

# HE KETEPARAHA Mana Whenua Toolkit

Enabling Mana Whenua  
Aspirations in our  
Communities

Powered by:



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# PURPOSE

The purpose of this toolkit is to provide a learning resource with tips and lessons for mana whenua who find themselves working with and alongside local councils.

It provides support to those who may find themselves dealing with councils, covers how to engage in policy and planning processes and the submission process. It discusses why it's important for mana whenua to be active participants in everyday decision making.

This toolkit is an output from a multi-year research project that had a key focus of exploring 'what makes vibrant and regenerative communities from a mana whenua perspective'. This project highlighted both the barriers and opportunities that existed for mana whenua and the role that Council plays in either reinforcing these barriers or enabling opportunities.

## **Use of double vowels and tohutō (macrons)**

We acknowledge that the practice/kawa for Waikato-Tainui is to use double vowels rather than tohutō. We have done so where a name reflects this, however as this output is intended for use nationally, we have utilised macrons to increase understanding for those outside of the rohe.



# INTRODUCTION

The toolkit is in the form of an online training course, with modules used as a learning resource. This is the digital document version of the course, which includes links to the video and other resources when used online. The resource is free to use and intended to be used by mana whenua to enable and enhance their engagement with planning processes and engage with Councils.

This course uses ngā uara (values) o te iwi Māori as detailed below; manaaki, pono, tika, and aroha.

## Karawhiua - Give it heaps!!!

### Aroha

This course was created from a place of love and need, as identified working in this space. Ultimately, it is intended to benefit both community, Council and mana whenua by increasing understanding.

### Manaaki

We have developed this toolkit to share our learning and knowledge to help you and guide you to navigate this space. In turn empowering you to engage with Councils and manaaki them as they navigate working with you, collaboratively in this space.



### Pono

The content within this course has been derived from our mahi and our experience and strives to share knowledge and truth throughout, enabling you to increase your confidence to work in this space.

# TUATAHI

## FUNCTIONS OF DIFFERENT COUNCILS



### **THE ROLES OF COUNCILS EXPLAINED**

There are a number of different local government functions and these are divided across regional and territorial authorities (district and city councils) in Aotearoa New Zealand.

With regional councils considered as the first tier of local government and territorial authorities as they second. The roles of territorial authorities and regional councils are different but there is often a lot of overlap in their work in communities given they cover the same geographical areas.

This section explores the roles and functions of these authorities so that we can have a greater understanding of why mana whenua need to engage with and be part of local government, to influence our communities, te taiao and planning for managing these spaces into the future.

# ROLE OF REGIONAL COUNCILS

Regional councils are responsible for managing environmental resources and regional infrastructure. Their key primary roles:

## 1. Environmental Management

- Resource Management: Oversee resources like water, soil, air, and coastal areas under the Resource Management Act 1991 (RMA).
- Flood Control: Manage flood protection structures and river systems.
- Biosecurity: Control pests and promote biodiversity.
- Land Transport Planning: Manage and plan regional land transport systems and infrastructure. They are responsible for preparing regional land transport plans.

## 2. Regulatory Functions

- Issuing Consents: Manage consents for activities impacting the environment.
- Monitoring and Enforcement: Ensure compliance with environmental laws.

## 3. Planning and Policy

- Regional Policy Statements (RPS): Develop frameworks to guide local district plans. The RPS identifies the regionally significant issues around the management of the regions natural and physical resources and sets out what needs to be achieved (objectives) and the way in which the objectives will be achieved (policies and methods).
- Public Transport: Organise and fund regional public transport services.

## 4. Community and Emergency Services

- Public Education: Provide environmental education and engage with communities.
- Civil Defence: Coordinate responses to natural disasters and emergencies.

Regional councils cover broad geographical areas and focus on large-scale environmental and infrastructural functions, distinct from the more localised services managed by city or district councils.



# ROLE OF TERRITORIAL AUTHORITIES - DISTRICT AND CITY COUNCILS

According to LGNZ, district councils' primary responsibilities are to facilitate democratic decision-making processes that reflect the community's voice and to enhance their social, economic, environmental, and cultural well-being.

What this means in reality is that they manage a wide range of services, including the maintenance of footpaths and street lighting, ensuring the provision of fresh water, and managing resources as well as environmental health and safety.

They must engage with their communities and encourage community participation in decision-making, while considering the needs of people currently living in communities and those who will live there in the future. This is why mana whenua engagement is a critical part of building and planning for our communities and ensuring that our communities are reflective of mana whenua needs, wishes and histories.

In New Zealand, district councils operate under a framework of legislation that defines their responsibilities, powers, and how they should conduct their operations. The primary pieces of legislation governing district councils in New Zealand are:

## **1. Local Government Act 2002**

This act is central to the operations of local authorities in New Zealand. It outlines the purpose of local government, provides the general framework for local governance in the country, and sets out the powers and duties of local authorities. It emphasises the need for councils to operate in a transparent, accountable, and cost-effective manner for the benefit of their communities.

## **2. Resource Management Act 1991**

This act is crucial for district councils, particularly concerning land use planning and environmental management. It provides a framework for managing the country's natural and physical resources, focusing on sustainable management.



*"He piko he Taniwha, He piko he taniwha"  
"A chief at every bend"*

# MANA WHENUA AND THEIR ROLE

## **3. Local Government (Rating) Act 2002**

This act specifies the powers of local authorities to impose rates on properties within their districts. It outlines the procedures for setting and collecting rates and provides mechanisms for objections and appeals.

## **4. Building Act 2004**

This legislation governs the building sector and affects district councils in their roles as building consent authorities. It sets out the rules for the construction, alteration, demolition, and maintenance of new and existing buildings in New Zealand to ensure that buildings are safe, healthy, and durable.

## **5. Local Electoral Act 2001**

This act governs how local elections are conducted, including elections for mayors, councillors, and other local officials. It is essential for ensuring that council elections are carried out fairly and transparently.

## **6. Biosecurity Act 1993**

Responsibilities are divided among national and local government agencies, including district/city councils. The Act allows for the development of regional pest management strategies and requires local authorities to enforce these regulations to control or eradicate specific identified threats.

These acts collectively ensure that councils operate effectively, engage with their communities, manage resources sustainably, uphold safety and building standards, conduct fair elections and protect our areas from bio-security risks.





# TUARUA

## GET INVOLVED



### **COMMUNITY BOARDS AND COMMITTEES**

Community Boards, also referred to as Community Committees in Aotearoa, are a type of local government that represents and advocates for the interests of their communities. These boards are established by territorial authorities, such as city and district councils, and consist of elected members who serve for three years.

The primary purpose of community boards is to provide a voice for their communities and make decisions on local issues. This includes matters like parks, reserves, community halls, and other facilities. They also often manage a pool of funding to support local community initiatives.

The role of a community board is to ensure that the views of their communities are considered when council decisions are made. They serve as an important link between the council and the community, helping to address local issues in a timely and effective manner.

They also provide feedback to the territorial authority on matters that affect their communities. Although community boards are not responsible for the overall governance of the territorial authority, they do have some decision-making powers delegated to them by their council. They can make recommendations to the council on community-related matters and make decisions on certain local issues within their delegated authority.

There are varying levels of effectiveness and engagement from and with community boards, and the connection between the humans elected on these boards, and how they interact with their community and their council, is the biggest indicator of their effectiveness and how they represent their community.



# LOCAL PARTICIPATION THROUGH REPRESENTATION

There are multiple ways for individuals to participate in local government and be involved in Council decision-making processes:

- **Voting in Council elections** - This is the single most effective action individuals and communities can take, to influence the direction of their own communities. Have your say and vote in each and every election, every three years (or sooner if an elected official is removed or unable to continue in their role).
- **Standing as a candidate for Council** - If you think you have what it takes to represent your community then find out more about becoming a candidate for election. You can find out more here. <https://www.lgnz.co.nz/local-government-in-nz/local-elections-and-voting/candidates-guidance/> Many regions have also introduced Māori wards to increase the number of Māori representatives across the local government landscape. This change has been effective in achieving this, albeit that the elected government is challenging whether these roles will remain in place in the future.
- **Attending Council meetings** - Increased participation levels in communities result in council decisions and actions that align with short and long-term community objectives. Be present and have your say every month on topics of discussion for your community. The monthly meetings and timetable as well as agenda are all published on your local council's website.
- **Contributing through the consultation process** or making a submission on a Council plan, such as the long-term plan or annual plan and other related structure planning or any other proposal - more on this in the next section

# CONSULTATION AND ENGAGEMENT

Consultation is an essential process in local government decision-making, aiming to involve individuals and communities in the decision-making process. The Local Government Act 2002 outlines six guiding principles for consultation:

- Councils must provide individuals with access to relevant information about decisions.
- Individuals should be encouraged to express their views to the council.
- People invited to present their views should receive clear information about the consultation's purpose and scope.
- Individuals must be given a reasonable opportunity to present their views.
- Councils should consider these views with an open mind when making a decision.
- The Council should provide people presenting their views with information relevant to the decisions and the reasons behind them.

Consultation is a significant part of the planning process and is scheduled during the development of and proposed plan changes within council processes to enable people to hear about proposed changes and to influence and provide feedback about any issues or concerns.

Most importantly, consultation with mana whenua is not just about ticking boxes or meeting the requirements of the act. For mana whenua, council as the Crown's representatives are in fact a treaty partner, committed to delivering on the principles of te Tiriti, through delivery of their services.

**Watch this video about engagement fro LGNZ.**

**<https://youtu.be/kKF-61i04Tc>**



# TUATORU

## COUNCIL PLANNING PROCESSES

### **DISTRICT PLANS IN NEW ZEALAND**

A District Plan is a document prepared by a territorial authority in New Zealand to assist in achieving sustainable land management. It must be consistent with national and regional policy statements, as well as any applicable water conservation orders. District Plans cover various issues related to land use, including development capacity, natural hazards, contaminated land, noise control, and indigenous biodiversity.

Key Elements of District Plans:

- Objectives for the district
- Policies to implement the objectives
- Rules (if any) to implement the policies

District Plans may also address significant resource management issues, methods for implementing policies, reasons for adopting policies and methods, anticipated environmental results, monitoring procedures, and processes for dealing with cross-boundary issues. They have a significant impact on land use within the district, and anyone wishing to use their land in a manner that contravenes a District Plan rule must obtain a resource consent.

All districts will have a District Plan as their primary planning document for managing the natural and physical resources in their District.



# LONG TERM PLANNING, STRUCTURE PLANS AND BLUEPRINTS

## **Role of the Long Term Plan**

A Long-term Plan (LTP) is a strategic planning document that outlines the services, projects, and costs of a local government body over a period of 10 years. The LTP provides a detailed description of the work to be done, the expected outcomes, and the resources required to achieve those outcomes. It also includes a financial strategy showing how the work will be funded over the long term. The LTP is reviewed annually by the Council and adjusted as needed. The community is consulted on any significant adjustments made to the LTP.

The LTP process allows the Council to take a strategic perspective on how its services align with priorities and make important decisions regarding its role, partnerships, priorities, service response, and resource allocation.

It's important to note that the LTP process does not typically include the review of other strategic documents or plans. These other documents inform the council and others about its direction, priorities, and desired actions.

## **Blueprints**

Local Area Blueprint Plans are strategic planning documents created by local government bodies to outline services, projects, and costs for a specific geographic area over a period of time. These blueprints provide a detailed description of the work to be done, expected outcomes, and the resources required to achieve those outcomes. They also include a financial strategy that shows how the work will be funded over the long term.

In New Zealand, local governments create Local Area Blueprints that outline their plans for specific areas within their jurisdiction. These blueprints identify initiatives related to themes such as identity, nature, iwi, communities, growth, economy, transport, infrastructure, and governance.

The community is consulted on any significant adjustments made to these blueprints. The Local Area Blueprint process enables the Council to make strategic decisions regarding its role, partnerships, key priorities, service response, and resource allocation.

## **Structure Plans**

Similar to Blueprints, Structure Plans are a strategic planning tool that outlines the services, projects, and cost to a local government body over a period of time. Typically created for a geographical area such as a town or suburb which provides detailed description of the work to be done, expected outcomes and resources required to achieve the outcomes of the work.

# THE PLANNING PROCESS

Long-Term Plans and other planning documents like the Annual Plan or Regional Policy Statements, have distinct cycles, legal requirements, and focuses, as noted above. These processes follow a set of protocols before being adopted to ensure that community have had input and provided feedback on any proposed plan. Developing a new plan includes:

## 1. Research and Information Gathering

- **Initial Assessment:** Understand current issues, trends, and community needs.
- **Consultation:** Engage with stakeholders, iwi, and the community to gather diverse perspectives.
- **Environmental, Social, and Economic Studies:** Conduct studies to support plan policies.

## 2. Drafting the Plan

- **Drafting Policies and Rules:** Based on the research and consultations, develop policies and rules that align with the principles of the RMA and address the specific needs of the district.
- **Internal Reviews:** The draft plan undergoes several rounds of review internally within the Council.

## 3. Public Consultation (Pre-notification)

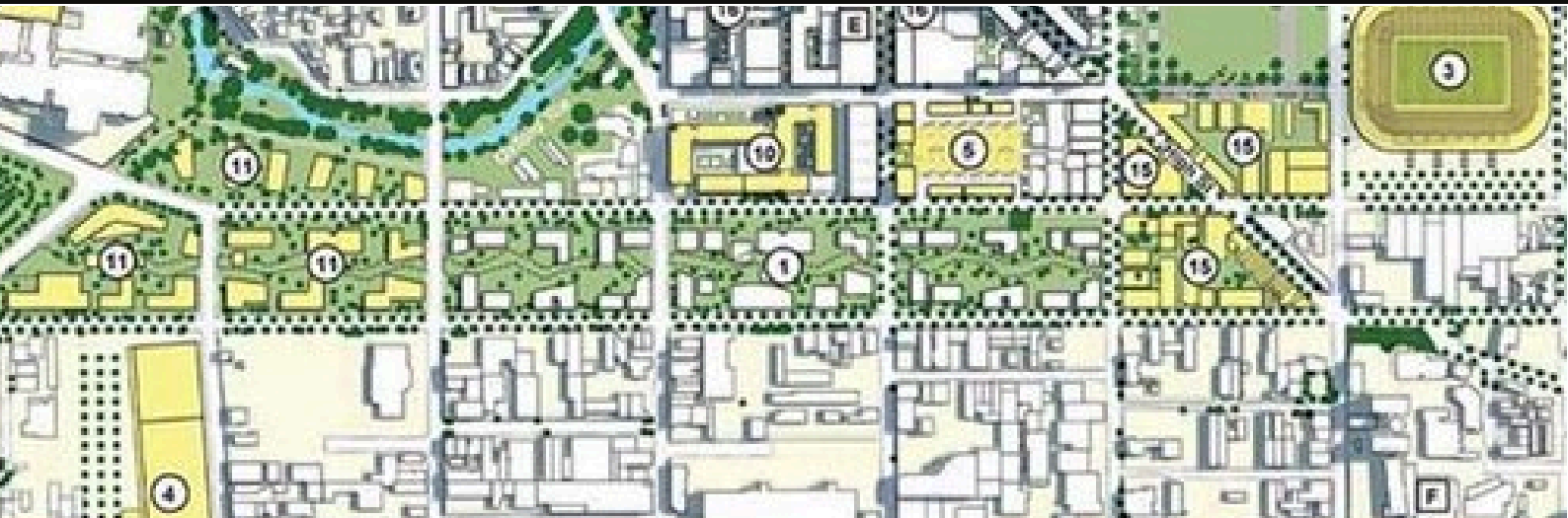
- **Stakeholder Engagement:** Further consultation with stakeholders to refine the draft plan.
- **Public Workshops and Meetings:** Organise meetings and workshops to explain the draft plan and gather feedback.

## 4. Notification of the Proposed Plan to the public and invitation to make submissions

- **Formal Notification:** The draft plan is formally notified and made available to the public, inviting written submissions.
- **Submissions:** Allow time for the public and interested parties to submit feedback on the proposed plan.



# THE PLANNING PROCESS



## 5. Submission Review and Hearings

- **Summary of Submissions:** Council prepares a summary of all submissions received.
- **Further Submissions:** A period during which interested parties can comment on other submissions.
- **Pre-hearing Meetings:** Optional meetings to resolve issues before formal hearings.
- **Hearings:** Conduct hearings where submitters can present their cases in front of an independent hearings panel.

## 6. Decision Making

- **Council Deliberations:** The hearings panel or council deliberates on the submissions and makes decisions on the provisions of the plan.
- **Plan Changes:** Modify the plan according to the decisions made post-hearings.

## 7. Adoption and Appeals

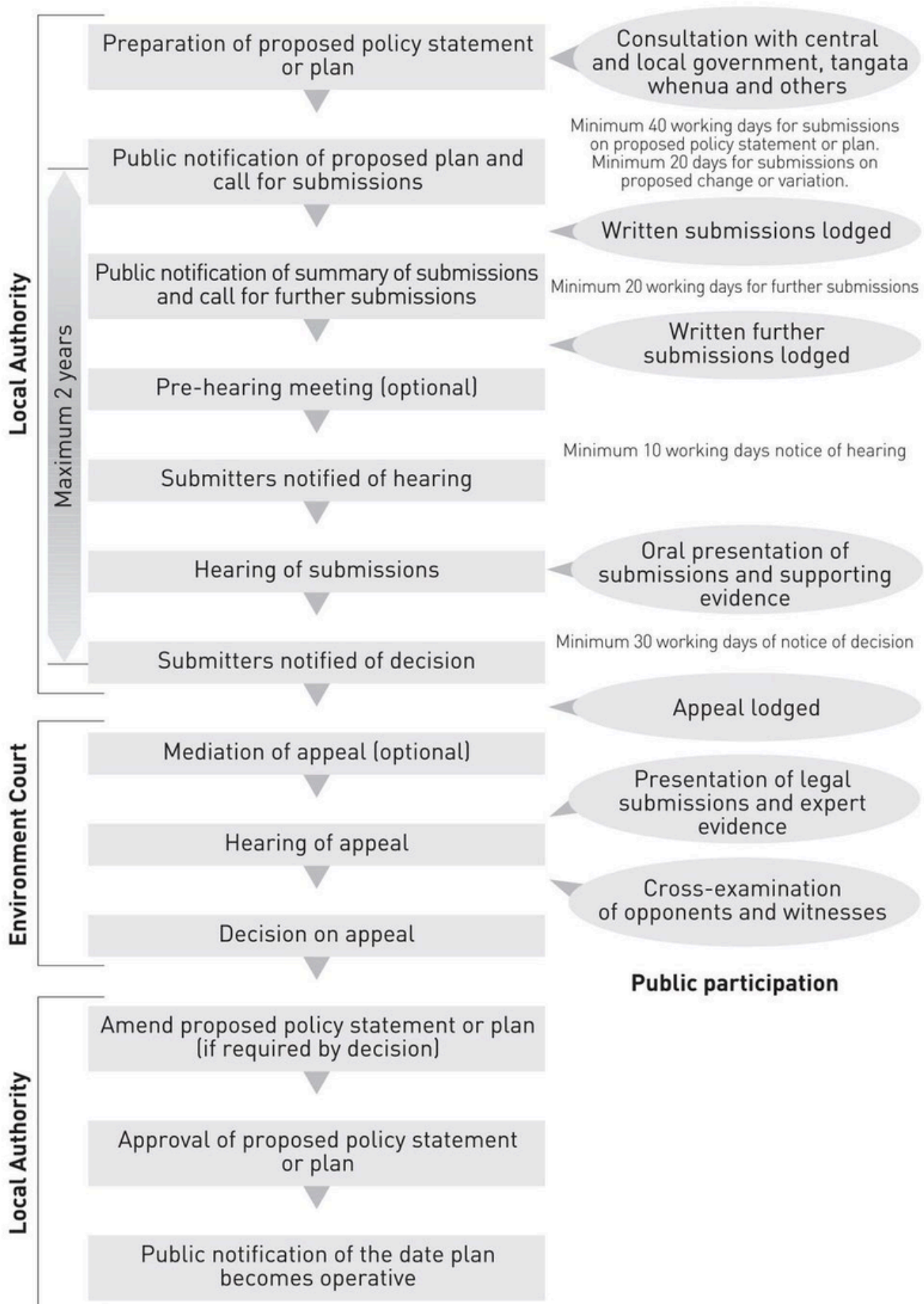
- **Adoption of the Plan:** Once all issues are resolved and changes are made, the council formally adopts the plan.
- **Appeals:** There is a period during which decisions can be appealed to the Environment Court.

## 8. Implementation and Monitoring

- **Plan Implementation:** Implement the new district plan and integrate it into local government operations.
- **Monitoring and Review:** Continuously monitor the effectiveness of the plan and make necessary adjustments or reviews in future cycles.

This entire process can take years. Annual planning requirements are typically less intensive as are required to reach adoption in a shorted timeframe.

# THE PLANNING PROCESS





# TUAWHA

## HOW TO GUIDE

### Participating in Planning Processes

There are many opportunities for you to have your say and participate in Councils decision-making process throughout the year. You are able to provide your feedback on proposed plans and policies, resource consents and changes to services.

Most Councils usually have a number of consultations under way at any time and these are listed under three categories:

- open (seeking your feedback),
- active (closed for feedback and following the review and decision making process) and
- closed (decision has been made).

To provide feed back on any consultations that a Council has open, you would click on the consultation you are interested in to find out more.



Services and fa

## Kia ora, how can we help?

Search



[Rubbish and recycling and charges](#) [Libraries](#) [District plan](#) [Maps](#) [Cemeteries](#) [Fees](#)  
[Careers](#) [Current roadworks](#) [Contact us](#)

### Do it online

Make a payment

Register a dog

Rates

Request a service

Applications

Have your say

Feedback & Complaints

# KEY TIPS FOR MAKING A SUBMISSION

## Key Tips for Making a Submission

When writing a submission, it is important to plan and structure your writing effectively. By supporting or opposing a proposal and providing supporting information, you can make your submission more impactful. Here are some tips for creating an effective submission:

- State the effects you think the proposal will have and why you support or oppose it.
- If you think changes should be made to the proposal, suggest alternatives.
- Provide facts supported by evidence to build a strong case.
- Stick to the topic and avoid personal feelings or unrelated issues.
- Include any maps, diagrams, or professional opinions that support your submission.

When writing your submission, it is important to avoid certain things:

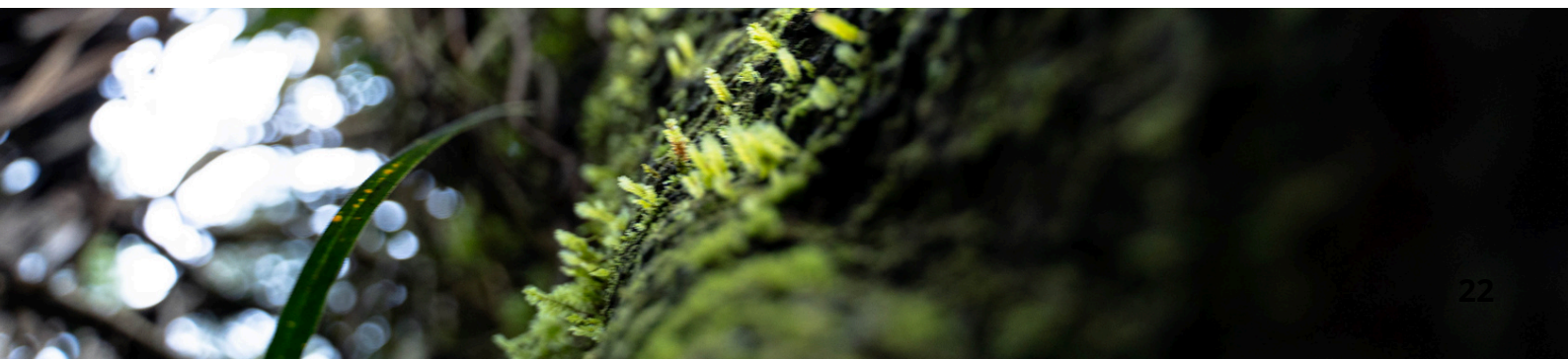
- Do not refer to issues or effects that are not related to the proposal.
- Avoid raising matters that are not within the Council's control.
- Do not raise the issue of trade competition or the impact on your business by a competitor.
- Avoid making frivolous, vexatious, or offensive submissions.
- Ensure that any experts you quote are truly independent and have the expertise to give evidence.

Support for submitters may be available in the form of an independent advisor appointed by the Council or hearing panel. This advisor can help explain the process and provide guidance on lodging a submission and expressing your views.

When lodging your submission:

- Complete a submission form and state if you want to speak at a hearing.
- Submit your form before the closing date and time, either by email, post, hand delivery, or through the council's website.
- Send a copy of your submission to the applicant if it concerns a resource consent application.

It is recommended to send your submission well before the deadline and to check if it has arrived in time if sent by post.



# CASE STUDY: LODGING A SERVICE REQUEST - WAIKATO DISTRICT COUNCIL

Another way to get engaged is through looking out around your community and reporting when there are issues of concern or things that Council need to be informed about. Actioning a request for service means that Council must directly report back to you what action they have taken to fix the problem. It keeps them accountable to you for this action.

## **Waikato District Council - Request a service!**

Waikato District Council have provided multiple ways that you are able to report or request a council service when there is something that needs attention in the community. Things like broken streetlights, footpaths and rubbish, can all be reported as a 'Request for service'. You can do this in a number of ways. One is online via the "Request a Service" tab on the Council's website. You can request a Council service or report a fault for any aspect including the following:

- Roads and Parking
- Property
- Consents
- Parks and Facilities
- Waters
- Refuse and Recycling
- Dogs
- Illegal Dumping



## **ANTENNO**

Much like the "Request a service", You can use the Antenno app to request or report to Council on things that need their attention.

Simply open the app, select 'Report it' and follow the on-screen prompts. Just hit send and let the team take care of the rest.

You can even provide them with photos, of the area, damage, or why the service is requested if you want to.

Don't have it installed on your device yet, no worries, follow the prompts below to get you started.

### **Install Antenno - it's easy to use and it's free!**

Download the app from the [App Store](#) or [Google Play](#) now and save your favourite places. Register your location. You will then see the categories for use that you have available at your Council.

# TUARIMA

## WHY YOUR VOICE MATTERS

### TE TIRITI O WAITANGI

Te Tiriti o Waitangi (The Treaty of Waitangi) is a document that lays the foundation for effective equal relationships/partnerships between Crown entities and mana whenua in an Aotearoa context. As such mana whenua are entitled to have an expectation that Te Tiriti will be upheld by both crown agencies and all people exercising and/or practising under the Resource Management act 1991 (RMA).

There are varying levels of implementation of Te Tiriti across local government and recent government shifts have seen much of this be challenged and tested. While there is currently a moving of expectations and requirements, there is still space for Te Tiriti to lead planning and Council practice in Aotearoa regardless of legislative or regulatory requirements.

Existing legislation still clearly requires Councils to recognise and provide for Māori in many ways. Some of these have been detailed below for mana whenua to be aware of the level expectations that exists and to take note of the various requirements that Councils have when it comes to mana whenua involvement in planning. Our experiences have shown that mana whenua engagement in Council and community decision making on the whole has shown demonstrable improvements in community wellbeing, connection, morale and community building. It is worth the effort!

# THROUGH PLANNING LEGISLATION

## RESOURCE MANAGEMENT ACT

Although currently under review, the RMA recognises Te Tiriti and provides for mana whenua involvement in the decision making process.

Where mana whenua are identified, Part II of the RMA (sections 5 – 8) applies, whereby the Council:

- Section 6(e) - **shall recognise and provide** for the relationship of Māori and their culture and traditions with ancestral lands, water, sites, Wāhi tapu and other taonga
- Section 6(f) - **shall recognise and provide** for the protection of historic heritage from inappropriate subdivision, use and development
- Section 6(g) - **shall recognise and provide** for the protection of protected customary rights
- Section 7(a) - **shall have particular regard** to kaitiakitanga
- Section 7(aa) - **shall have particular regard** to the ethic of stewardship
- Section 8 - **shall take into account** the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

## LOCAL GOVERNMENT ACT 2002

The Local Government Act 2002 (LGA) within its legislation complements the requirements in the RMA pertaining to Māori. It provides for equal participation that ensures Māori are at the decision making table and participants in the decision making process. It stipulates that for Māori to participate in key decision making processes that local/territorial governments must provide mechanisms to do so.

- Section 77 – Requires Councils to **take into account** the relationship Māori have with their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga, when making decisions in relation to land or a body of water.
- Section 81 – **establish and maintain processes to provide opportunities** for Māori to contribute to decision making and to consider ways to foster the development of Māori capacity to contribute to decision making.

## HOLD COUNCIL TO ACCOUNT - FORTHCOMING CHANGES

Regardless of changes in government priorities and Fast Track legislation currently being proposed, the above sections of the LGA and RMA are clear. They are however, applied in differing ways by differing staff and work programmes within Council. As mana whenua it is important that you are aware of these requirements to support and enable your participation and engagement within the planning process.

# THE WERO

## **Putting it all together**

The skills and knowledge you have added to your kete throughout this course should equip you to be confident to contribute as mana whenua in planning processes.

You have learned about the differing functions and services that our Territorial Authorities and Regional Councils provide to our communities and the different roles that they play. You have been reminded of the multiple ways in which you can be heard through both representation and participation.

You have also learned what is involved in planning processes and how you can take part in them, make a request for service and also undertake writing a submission to contribute your views for current proposed changes to plans.

Now is your time to take this knowledge and become part of the planning for your town and community. Empowered with this knowledge, and guided by your tūpuna in your role as mana whenua, we encourage you to stand up and be heard!

**Kia kaha, kia maia, kia manawanui.**



# AUTHORS



## **James and Amy Whetu**

James is of Waikato, Raukawa and Ngāti Tūwharetoa descent. He is an Environmental Planner, CPD Teacher, Facilitator, Engagement Advisor and Businessman of Waikato-Tainui, Raukawa and Ngāti Tūwharetoa descent. James holds a Bachelor of Tourism and a Graduate Diploma in Te Reo from Waikato University, a Post Graduate Diploma in Planning and a Masters in Environmental Planning from Massey University.

Amy is a Director, Lawyer, Teacher, Researcher, Advocate and Businesswoman who also holds Governance roles in both the corporate and community spaces. Amy holds a Bachelor of Social Science in History, Art History and New Zealand Studies, a Bachelor of Laws, and a Master of Laws (First Class Honours) all from Waikato University. James and Amy carry a passion for bringing about and inspiring positive change in communities, businesses and within local and central government systems.

Together they own and operate [Whetū Group](#), a collection of businesses including a consultancy business, Whetū Consultancy Group, and a social enterprise aimed at rebuilding heart into communities that were previously overlooked and under-appreciated. Through their work they have identified a gap in the provision of practical, accessible teaching of Māori perspectives that equip and empower all people through growing their understanding.

James & Amy have developed Tapuae Leading Knowledge so that they can teach what they know and are passionate about, to anyone who wants to learn from open-hearted teachers at a pace that is right for them. It is their hope that through these courses their students will develop their worldview and be equipped with a relevant understanding that helps them move forward with confidence in all levels of their lives and work. Outside of their work James and Amy are devoted parents to their 4 children who are beautiful daily reminders of why they do the work they do.

