

- **Title:** **Agreements between Maori and Local Authorities; and Analysis**
Hewison, G.
Manukau City Council
- Published:** Early 2002 (analysis)
- Researched:** 2001

Summary:

This document collates 21 examples of agreements between Maori and local authorities throughout New Zealand. It also contains an analysis of these agreements including what parties were involved, relevant legislation, and a section dedicated to consultation.

The original agreements were compiled by Hewison in 1997. The intent was to inform Manukau City Council of examples of agreements to assist designing agreements between the council and its local iwi/hapu. The conclusion contains recommendations for Manukau City to progress with formalising relationships between itself and local Maori.

- **Title:** **An Audit of Environment Waikato Procedures and Processes for Working with Tangata Whenua**
Prepared by Kowhai Consulting Ltd
(Sustainable Management Funded)
- Published:** 2000
- http://www.smf.govt.nz/results/8098_finalreport.pdf

Summary:

This report considers Environment Waikato's progress towards achieving its goal of *to take account of the principles of the Treaty of Waitangi.* The report (produced by Kowhai Consulting Ltd for Environment Waikato) is a result of a 'Treaty audit' to evaluate efficiency and effectiveness of progress based on agreed performance indicators. It identifies strengths and weaknesses and provides recommendations for improvement.

Introduction to the review provides discussion on local authorities duty in response to the Treaty of Waitangi.

The audit aimed to identify statements, references and policies in key areas in the organisation that support the stated goal and in addition aimed to find measures and indicators to show whether or not the goal was being met. Reference is made to interviews with Council staff.

The audit focused on internal processes and procedures of the organisation. Neither Councillors nor tangata whenua/Maori stakeholders were involved in the audit.

- **Title:** **Case law on Tangata Whenua consultation**
Ministry for the Environment (draft prepared by Helen Atkins and Nicola Carrel, Phillips Fox)
Published: June 1999
<http://www.mfe.govt.nz/publications/rma/tangata-whenua-case-law-apr02.html>

Summary:

Primarily focused at local authorities and iwi authorities operating under the RMA.

Examines the latest developments in case law taking into account section 6(e), 7(a) and 8 when making decisions under the RMA on plans and consents.

Also looks at the holistic approach the Courts have taken to consultation, and traces how the case law on the requirement to consult has evolved. Examples include: who and when to consult based on consultation; who pays for consultation; and also examples of adequate consultation.

Discusses briefly who should pay for consultation:

“In practical terms, anecdotal evidence would suggest that a number of applicants and councils pay iwi authorities to undertake consultation. The RMA does not preclude this from happening, it simply does not set up a mechanism whereby it must happen.”

- **Title:** **Co-Management Options for Water Bodies**
A report for the Ministry for the Environment by Hill Young Cooper
Published: September 2001

Summary:

This report discusses ways to improve co-management for New Zealand’s resources in relation to water bodies. This is in attempt to address the issue that provisions are mostly either at the discretion of local authorities or expensive, indirect or of dubious value to iwi/hapu.

Although it is focused on water bodies, there are many recommendations that would link to generic practices, eg. relating to iwi management plans etc.

- **Title:** **Consultation with tangata whenua**
Report prepared by Keith Hovell, (Consultant Planner) for Southland Regional Council.
Published: December 1991

Summary:

The basic report identifies for the Council some of the main questions they had at the time when the RMA was coming into force. It answers the standard questions delivered by councils. The report identifies relevant Maori bodies in the Southland Region, who would be appropriate to contact to understand the local tangata whenua.

Presumably the Council has progressed since then and identified iwi within the area.

- **Title:** **Consultation with Tangata Whenua**
A guide to assist local authorities in meeting the consultation requirements of the Resource Management Act 1991
Ministry for the Environment
- Published:** September 1991

Summary:

This basic guide addresses all the major questions about consulting such as who to consult, when is it appropriate, what should it involve, where it should take place. It also gives examples of some initiatives that could be undertaken, as well as a theoretical example.

Appendix 2 contains a map which shows the tribal districts and major tribes.

- **Title:** **He rangahau ki te aria ko te Tiriti te putake e whakatuturutia ai nga tikanga mo te taiao.**
Exploring the concept of a Treaty based environmental audit framework
Parliamentary Commissioner for the Environment
- Published:** May 2002
- Researched:** 2001 to early 2002
- http://www.pce.govt.nz/reports/allreports/1_877274_04_6.shtml

Summary:

Is a scoping study commissioned by the Parliamentary Commissioner for the Environment into the concept of a Treaty based environmental audit framework. The basic concept is for a framework which could be applied to evaluate the work of local and central government agencies with environmental and resource management responsibilities, and the work of tangata whenua, in relation to:

- The Treaty of Waitangi and its principles
- Provisions in New Zealand's environmental legislation for Maori values and interests
- Processes for iwi and hapu in New Zealand's environmental management
- Improved environmental outcomes recognising Maori values

The report concludes that while a national scale report would be too over-arching, there would be greater relevance and feasibility of an audit framework at local and regional levels.

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- **Title:** **He Tohu Whakamarama**
A report on the interactions between local government and Maori organisations in Resource Management Act processes
 Kristen Maynard
 Maruwhenua
 Ministry for the Environment
Published: January 1998
<http://www.mfe.govt.nz/publications/treaty/he-tohu-whakamarama-jan98.html>

Summary:

This report contains information on the interactions between local government and Maori organisations in relation to the RMA. The information is primarily sourced from questionnaires sent to 86 councils and 80 Maori organisations. The survey intended to assess the interactions and to identify any obstacles to effective Maori participation in resource management processes. Two questionnaires were used to identify the issues; they were similar in structure but focused on the intended party – councils or Maori organisations.

The report acknowledges the comprehensiveness of the investigation is limited as the surveys cover only information and perceptions of councils and Maori organisations, not resource consent applicants. Also the response rates prevent the information from being complete – a 53.5% response rate from councils and a 32% response rate from Maori organisations.

Topics the survey covered include:

- Methods of consultation
- Effectiveness of consultation methods
- Maori participation in plans and policy statements and resource consent applications
- Funding and support for participation
- Council understanding of cultural issues
- Relationship between councils and iwi organisations

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- **Title:** **He Waka Taurua –**
Local Government and the Treaty of Waitangi
 Local Government New Zealand
Published: March 1999
<http://www.lgnz.co.nz/bookshelf/publications/hewaka/>

Summary:

This report is part of Local Government New Zealand's ongoing series of publications and initiatives *Nga Matakokiri Maori* – Local Government New Zealand's Maori Advisory Committee.

The report relates to wide council – iwi/hapu Maori relationship. The research was been done in partnership by Chen & Palmer and Simpson Grierson. The research process is not identified but the resulting report discusses the relationship between the Crown, Local Government and the Treaty; Treaty issues for Local Government; a law and economics analysis and discussion on the Resource Management Act.

The report aims to:

- Ensure all councils have access to the same level of high quality advice and information.
- Assist councils, Maori, the Crown, and all citizens to understand the implications of the Treaty for local government, now and into the future, and what this means for councils' day-to-day activities.

The report includes information recorded in the following sections:

- The Treaty of Waitangi
- The status of the Treaty in law
- Relationship between the Crown, Local Government and the Treaty
- Treaty issues for Local Government
- Comparative analysis of options

In order to provide a range of perspectives, as well as the above information, the report also provides commentaries from two solicitors working in areas of Treaty law (Andrew Caddie and Pita Rikys).

- **Title:** **Iwi Participation Project**
Researched and Compiled for the Ministry for the Environment
by *He Tohu Pou Whenua Taranaki*
- Published:** August 1992

Summary:

A consultative group comprising Aila Taylor, George Watson, Diane Ratahi, Rhys Armstrong and Jane Douglas-Lane produced this report.

This document is in two parts. Part One relates to the concept of iwi management plans as environmental, social and economic policy documents, a discussion of the current position of Maori in the planning process and constraints which exist within Maoridom. The document examines the broad process for the preparation of iwi management plans, and provides a set of guidelines for methods for identifying priorities and objectives, which enable iwi to establish the connection between the needs of their people and the capacity of various resources to meet those needs.

The second part of the document deals with consultation, cooperation and communication. Pakeha and Maori administrative structures are discussed, the scope and nature of good administrative practice is outlined, methods of conflict resolution are analysed, including the role of tikanga Maori. Iwi participation in the resource management process is discussed in the context of consultation, cooperation and negotiation of mutually acceptable solutions to issues.

As the report has been produced by He Tohu Pou Whenua Taranaki, the information provided relates to the Taranaki area and relationships and occurrences within that location.

- **Title:** **Iwi & local government interaction under the Resource Management Act 1991:**
Examples of good practice
Ministry for the Environment
- Published:** February 2000
- Researched:** 1998 and 1999
- <http://www.mfe.govt.nz/publications/rma/iwi-local-govt-interaction-rma-feb00.html>

Summary:

This report addresses the need for further information about issues facing iwi and local government in their interaction with each other in implementing the RMA. It reports on key issues raised in interviews carried out in 1998 with individuals from local authorities and iwi, and provides examples of good practice. The report is an output of MfE's Iwi-Local Government Programme.

Not all the iwi within the case study areas were able to participate in this process. The sample does not claim to be representative of iwi or local government.

The document provides a thorough record of interview responses.

In discussion of Treaty claims and the RMA, the booklet emphasises maintaining communication between iwi and local authorities at all times especially when a Treaty claim is in Waitangi Tribunal hearings or settlement negotiations.

- **Title:** **Kaitiakitanga and Local Government:**
Tangata Whenua Participation in Environmental Management
Office of the Parliamentary Commissioner for the Environment
- Published:** June 1998
- http://www.pce.govt.nz/reports/allreports/0_908804_83_0.shtml

Summary:

As a follow on investigation to the 1992 PCE report *Proposed Guidelines for Local Authority Consultation with Tangata Whenua*, this report evaluates the current involvement of Tangata Whenua in local authority environmental management and planning, and practical options for good environmental outcomes.

The report provides a review of case studies made in the first report – primarily of Auckland, Hawkes Bay and West Coast Regional Councils and tangata whenua in each region. Other Auckland councils, developers with consent application process experience and other tangata whenua groups provided additional information.

There is a specific focus on resource consent processing by local authorities.

The concluding report discusses issues including:

- Recognition of tangata whenua;
- Kaitiaki responsibilities and management according to Maori cultural and spiritual values;
- Developing relationships between councils and tangata whenua;
- Processes for consultation and for resource consent applications;
- Maori consultative committees;
- Priorities for education; and
- Environmental effects and practical solutions.

Outcomes:

- There are no national policy frameworks or standards to ensure efficient, consistent and reliable systems for tangata whenua participation, or the appropriate.
- Emphasis on process rather than desired environmental outcomes can contribute to the failure of consultation
- Funding constraints are a major impediment
- Increasing skills and expertise is a major priority

A list of case studies can be found in appendix 5 of this report.

- **Title:** **Kia Kotahi Te Ngakau:**
Iwi Local Authority Interface Project
Richard Benton; Eileen Clarke; James Ritchie; Jill Thompson
Produced by the Centre for Maori Studies and Research, The University of Waikato for Maruwhenua, Ministry for the Environment
- Published:** June 1998
- Researched:** 1997
- <http://www.waikato.ac.nz/wfass/subjects/geo%20graphy/staff/hamish/pdfs/factorspt1.pdf>

Summary:

The project builds on and extends from the scope of the report *He Tohu Whakamarama*. It was produced to obtain robust research methods to gather information on issues and trends at the iwi/local government interface.

The project is designed to recommend to Maruwhenua how to undergo and multi-strategy methodology for iwi/local government interfaces. These have been test run in some areas.

The research produces several recommendations on improvements to be made between these relationships and includes a research package ready for implementation in the next financial year.

Included in Appendix 7 is the time-line for the research, questions for recommended a survey, as well as an interview schedule.

- **Title:** **Ki Te U O Te Hiahia**
An Information Booklet on the Resource Management Act 1991
- Published:** 1998/1999
- Researched:** Not stated

Summary:

A basic guide for Maori on the RMA. Gives an indication on the processes under the Act and when to make submissions. It also discusses consultation to some degree.

- **Title:** **Liaison and Consultation with Tangata Whenua**
A survey of local government practice
Local Government New Zealand
- Published:** December 1997
- Researched:** Early 1997

Summary:

This paper presents the findings of a research project undertaken to 'map' the processes by which local government consults and undertakes liaison with Tangata Whenua. The survey covers broad local government functions. It provides a snapshot of current practice and a baseline for assessing future change, rather than providing guidance. The survey will be repeated every two years to measure change. [Note: The survey was repeated in 1999]

Information was collected through responses to a survey. No information is provided detailing the survey topics or questions.

Below is a summary of information collected from the councils. The report identifies the use of certain mechanisms in the councils approach but provides limited details of the mechanisms.

- Information collected from Regional Councils covers:
 - Formal agreements with Tangata Whenua
 - Maori Standing Committees
 - Local Maori Trust Boards
 - Iwi/Maori representation
 - Iwi/Maori liaison staff
 - Informal consultation
- Information collected from Metropolitan Councils covers:
 - Formal agreements with Tangata Whenua
 - Maori Standing Committees
 - Actions/methods in progress
 - Other activities
- Information collected from Provincial/Unitary Councils covers:
 - Consultation with local iwi committee/representative
 - Local Maori Trust Boards
 - Maori Standing Committee
 - Formal agreements with Tangata Whenua
 - Iwi/Maori representation
 - Iwi/Maori liaison staff
 - Informal consultation
 - Actions/methods in progress
- Information collected from Rural Councils covers:
 - Consultation with local iwi committee/organisations
 - Maori Standing Committee
 - Local Maori Trust Boards
 - Formal agreements with Tangata Whenua
 - Iwi/Maori representation
 - Iwi/Maori liaison staff
 - Informal consultation

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- **Title:** **Local Government Relationships with Maori**
 Nga Honu I Waenganui I Nga Tari Kawanatanga a-Rohe me te Maori
 For Te Puni Kokiri and LGNZ from the Centre for Research Evaluation and Social Assessment (Bev James, Kay Saville-Smith, Ruth Fraser and Kim Workman)
 - Published:** June 2002

Summary:

The report presents case studies of how five local authorities are currently building mechanisms, processes and practices to meet their Treaty obligations to the tangata whenua within their rohe (area).

The report responds to the following questions:

- How and to what extent are the selected councils accepting and responding to statutory requirements in relation to iwi/Maori?
- What are the range and nature of relationships that the selected councils have with iwi/Maori?
- What are the range of models and approaches used by each council?
- What models and approaches have worked or been successful and why?
- What models and approaches have not worked and why?
- What are the barriers to relationship development?
- What factors drive variation in council responses?
- How do iwi/Maori stakeholders see councils' responses?

The report was commissioned to provide guidance councils around implementing the new requirements likely to be placed on them after the enactment of the Local Government Bill. The case studies were also designed to encourage shared learning among councils by providing information on the range of models and approaches used by selected councils in developing and maintaining relationships with iwi and Maori.

The concluding summary addresses the questions: What is needed? and What doesn't work?

- **Title:** **Local Government Treaty Perceptions and Responses Survey**
A Report of Findings
Amey, B. James, B. Saville-Smith, K.
Centre for Research, Evaluation and Social Assessment Ltd
Wellington
- Published:** December 1999

Summary:

This report presents the results of a survey of territorial local authorities perceptions of, and responses to, the Treaty of Waitangi. The research is a components of Foundation for Research, Science and Technology (FRST) funded research into local government responses to the Treaty.

The research included:

- A national survey of the chief executives of the 74 TLAs on the formal structures and processes they have established to manage the Treaty relationship with iwi and/or Maori. 52 responses to the mail delivered survey were received (a 70% response rate). The survey included a range of multiple response questions, dichotomous (yes/no) questions, ordinal response questions and open-ended questions.
- A content analysis of annual reports and plans of regional and district councils in order to identify their corporate statements concerning their responsiveness to Maori.
- Case studies of selected TLAs, including discussions with local tangata whenua.

(Information on the process used to analyse annual reports and carry out case studies is not provided in the report)

The intent of this survey is to focus on other areas in addition to the RMA where there may be Treaty requirements and to identify whether councils recognise these responsibilities.

Specifically, the survey collected information on:

- TLAs' views about their Treaty responsibilities
- TLAs' resource allocations in relation to their perceived Treaty responsibilities
- The structures and processes TLAs have developed for iwi/Maori representation, consultation or participation
- TLAs' views on issues affecting iwi and/or Maori in their area
- TLAs' perceptions of their role in relation to issues affecting iwi and/or Maori in their area
- Constraints or barriers TLAs identify in developing a relationship with tangata whenua, and
- Perceived benefits and costs of the relationship with tangata whenua.

- **Title:** **Maaori Participation in the Resource Management Act**
An Analysis of Provision made for Maaori Participation in Regional Policy Statements and District Plans produced under the RMA 1991
P Nuttall and Emeritus Professor J Ritchie
Jointly published by the Tainui Maaori Trust Board and the Centre for Maaori Studies and Research, University of Waikato
- Published:** July 1995

Summary:

This research paper largely focuses on local authorities and their interpretation and implementation of those sections of the Act of direct relevance to Maaori in relation to Policy Statements and Plans.

It has no particular focus on resource consents, but does focus on how councils have taken Maaori interests into account with plans and policy statements.

Specific Reference to Iwi planning documents in RPS's and District Plans is included in appendix 10.

- **Title:** **Mauriora Ki Te Ao**
An Introduction to Environmental and Resource Management Planning
Te Puni Kokiri
- Published:** 1993

Summary:

This document seeks to assist Maori to plan for and manage their environmental and natural resources through providing a process to develop an environmental and resource management plan. The process identified seeks to develop an inventory of the environment and taonga of that environment. It also looks at articulating aspirations in relation to this. The document provides guidance in developing an environmental plan and in relation to the contents of such plans.

The document has a rohe emphasis although it is still applicable to Maori groups who live outside their tribal area.

Additional information detailing relevant organisations and the Resource Management Act is also included.

- **Title:** **Nga Whetu Kapokapo --Navigation Points--**
Planning Guidelines for Iwi
Te Tira Ahu Iwi
- Published:** 1990

Summary:

These guidelines seek to provide information to readers to establish a general understanding of the planning process; especially how it relates to preparing development plans with iwi.

This is a very generic guideline written largely for iwi, pre-RMA days.

- **Title:** **Ngai Tahu Statutory Acknowledgements**
A Guide for Local Authorities
Ministry for the Environment
(contributed to by Allen Sheppard – South Island Office, MfE,
checked by Crown Law)
- Published:** June 1999
- <http://www.mfe.govt.nz/publications/rma/stat-acknowledgments-may99.html>

Summary:

The Ngai Tahu Claims Settlement Act 1998 introduced Statutory Acknowledgements, an instrument intended to recognise Ngai Tahu's mana in relation to the management of a range of sites and areas. The guide provides an overview of the role of local authorities in dealing with Statutory Acknowledgements under the RMA.

Statutory Acknowledgements represent an innovative approach to improving existing RMA processes to incorporate Ngai Tahu interests into resource management decision-making.

The booklet also provides details on the Statutory Acknowledgement Schedules under the Ngai Tahu Claims Settlement Act.

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- **Title:** **Ngai Tahu Statutory Acknowledgements**
An instrument under the 'Ngai Tahu Claims Settlement Act 1998' – A model for New Zealand?
 Keller, M.
 Planning Quarterly
 - Published:** June 1999
 - Researched:** Not stated

Summary:

An article commenting on statutory acknowledgements created under the Ngai Tahu Claims Settlement Act 1998. The article also provides a map illustrating "Statutory Acknowledgements – Deeds of Recognition" across the South Island of New Zealand. This articles comments on Statutory Acknowledgements that are unique to the settlement between the Crown and Te Runanga o Ngai Tahu. They formalise specific obligations for local authorities and could provide a model for council/iwi relationships around the country, if extended to other settlements between the Crown and iwi.

- **Title:** **Proposed Guidelines for Local Authority Consultation with Tangata Whenua**
 Office of the Parliamentary Commissioner for the Environment
- Published:** June 1992
- Researched:** began February 1991

Summary:

Due to concern over inconsistencies and poor methods in consultation with tangata whenua by central and local government and suggestions of a lack of guidance for local government in this regard, a study was undertaken with the following terms of reference:

- Identify principles and practices used by Regional Councils and other relevant authorities that provide for tangata whenua participation in environmental planning and resource management in New Zealand.
- Identify principles and practices employed by iwi in interaction with Regional Councils.
- Identify the degree of acceptance by both local authorities and iwi of planning and management procedures that have been proposed and undertaken.
- Disseminate information and advice on remedial action where required to local government and iwi authorities.

The report initially provides discussion on defining *consultation*.

All regional councils (and Gisborne District Council acting as a unitary authority) were asked about their policies and practices with regard to tangata whenua concerns. Six months after the enactment of the Resource

Management Act, council staff responsible at that time for iwi consultation were contacted for a comment on progress.

Auckland, Hawkes Bay and West Coast Regional Councils were selected for more detailed investigations.

Proposed 'principles for consultation', devised with the assistance of consultants, was provided to 54 Maori 18 responses were received. Two of these groups plus an additional ten were involved in the case studies, for a total response rate of 54%.

As a result of the review, this report presents proposed guidelines for consultation with tangata whenua – consistent with the Commissioner's findings, the RMA, the principles of the Treaty of Waitangi and recent High Court rulings on consultation. The guidelines cover the following issues:

- Principles of the Treaty of Waitangi
- Status of Tangata Whenua
- Developing a Relationship with Tangata Whenua
- The Consultation Process
- Iwi Consultative Committees
- Consultation on Resource Consents
- Education

- **Title:** **Takoa 2002: Te Aka Kumara o Aotearoa**
TuhiTuhi Communications
- Published:** March 2002

Summary:

A directory for Maori arranged by tribal areas giving details such as training, health, social services, councils, political organisations, marae.

- **Title:** **Talking Constructively:**
A practical guide for iwi, hapu and whanau on building agreements with local authorities
Ministry for the Environment
- Published:** May 2000
- Researched:** 1999
- <http://www.mfe.govt.nz/publications/rma/building-agreements-with-maori-guide-may00.html>

Summary:

This guide is designed to be a practical summary to help iwi, hapu and whanau on the one hand and local authorities on the other to prepare for all forms of joint discussions including mediation.

The document provides information on mediation, its benefits and limitations and provides guidance on preparing joint discussions and attending joint meetings.

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- **Title:** **Te Raranga a Mahi Sustainable Management Fund ‘toolkit’**
Was prepared under the Sustainable Management Plan Fund Project “Iwi Management Plan Toolkit.”
Project Team comprised of: Rhys Armstrong/Bryce Julian – Beca Carter Hollings & Ferner Ltd; Liz Mellish – Wellington Tenth Trusts; Linda Constable – Te Runanga o Ngai Tahu.

Published: 2000

Researched: 1999

<http://www.smf.govt.nz/results.php?search=true>

Summary:

Seeks to provide whanau, hapu and iwi with tools to prepare Environmental/Iwi Management Plans.

Discusses why they are important, and how this guidance can help iwi, whanau or hapu prepare plans. It also details how to define the scope; identifying information needs. It was intended to be updated progressively.

It discusses the need to determine which information you want to put in the public domain, and that which you want to retain control over.

Includes a whole section on consultation and how to include this in these plans.

- **Title:** **Te Runanga o Ngai Tahu**
Freshwater Policy

Published: Not stated

Summary:

This Freshwater Policy Statement produced by Te Runanga o Ngai Tahu describes in general terms:

- Ngai Tahu’s association with freshwater resources;
 - The ways in which Ngai Tahu, as tangata tiaki, want to participate in freshwater management; and
 - The environmental outcomes sought.
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- **Title:** **Te Tiriti O Waitangi**
Treaty of Waitangi Toolbox
Produce by Manukau City Council

Published: 2000

http://www.manukau.govt.nz/treaty_toolbox/treatytb.htm

Summary:

A practical toolbox for Manukau City Council to use in their work. An example of how MCC applies the principles of the Treaty in the workplace day to day.

Includes guides on who to consult, when and protocols. Also has a list of Mana Whenua Policy Statements.

- **Title:** **The Duty to Consult**
A survey of Iwi participation in the resource management process.
For consideration by local authorities and Maori
Report on preliminary findings for discussion and feedback
 Prepared by the Ministry for the Environment in conjunction with Te Puni Kokiri
- Published:** January 1996
- Researched:** Initiated early 1994

Summary:

This report presents the outcomes of a survey, of local authorities and iwi Maori, investigating how the provisions in the Resource Management Act for consultation with iwi Maori were being implemented, and the level of satisfaction for the main parties involved.

Maruwhenua (MfE) and Te Puni Kokiri initiated the survey due to concern that local authorities and iwi were experiencing difficulties implementing statutory provisions for Maori participation in resource management processes.

The terms of reference for the survey were to identify:

- The level of iwi Maori participation in the process of consultation, and any significant aids or barriers to this.
- The issues facing local authorities in their implementation on the Act's provisions for iwi Maori interests and, in particular, the duty to consult.
- The costs of the process of consultation incurred by local authorities and iwi Maori.
- The general nature of the relationship between iwi Maori and local authorities, as the foundation on which consultation occurs.

Local Authorities and Maori organisations were sent a questionnaire seeking information that would give an overview of the current situation. 76 local authorities, including 12 regional councils and unitary authorities, responded from the 85 contacted (89% response). 12 Maori organisations responded from the 101 notified (12%). The report provides possible reasons for the low response rate from the Maori organisations.

Follow up interviews were carried out with representatives of those bodies who responded. The interviews followed guidelines derived from the terms of reference, aiming to elaborate on the initial questionnaire.

It is acknowledged that the information upon which the survey findings are based is somewhat out of date but it is aimed to provide guidance and insight into the ongoing process or resource management.

A copy of the questionnaire is attached in Appendix 12.

- **Title:** **Treaty of Waitangi Policy Analysis Seminar**
Ministry for the Environment: PHP Consulting
Section 2: A Guide for Consultation with Maori
Ministry of Justice
- Published:** Not stated
- Researched:** 1997

Summary:

Generic information about consulting with Maori, such as why consult , when and with who?

Is very generic and doesn't relate to the RMA or have a local government focus.

- **Title:** **Treaty/Maori provisions of the Resource Management Act 1991 – A Summary**
- Published:** February 1999

Summary:

This research, commissioned by MfE, is a summary of material on Treaty and Maori provisions of the RMA. The report seeks to identify key issues within and across the material. It has specific reference to consultation with tangata whenua.

It includes an annotation of some of the literature available on Treaty and Maori provisions of the RMA, case law and available commentary, as well as an analysis of some plans and policy statements.

- **Title:** **Whakamau ki Nga Kaupapa**
Making the best of iwi management plans under the Resource Management Act 1991
Ministry for the Environment
- Published:** July 2001

Summary:

This guide aims to assist local authorities on working with iwi management plans and other iwi planning documents. It aims to assist effective preparation and amendment to planning and policy documents and processing resource consents in relation to iwi management plans. It provides information on what

iwi management plans are, their benefits and limitations, steps for their best use and suggestions for encouraging both their development and use. The booklet also discusses building and strengthening relationships between local authorities and iwi; developing memorandums of understanding between bodies and developing council policies and procedures.

Information detailing the process of compiling the information is not provided.

Other related documents related to iwi consultation or relationships not specific to the RMA consents processes:

- **A Guide for Departments on Consultation with Iwi**
Te Puni Kokiri
1993
- **Analysis of the Cultural Heritage Provisions in RMA Policy Statements and Plans**
Ministry for the Environment
1997
- **An Audit of Environment Waikato Procedures and Processes for Working with Tangata Whenua**
Prepared by Kowhai Consulting Ltd
April 2000
- **Commentaries on the Treaty/Maori Provisions of the Resource Management Act 1991: A Summary**
Prepared by Ara Consultants for the Ministry for the Environment.
June 1999
- **Communities and Government: Potential for Partnership**
Report of the Community and Voluntary Sector Working Party
Published by the Community Policy Team, Ministry of Social Policy
May 2001
- **Internal Assessment manual of Treaty /Maori Provisions: Statutory Planning Instruments**
Prepared by Ara Consultants for the Ministry for the Environment.
June 1999
- **Iwi Resource Management Strategy**
Resource Planning Kit
Sponsored by the Bay of Plenty Regional Council
1993
- **Kia Matiratira**
A Guide for Maori
Ministry for the Environment

June 1992

- **Kororareka Marae**
He Kaupapa Mo Te Taiao
Kia Ora Tonu Te 'Ha' Me Te 'Mauri' O Te Taiao Mo Nga Uni Whakatupu
Environmental Policy Statement (Draft)

- **Maruwhenua Review of Environmental & Resource Management**
Legislation: Key Findings on Treaty Responsiveness and Maori
Expectations
 Kwame Mfodwo; Law School; University of Tasmania
 MfE Working Paper

- **Nga Whetu Kapokapo --Navigation Points--**
Planning Guidelines for Iwi
 Te Tira Ahu Iwi
 1990

- **Proposed Ngati Raukawa Otaki River and Catchment Iwi Management**
Plan 2000
 Nga Hapu o Otaki

- **Proposed Te Kaitiaki Taiao a Te Whare Paremata**
 Parliamentary Commissioner for the Environment
 May 2002

- **Towards Transferring Resource Management Act Powers, Functions and**
Duties to Iwi: A Cast Study with Ngati Awa
 November 2000

- **Transferring RMA Functions to Iwi Using Section 33**
 University of Waikato
 (Sustainable Management Fund, MfE)
 Money Granted July 1997