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# Tanenuiarangi Manawatu Incorporated

## Consultation Policy

# 2008

*Ka kahutia i te korowai, Te Rangimarie, Te Aroha, Te Whakaiti, Ka Whakapuaawai he iwi humaari*  
*Spread the cloak of Peace and Love, so shall blossom the people of humility*



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*Mihi, Whakatauki*

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# TANENUIARANGI MANAWATU INC

## 1. Mana Whenua Consultation Policy

### 1.1 Purpose

1.1.1 This document sets out the principles, processes and procedures Te Mauri O Rangitaane O Manawatu ("TMOROM") and Tanenuiarangi Manawatu Inc ("TMI") require Crown and Non-Crown Agencies at a local, regional and national level to follow when undertaking consultation with Rangitaane O Manawatu, the Mana Whenua of Palmerston North, Manawatu.

1.1.2 This document shall form the basis upon which any future consultation with the Mana Whenua shall take place.

### 1.2 Consultation Defined

1.2.1 In *Air New Zealand vs. Wellington International Airport*, High Court Wellington Registry, CP No 403/91, McGehan J, 6 January 1992 consultation was defined as:

*"Consulting involves the statement of a proposal not yet finally decided upon, listening to what others have to say, considering their responses and then deciding what will be done"*

1.2.2 Furthermore the essential elements of genuine consultation should include:

- **Sufficient information** provided to the consulted party, so that they can make intelligent and informed decisions;
- **Sufficient time** for both the participation of the consulted party and the consideration of advice given; and
- **Genuine consideration** of that advice, including an open mind and a willingness to change.

1.2.3 For TMOROM and TMI, McGehan J comments describe in essence what consultation means for them. It is a two way process where parties are actively involved and where parties are genuinely interested in the views of the other party. It includes respect for one another's cultural backgrounds and an open-minded approach with a willingness to change if necessary.

### 1.3 Why Is Consultation Necessary?

1.3.1 There are a number of valid reasons as to why consultation should occur between the Mana Whenua and Agencies. In particular these include:

- The Treaty of Waitangi;
- Because of the unique nature of the Mana Whenua as the original longstanding inhabitants and kaitiaki of Palmerston North, Manawatu ie. cultural and spiritual reasons;
- Social;
- Economic;
- Statutory Requirements e.g. Resource Management Act 1991, Historic Places Act 1980, Transit New Zealand Act 1974;
- Past Experience and Historical Reality; and
- Common Sense - advice proffered by the Mana Whenua during a process requiring consultation with the Mana Whenua will stand a greater chance of adoption if it takes account of the opinions and experiences of those it is going to impact on.

### 1.4 When Should Consultation Take Place?

1.4.1 TMOROM and TMI have identified four main areas when consultation with the Mana Whenua should take place. Of course the process of consultation is an evolving process and future developments will lead to the identification of other areas where consultation should occur. Thus the four present areas include:

- Cultural and Spiritual Consultation;
- Consultation arising from Statutory Obligation;
- Consultation of a Social Nature; and
- Consultation of an Economic Nature.

#### 1.4.2 Cultural and Spiritual Consultation

Examples of this type of consultation include:

- Tikanga
- Powhiri
- Blessings
- Naming of Taonga
- Waahi Tapu
- Whakapapa
- Waiata

#### 1.4.3 Statutory Consultation

Consultation of this nature is discussed at 1.3.1 and suffice it to say that under this category there is a legal requirement for Agencies to consult with Mana Whenua. It is also worthwhile noting that there are in excess of fifty three Public Acts of Parliament which contain references to the aims and aspirations of Maori. Many of these Acts provide for consultation to occur with Maori.

#### 1.4.4 Social Consultation

Consultation of a social nature refers to consultation that will have an impact on the social and educational wellbeing of the Mana Whenua.

It covers such areas as health, education, justice, children and young persons wellbeing and employment and training.

#### 1.4.5 Economic Consultation

Consultation of an economic nature concerns issues that will have a direct or indirect economic impact on the Mana Whenua.

This area of consultation includes matters regarding the future development of the Manawatu such as Highways, the Bridge, Economic and Commercial developments etc.

## 1.5 Methods of Consultation

1.5.1 The first step of consultation should always be by way of a letter and thus in writing to the Chief Executive Officer. TMOROM and TMI shall then decide the ongoing method by which consultation shall take place. This may include but not exclusively:

- i. Kanohi ki te kanohi (face to face);
- ii. Submission;
- iii. Hui;
- iv. By written agreement;
- v. By Mana Whenua representation to an entity; or
- vi. By Mana Whenua Iwi Liaison appointment.

## 1.6 Principles of Consultation

1.6.1 For TMOROM and TMI genuine consultation with any Agency is to be conducted based upon the following principles:

- Consistency with the Treaty of Waitangi and its principles;
- In accordance with Rangitaanenuirawa;
- On the basis that Rangitaane O Manawatu have a special status by virtue of their longstanding prior inhabitation of Palmerston North, Manawatu and are not just another interest group;
- On the basis that the relationship between Rangitaane O Manawatu and their ancestral lands and taonga be recognised and provided for. This implies a commitment to act in a manner that is acceptable to Rangitaane O Manawatu including their cultural and spiritual values;
- By assisting Rangitaane O Manawatu financially and technically to consult;
- By the establishment of a Memorandum of Partnership with Agencies if appropriate;
- Acceptance that consultation requires genuine consideration of the advice received, with an open mind and the willingness to change if necessary;
- That consultation is ongoing;
- That consultation has clearly stated objectives and outcomes;

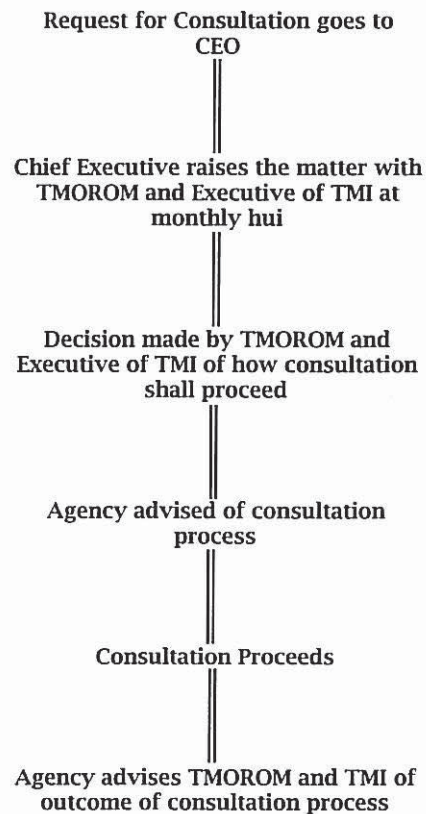


- That a coordinated approach is taken to consultation by all Agencies.
- That consultation is undertaken at an early stage especially in the case of significant issues;
- That silence by the Mana Whenua does not constitute approval;
- That consultation occurs within the rohe of the Mana Whenua;
- Recognition that values and preferences on issues may differ between parties;
- That consultation is an educative process which Agencies need to educate their staff on as do the Mana Whenua; and
- That consultation is a partnership that requires both parties to act reasonably and with the utmost good faith towards one another.

## 1.7 The Procedure for Consultation

- 1.7.1 Consultation with TMOROM and TMI is sought on a multiplicity of topics, matters, subjects and reasons on a daily basis. The diversity and intensity of consultation requirements range from the simplistic to the very complex. The requests for consultation come from a host of Crown and non-Crown Agencies at a local, regional and national level.
- 1.7.2 In order to respond to these requests for consultation TMOROM and TMI have established the procedure outlined over page which all Agencies who wish to consult with the Mana Whenua in future must follow. Agencies who do not follow this procedure will in future be asked to do so. The procedure is designed to ensure certainty, continuity and transparency for those Agencies who consult with the Mana Whenua.

### 1.7.3 The Procedure



### 1.7.4 Requests

All requests for consultation on any matter are to be made in writing to TMOROM and/or TMI through the CEO. The request is to include:

- the nature of the consultation;
- the persons involved;
- the timeframes; and
- the input sought from the Mana Whenua.

In providing the information clause 1.2.2 should be borne in mind. That is the supply of sufficient information to enable TMOROM and TMI to make an appropriate decision of how consultation shall proceed and sufficient time to allow advice to be considered.

With Agencies of a Crown and Local Body Nature TMOROM and TMI is desirable of establishing Memorandums of Partnership to govern the ongoing partnership between the two parties. For example TMI already have Memorandums with Supportlinks, Plunket, MidCentral Health, the Community Probations Service and the Accident Rehabilitation and Compensation Insurance Corporation ("ACC").



#### 1.7.5 TMOROM and TMI Executive Hui

TMOROM and the Executive of TMI meet on the second Wednesday of each month from 10.00am to 1.00pm. It is during these meetings that requests for consultation are considered.

In view of this, if an Agency would like a matter requiring consultation discussed at these hui the deadline is the last day of the previous month. Any requests received after that date are held over until the following month.

#### 1.7.6 The Decision

At the TMOROM and TMI Executive hui all requests received from Agencies by the deadline date shall be considered and a decision made. The Agency shall then be advised within two to three weeks of the hui the decision of TMOROM and TMI in respect of the ongoing consultation process in regard to the request.

#### 1.7.7 The Outcome

On many occasions TMOROM and TMI provide consultation but no feedback is given by the Agency concerned and the input provided seems to vanish. In future as a matter of reciprocity and good faith TMOROM and TMI would like to receive feedback on whether TMOROM and TMI input has been adopted or not. It is a matter for the individual Agency to decide whether reasons for not adopting Mana Whenua advice is to be given.

Such feedback should be provided within a reasonable period of the consultation coming to an end, or of the matter coming to an end, whichever is most appropriate.

#### 1.7.8 Cultural and Spiritual Consultation

In particular, TMOROM and TMI receive a number of requests to provide powhiri, ceremonies and blessings. Regrettably many of these requests are made at the last minute and without consideration for the effort that is required to coordinate them. Often the Kaumatua are not briefed on the purpose of the powhiri nor on the dignitaries on the manuhiri side.

All such requests for cultural and spiritual consultation are subject to the procedures in 1.7.3 to 1.7.7. Furthermore, apart from the information to be supplied, mentioned at paragraph 1.7.4, the following additional information will need to be supplied in the case of powhiri and ceremonial openings:

- The purpose of the powhiri; and
- Background of the dignitaries on the manuhiri side ie. a profile.

Also many of our Kaumatua and Kuia require transport to and from powhiri, so in future this should be made available by the Agency. Also they are to be provided with a Koha which is paid directly to them.

## 1.8 The Cost

1.8.1 Each time TMOROM and TMI are asked to provide input into consultation with an Agency it involves the use of TMOROM and TMI resources be it people, correspondence, travel, meetings etc. Consultation is a user pay system.

1.8.2 TMOROM and TMI charge reasonable fees for their services for consultation in the categories of:

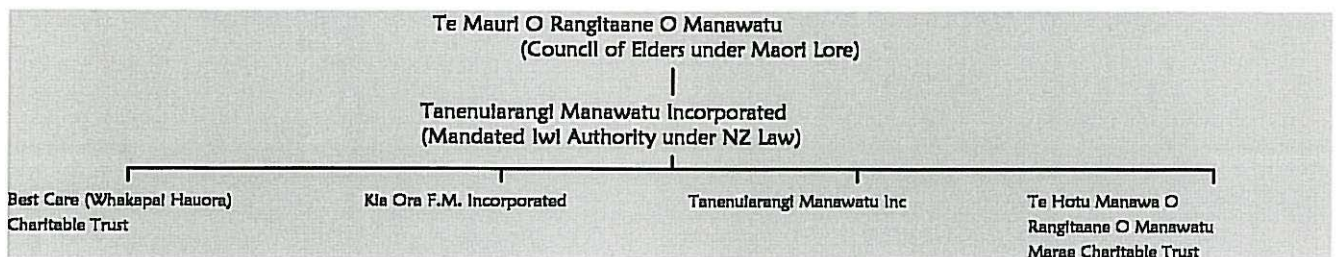
- i. Statutory Consultation;
- ii. Social Consultation; and
- iii. Economic Consultation.

1.8.3 For consultation in the cultural and spiritual area an appropriate koha is paid directly to the kaumatua and/or kuia.

1.8.4 TMOROM and TMI shall determine which area a matter of consultation relates.

1.8.5 As a general rule, consultation is charged out at \$85.00 plus GST per hour and where travel is involved, this is charged at .62 cents per kilometre.

## RANGITAANE O MANAWATU STRUCTURE



- |   |   |   |  |
|---|---|---|--|
| <ul style="list-style-type: none"> <li>▪ General Medical and Practice Nurse Services on site</li> <li>▪ Maori Disability Services</li> <li>▪ Health Education &amp; Promotion Services</li> <li>▪ Community Health Services</li> <li>▪ Free Contraception Services (criteria applies)</li> <li>▪ Breast Cancer Screening Promotion (to eligible women)</li> <li>▪ Counselling Services</li> <li>▪ Tamariki Ora - Well Child Services</li> <li>▪ Nutrition and Physical Activity Promotion</li> <li>▪ Mobile Nursing Services</li> <li>▪ Primary Care Mental Health Nurse Services</li> <li>▪ Cardiac Nurse Services</li> <li>▪ Cancer Coordination Services</li> <li>▪ MPHO Clinics i.e. Podiatry, Smoking Cessation, Diabetes, Dietician.</li> <li>▪ Comprehensive Kaupapa Maori Alcohol and Drug and Problem Gambling Services through Piki Kotuku Te Awahi Hinengaro</li> <li>▪ Social Services</li> <li>▪ Line Dancing &amp; Aerobics</li> <li>▪ Nursing Clinics</li> </ul> | <ul style="list-style-type: none"> <li>▪ Broadcasting Services</li> <li>▪ Communications Service</li> <li>▪ Production Services</li> <li>▪ Promotion of Te Reo</li> </ul> | <ul style="list-style-type: none"> <li>▪ Chief Executive Office</li> <li>▪ Corporate Services</li> <li>▪ Te Ao Turoa Environmental Centre</li> <li>▪ Treaty of Waitangi Claims</li> <li>▪ Fisheries</li> <li>- Te Ohu Tiaki O Rangitaane O Te Ika A Maui Trust</li> <li>- Rangitaane O te Ika A Maui Limited</li> <li>▪ National - Regional - Local Crown &amp; Non Crown Consultation</li> </ul> | <ul style="list-style-type: none"> <li>▪ Marae Services</li> <li>▪ Wananga</li> <li>▪ Spiritual Services</li> <li>▪ Conferences</li> <li>▪ Tikanga</li> <li>▪ Morehu Urupa Administration</li> </ul> |
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# RANGITAANE O MANAWATU ROHE

