



# Iwi/Hapū Environmental Management Planning Fund Application Criteria

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# Ngā Mahere Iwi/Hapū mō ngā Take Taiao – Iwi/Hapū Environmental Management Plans

## What is an Iwi/Hapū Environmental Management Plan?

An Iwi/Hapū Environmental Management Plan (IHEMP) is a term commonly applied to a resource management plan developed by a hapū, iwi, or iwi authority. IHEMPs are holistic documents that describe environmental and resource management issues of importance to tāngata whenua, and especially in relation to identified resources or taonga to which they have a recognised traditional association.

The plans may also contain information relating to specific cultural values; historical accounts; descriptions of areas of interest (iwi/hapū boundaries/rohe); and consultation/engagement protocols for resource consents and monitoring, plan changes, and matters of significance for tāngata whenua.

## The importance of developing an Iwi/Hapū Environmental Management Plan

IHEMPs recognised by an Iwi Authority provide a mechanism for tāngata whenua interests to be considered in council decision-making. Regional and district councils must always balance various competing interests. However, there are specific legislative obligations under the overarching framework of the **Resource Management Act 1991 (RMA)** that require councils to take iwi/hapū planning documents — including IHEMPs — into account (see excerpts of key sections below):

- Section 35A ... A local authority must keep and maintain ... a record of... planning documents recognised by each Iwi Authority and lodged...
- Section 61(2A)... when preparing or changing a regional policy statement council must take into account any relevant planning document...
- Section 66(2A) ... when preparing or changing a regional plan council must take into account any relevant planning document recognised by an Iwi Authority...
- Section 74(2A) ... A territorial authority when preparing a district plan must take into account any relevant planning document recognised by an Iwi Authority...
- Section 104 (1)(c) ... when considering an application for a resource consent ... the consenting authority must have regard to any other matter the consent authority considers relevant... (the content of iwi plans is considered under this section)

**The Regional Policy Statement for Northland** has policies that relate to the kaitiaki role of tāngata whenua, and to Treaty of Waitangi principles including partnership. These include:

- **Policy 3.12:** Tāngata whenua kaitiaki role is recognised and provided for in decision-making over natural and physical resources.
- **Policy 8.1.2: Policy — Regional and District Council statutory responsibilities**  
The regional and district councils shall when developing plans and processing resource consents under the [RMA]:

- (a) Recognise and provide for the relationship of tāngata whenua and their culture and traditions with their ancestral land, water, sites wāhi tapu, and other taonga;
- (b) Have particular regard to kaitiakitanga; and
- (c) Take into account the principles of the Treaty of Waitangi including partnership.

- **Policy 8.1.7: Method — Advocacy and Education**

The regional and district councils shall:

- (a) Actively encourage resource consent applicants to consult with tāngata whenua as early in the process as possible prior to lodging consent applications for proposals that are likely to impact on tāngata whenua and their taonga; and
- (b) Refer resource consent applicants to any relevant iwi or hapū planning document lodged with the respective council that has been authorised by the iwi or hapū for public availability.

- **Policy 8.2.1:** The regional council will recognise the value of iwi and hapū management plans in decision-making under the [RMA] and the need to support tāngata whenua in the development and implementation of these plans.

In the light of these policies, IHEMP preparation is part of being involved in resource management, supporting partnership, and exercising kaitiakitanga.

### **The Proposed Regional Plan for Northland**

- **Policy D.1.1** states that a resource consent application must include, in its assessment of environmental effects, an analysis of the effects of an activity on tāngata whenua and their taonga, if any of the seven listed adverse effects are likely.
- **Policy D.1.2** states that if the above analysis takes place with regard to tāngata whenua, the analysis must have regard to (but not be limited to): any relevant planning document recognised by an iwi authority; the outcomes of any consultation with tāngata whenua with respect to the consent application; and statutory acknowledgements in Treaty Settlement legislation.

Thus, IHEMPs have an important role in guiding an assessment of environmental effects on tāngata whenua in relation to resource consent applications.

## **Funding for Iwi/Hapū environmental management planning documents**

The Northland Regional Council has allocated \$30,000 / year for the development, review and updating of Iwi/Hapū environmental management plans. The maximum allocation for any one application for funding is \$10,000.

## Application criteria

The criteria for applications are as follows:

- a) Evidence of endorsement from the hapū or iwi the plan will be for;
- b) Funding will only be paid to an established legal entity such as a marae committee, iwi authority, hapū trust or consultants acting on behalf of the applicant.
- c) Evidence of endorsement from the relevant iwi authority;
- d) Applicants must agree to:
  - i. A copy of the final IHEMP being formally lodged with council;
  - ii. An electronic copy of the IHEMP being placed on council's website.
  - iii. The Northland Regional Council having the opportunity to review a draft version

## Application details

An application form may be downloaded from the NRC website at [www.nrc.govt.nz/ihemp](http://www.nrc.govt.nz/ihemp) , or you can request a copy by email.

The following details will be required in the application:

- 1) The applicant's name and contact details.
- 2) A brief description of the role, skills, qualifications and previous experience of the person(s) who will prepare/update the IHEMP.
- 3) Bank account details and GST number (if GST registered).
- 4) The amount of funding sought, and indicative payment schedule.
- 5) Evidence of endorsement for this work to be undertaken, from the relevant marae or tāngata whenua entity (such as minutes of relevant meetings, or a supporting letter from representatives of a marae committee, hapū or iwi entity).
- 6) A project description:
  - a) The aims and expected benefits of the IHEMP overall.
  - b) The key topics to be covered by the IHEMP.
  - c) The methods to be used to collect and compile relevant information (e.g. literature review, interviews, survey, site visits, primary research, mapping, etc).
  - d) Consultation(s) to be conducted with iwi/hapū/whānau in your rohe during the process of IHEMP development.
  - e) Estimated timeframe for preparing and completing the IHEMP.
- 7) Any proposed restrictions on use, distribution, release or publication of the IHEMP by NRC (including any requirements relating to attribution, references and acknowledgement of intellectual property).
- 8) Expected method of lodgement (for options, see Lodgement of IHEMP section below)

## Assessment of applications

Although each application may vary, it is expected that the IHEMP developed or updated will cover environmental management issues of importance to tāngata whenua and contextualise these issues within hapū and iwi history, whakapapa and whanaungatanga to provide a context for the purpose of the IHEMP. The plan may also cover the iwi/hapū roles and responsibilities of kaitiakitanga including the management of natural and physical resource areas; taonga of special significance (e.g., urupā, flora, fauna); and indicate how engagement with local authorities and relevant stakeholders should occur to facilitate this management process.

Applications may also consider how 'mana i te whenua' is claimed and who has authority to represent the iwi/hapū on resource management issues.

**NOTE:** An IHEMP must be recognised by an Iwi Authority to be taken into account by Regional and District councils. An iwi authority is defined in the RMA as "the authority which represents an iwi and which is recognised by that iwi as having authority to do so".

Funding applications will be considered and decided upon by a panel of NRC managers and staff from the Governance & Engagement (including the Māori Relationships Team) and Community Resilience groups. The panel will consist of at least three members. If an application is successful, a funding agreement (contract) will be established. This will outline the terms and conditions of the funding, a payment schedule, and reporting details. The agreement may also identify any constraints on use of the data by NRC and any attribution / acknowledgement requirements in relation to the source material.

## Receiving funding

Funding will be paid in instalments as detailed below:

- a) The first instalment will be a payment of 25% of the total amount allocated;
- b) The second instalment of a further 25% will be paid upon the receipt of a tax invoice and the completion of 'milestones'. The progress report/s will show these milestones;
- c) The final payment (50%) will be paid upon receipt of a tax invoice and the final planning document. In addition, the final instalment will not be released until the document has been assessed for compliance with the terms and conditions of the agreed outcomes;
- d) All payments shall be made by direct bank credit to the bank account nominated by the applicant. GST will only be paid if the applicant produces a GST registration number;
- e) The above arrangements may be varied at the discretion of the Group Manager.

## NRC staff assistance for IHEMP development

If needed, NRC's Māori Relationships Team and relevant technical staff may provide advice and assistance to those people responsible for preparing the IHEMP development, where appropriate. As a minimum, NRC staff will provide feedback as needed on at least one IHEMP draft (which the grant recipient must provide to NRC prior to formal lodgement), for the writers to consider when finalising their IHEMP.

## Variation of contract

If the applicant wishes to vary the agreed milestones or deadlines, the contract may if necessary be re-negotiated with the approval of both parties.

## Lodgement of IHEMP

To ensure that NRC can have regard to the IHEMP document under the RMA, it must be recognised by the relevant iwi authority and formally lodged with council.

The methods available for lodging the completed IHEMP with NRC include:

- a) Lodge the IHEMP (electronic and printed copy) with a covering letter from the relevant iwi authority recognising the plan.
- b) Lodge the IHEMP (electronic and printed copy) with a copy of minutes of an iwi/hapū/marae meeting where the plan was recognised by iwi authority representatives.
- c) Lodge the IHEMP (electronic and printed copy) at an official meeting at which Council staff and tāngata whenua entity representatives, as well as iwi representatives who recognise the plan, are present.
- d) Another suitable method that has been agreed in advance between the applicant and Council.

The Application Form has details of the email address for enquiries, submitting the grant application, and lodging the completed IHEMP.

## Formal acknowledgement by NRC

Each formally lodged IHEMP will be formally acknowledged by NRC, electronically filed, and catalogued in the council library for staff reference purposes.

Relevant NRC staff will be notified about any new IHEMP that has been lodged.