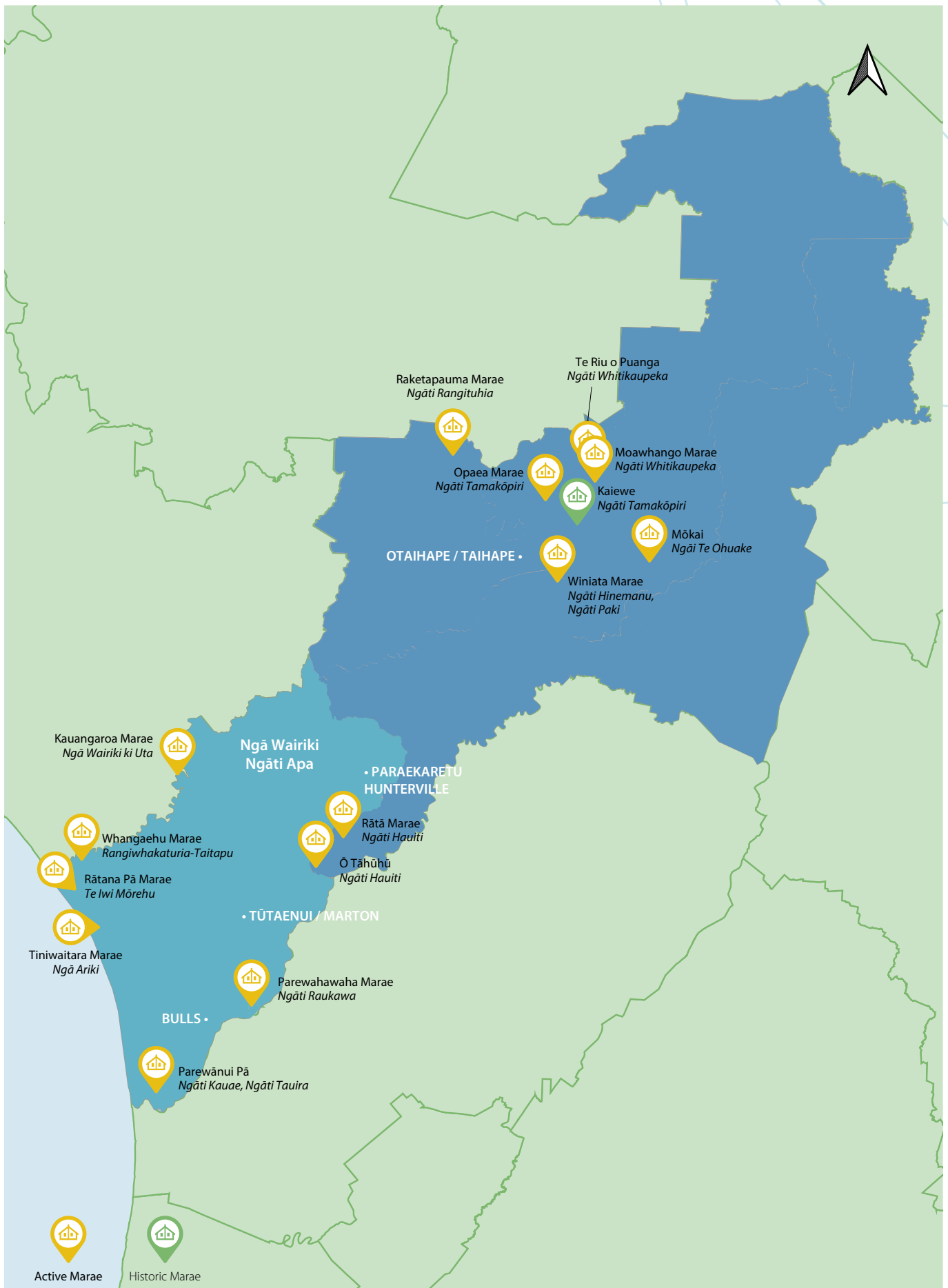
- What work or decisions that Council want to undertake and make
- Which Iwi / Hapū (could be multiple) need to be consulted with

Step 2: Strategic Advisor to organise a meeting with the appropriate iwi / hapū. Expected timeframe to have meeting confirmed is 5 – 10 working days. Note: At this step we will know if, and what, consultation or engagement is needed and necessary.

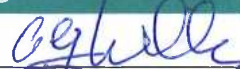









Step 3: Council staff, Strategic Advisor and relevant iwi / hapū to meet for consultation and engagement process. This may involve site visits and 1 – 3 meetings. Expected timeframe to have this step completed is 10 – 15 working days.

Step 4: Council staff to supply Strategic Advisor and iwi / hapū with regular updates. This could either be monthly or on a case by case basis.

APPENDIX 2: MAP OF IWI BOUNDARIES



SIGNATORIES TO THIS MEMORANDUM OF UNDERSTANDING: TŪTOHINGA

Version	Signature	Date
Mayor of the Rangitikei District Council		14/08/24
CE for Rangitikei District Council		14/08/24
Chairman for Te Rōpū Ahi Kā		13/08/24
Te Rōpū Ahi Kā Members:		
Thomas Curtis (Ngāti Hauiti)		13/08/24
W. Keene (Ngāi Te Ohuake)		13/8/24
Kim Sotage		13/8/24
KATARINA GRAY-SHARP		13/08/24
Coral Raukawa		13/08/24
Grace Taiaroa		13/08/24
Leanne Hiroh		13/08/24