

HE ARA HONOHONO PATHWAYS TO MANA WHAKAHONO

HE KUPU ĀRAHI – KAUNIHERA GUIDANCE FOR COUNCILLORS

MANA WHAKAHONO AGREEMENTS – WHAT COUNCILLORS NEED TO KNOW

This guidance aims to provide relevant information to councillors and council staff, including key messages and answers to frequently asked questions. More comprehensive information can be found in the Mana Whakahono ā Rohe guidance developed in 2018 by the Iwi Leaders Group and Ministry for the Environment.
(Guidance 2 of 2)

Key messages for councillors

- Developing a Mana Whakahono ā Rohe is one way to formalise and strengthen relationships between local government and iwi/hapū. The agreements aim to improve working relationships between tangata whenua and councils, and to enhance Māori participation in decision-making.
- A Mana Whakahono agreement is a negotiated agreement which is legally binding, unlike an Iwi Management Plan or Hapū Environmental Plan which is written by one party.
- A Mana Whakahono agreement signals a commitment to an enduring relationship with an iwi or hapū.
- A Mana Whakahono agreement must be guided by principles including: collaboration; good faith and cooperation; sharing vision and expertise, and minimising cost and delays associated with statutory processes.

What is the benefit to council?

- A Mana Whakahono agreement is a tool to agree a relationship grounded in mana - bringing together the authority of the council (mana kawanatanga) with the authority of the iwi/hapū (mana rangatiratanga). (See p15 of the [MWaR guidance](#)).
- A Mana Whakahono can provide clarity about priority issues for iwi/hapū, and how these issues can be identified and provided for in council documents and processes.
- Negotiating a Mana Whakahono agreement is a chance for your council to agree processes which work for both partners, ensuring that processes can be carried out efficiently and effectively with no surprises for either party.
- A Mana Whakahono agreement records best practice for your local context, meaning that good engagement practices remain even if staff or governance at either organisation change.

What is the benefit to the community?

- A Mana Whakahono ā Rohe can set out processes relating to resource consents, monitoring, and other activities where iwi/hapū need to form a relationship with members of the community. If the agreement clearly sets out expectations of how resource consent applicants and resource consent holders need to engage with iwi/hapū, the agreement will give applicants certainty.
- A Mana Whakahono ā Rohe is an example of a practical agreement that brings meaning to the Tiriti o Waitangi/Treaty of Waitangi relationship.

What are our responsibilities?

- The Resource Management Act sets out a process and timeframes for developing a Mana Whakahono agreement:
- Council is obliged to respond to an initiation from an iwi authority for a Mana Whakahono ā Rohe.
 - Council must hold a hui with the iwi authority within 60 days after receiving the initiation.
 - Council must conclude an agreement with the iwi authority within 18 months of initiation, unless parties agree otherwise.
 - Council must review its internal policies and processes to ensure that they are consistent with the Mana Whakahono ā Rohe. This review does not apply to policies in resource management planning documents (see pp58-59 of [MWaR guidance](#)).
 - The Mana Whakahono agreement must be reviewed every six years, at least.

What are the steps to signing off a Mana Whakahono?

- There is no legal requirement for the public to be consulted on a Mana Whakahono, unless the agreement includes matters which require specific consultation under the RMA or LGA.
- Iwi/hapū need to follow any internal processes to ratify the agreement - for example, approval by a board, hui-a-hapū or other forums.
- Council need to follow their own internal processes to ratify the agreement - for example, an agreement could be signed off by Mayor and councillors or delegated to a Chief Executive.
- It is up to the partners to decide how to promote the agreement - for example, the agreement could be formally launched, or could be designed and made available on iwi/hapū or council websites.