

MEMORANDUM OF PARTNERSHIP

between

**ATI AWA KI WHAKARONGOTAI INC
TE RUNANGA O RAUKAWA INC
TE RUNANGA O TOA RANGATIRA INC**

and

KAPITI COAST DISTRICT COUNCIL

signed on

WEDNESDAY 9 FEBRUARY 1994



MEMORANDUM OF PARTNERSHIP

BETWEEN THE KAPITI COAST DISTRICT COUNCIL

AND NGATI TOA RANGATIRA, ATI AWA AND NGATI RAUKAWA KI TE TONGA (being the Tangata Whenua of the Kapiti Coast District)

PREAMBLE

1. The Council and the Tangata Whenua believe the Treaty of Waitangi to be a solemn compact between the Crown and the Maori people.
2. The Treaty signifies a partnership and its principles require the Treaty partners to act towards each other reasonably and with the utmost good faith.
3. The Council recognises Ngati Toa Rangatira, Ati Awa and Ngati Raukawa ki te Tonga as the Tangata Whenua of the District.
4. The Council and the Tangata Whenua are committed to building their relationship in a spirit of friendship and co-operation.
5. The Council accepts the need to understand the historical perspective of the Tangata Whenua and, similarly, the Tangata Whenua will appreciate the perspective of the other Treaty partner. To achieve partnership both parties may need to make adjustments. Continuing consultation and education is seen as the best way to do this.

PARTIES TO THE MEMORANDUM

6. The Kapiti Coast District Council is represented by its elected Council.
7. The Tangata Whenua of the District are at present represented by the following organisations:
 - Ngati Toa Rangatira is represented by Te Runanga o Toa Rangatira Inc.
 - Ati Awa is represented by Ati Awa ki Whakarongotai Inc.
 - Ngati Raukawa ki te Tonga is represented by Te Runanga o Raukawa Inc.

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Tribal Authorities and Geographical Boundaries

8. The Council recognises that Ngati Toa Rangatira, Ati Awa, and Ngati Raukawa ki te Tonga each maintain their own mana within the Council's geographic boundaries.
9. The parties acknowledge that this memorandum has application only to those hapu whose boundaries lie within the Council's district.

Status of the Tangata Whenua

10. The Council recognises the special status of the Tangata Whenua as separate and distinct from other interest groups. The Council recognises the need for active protection of Tangata Whenua interests to be considered in its dealings with other parties.

GOAL

11. To forge a relationship of mutual benefit between the Kapiti Coast District Council and the Tangata Whenua that will develop into an effective and meaningful partnership.

OBJECTIVES

12. To develop consultation between the Council and the Tangata Whenua on issues that impact on their social, economic and cultural wellbeing and development.
13. To develop candid and open sharing of information between the Council and the Tangata Whenua. Care needs to be taken when using such information, and its sources should always be acknowledged.
14. To develop a mutual respect for confidences given so that confidential information can be shared. Both Council and Tangata Whenua need to have due regard to the sensitive nature of that information.
15. To develop a mutual respect between the Council and the Tangata Whenua at all times, particularly in public statements and even when disagreement is apparent.

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16. To develop a mutual commitment to the progress of the Kapiti Coast District with particular regard to the environment. The Council and the Tangata Whenua will each play their part in a bicultural partnership.
17. To develop opportunities within the limitations of Council's powers and functions, that enable the Tangata Whenua, as a Treaty partner, to share in the decision-making of the district.
18. To develop an ongoing programme of information sharing and mutual education to promote greater understanding of cross cultural values and practices.

STATEMENT OF PRINCIPLES

19. In developing the partnership with the Tangata Whenua and in observing its functions and duties as prescribed in legislation the Council will uphold the following principles:
 - i) To actively promote the sustainable management of the District's natural and physical resources and those taonga of significance to the Tangata Whenua, in a way that recognises the cultural and spiritual relationship of the Tangata Whenua with the natural world.
 - ii) To develop an effective partnership with the Tangata Whenua in the management of the district's natural and physical resources by the exercise of the utmost good faith, cooperation, flexibility and responsiveness in their dealings with each other.
 - iii) To promote active participation of the Tangata Whenua in the preparation, implementation and review of resource management policies and plans.
 - iv) To have particular regard to the rights of the Tangata Whenua in the management and development of resources by recognising and providing for kaitiakitanga.
 - v) To recognise the Rangatiratanga right of the Tangata Whenua as guaranteed in Article II of the Treaty of Waitangi, to retain responsibility and control of the management and allocation of their resources.

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CONSULTATION

Policy/Tikanga

20. The Tangata Whenua of this District are independent tribes which each maintain their own mana and tikanga. For any issue requiring consultation the parties will agree whether the consultation should take place collectively or separately.

Community Board/Ward Consultation

21. The parties note that Community Boards/Wards Standing Committee may be involved in consultation with Tangata Whenua in their areas.

Taura Here

22. The Council recognises the advocacy role of the Tangata Whenua in issues affecting the Taura Here.

Principles of Consultation

23. On issues requiring consultation Council will:
- i) provide sufficient information to the Tangata Whenua so that they can make informed decisions.
 - ii) provide reasonable time for both the participation of the Tangata Whenua and the consideration of the advice given.
 - iii) give genuine consideration of that advice, including a willingness to change if that is the result of the consultation.

Protection of Sensitive Information

24. From time to time Tangata Whenua may provide Council with sensitive and confidential information, e.g. concerning waahi tapu or other sites of significance, or aspects of tikanga Maori.
- i) The Council will undertake to protect such information in its care and restrict access to it, in accordance with the Local Government Official Information and Meetings Act 1987 (s7) and the Resource Management Act 1991 (s42(1)(a)).

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- ii) The Council will give due respect and recognition to "silent files" or plans held by Tangata Whenua.
- iii) Tangata Whenua will undertake to protect any sensitive or confidential information that Council may give to them.

RESOURCING

25. The Council and Tangata Whenua recognise that in fulfilling its statutory duties the Council will require assistance and information from the Tangata Whenua.

Where such assistance and information is required, the Council acknowledges that the Tangata Whenua will need to be adequately resourced and where appropriate, for such resources to be provided for through contractual arrangements. The Council recognises the importance of providing for this in its annual estimates.

The Council and Tangata Whenua acknowledge that resourcing may include not only financial support, but also the provision of particular advice, expertise and information.

COUNCIL'S STATUTORY RESPONSIBILITIES

26. The parties acknowledge that:
- i) the Council is bound by legislation which prescribes its powers and functions, and by common law principles relating to the exercise of its statutory powers and functions.
 - ii) the contents of this memorandum shall not require the Council to act otherwise than in accordance with its statutory powers and the common law principles affecting those powers.

ONGOING CONSULTATION

27. To encourage sharing at a formal level, both the Tangata Whenua and the Council are committed to meeting at least twice yearly to discuss issues of mutual importance, indicate areas of concern and revise procedures as necessary.

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There will be provision for additional meetings to be held at the request of either the Tangata Whenua or the Council.

REVIEW OF MEMORANDUM

28. This memorandum will be reviewed within the first six months of every triennium of the Council or at such time as may be requested by either of the parties. It may be amended or expanded by mutual agreement.

TERMS OF AGREEMENT

29. It is the intention of the parties that this memorandum have a continuing life, subject to such amendments as may be agreed to under the review provisions made in the previous clause.

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GLOSSARY

Hapu	Sub-tribe, usually a number of whanau with a common ancestor.
Iwi	Tribe and people.
Kaitiakitanga	Exercise of guardianship, stewardship.
Mana whenua	Customary authority exercised by an iwi or hapu in an identified area.
Rohe	Territory, boundary. Defines area within which a Tangata Whenua group claims traditional association and mana whenua.
Tangata Whenua	Iwi or hapu which holds mana whenua over a particular area.
Taonga	Term of deep spiritual meaning. Treasures, sacred possessions which are prized and protected. Not limited to things which can be seen or touched.
Taura Here	Maori who maintain links to, and claim Tangata Whenua status in, an area other than the one they are living in.
Tikanga	Tradition, customary values and practices, including protocol, ceremony, values and beliefs.
Whanau	An extended family including the nuclear family.

NOTE:

Ngati Raukawa ki te Tonga comprises the following hapu:

- Ngati Kapu
- Ngati Koroki
- Ngati Pare
- Ngati Maiotaki
- Ngati Huia ki Katihiku

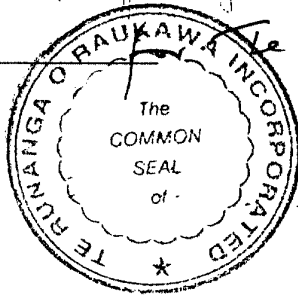
The Common Seal of
Ati Awa ki Whakarongotai Inc
was affixed hereto in the
presence of:

J. Buata



The Common Seal of
Te Runanga o Raukawa Inc
was affixed hereto in the
presence of:

Don Waata - for Ngata Raukawa Kapu of Otaki.
Te Runanga o Raukawa



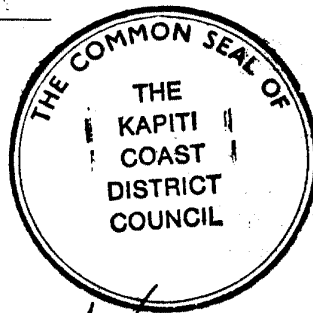
The Common Seal of
Te Runanga o Toa Rangatira Inc
was affixed hereto in the
presence of:

Te Pahi Kaitera



The Common Seal of
Kapiti Coast District Council
was affixed hereto in the
presence of:

B.P. Hunt
James



Mayor

General Manager