Planning for Papakainga Housing

Papakainga is a form of housing development which occurs on multiply-owned Maori or ancestral land. Traditionally, the literal meaning of Papakainga housing is, ‘a nurturing place to return to.’

Whangarei District Council is currently looking at Papakainga housing in the traditional sense - creating communities rather than building houses.

The philosophy behind Papakainga Housing

Maori have told us the increasing cost of living has resulted in some Maori moving out of urban areas and returning to their ancestral land. Maori returning to their own land often look to build or occupy a house there. Maori identify strongly with the land, and therefore it is important for Maori to be in close proximity with whanau, not only for cultural reasons but because, typically, Maori land has multiple owners.

There is also a perception that European and Maori sometimes view land ownership differently. Many Europeans view land primarily in economic terms while many Maori place primary emphasis on spiritual, cultural and social values associated with the land.

Barriers to development of Papakainga Housing

Maori consulted on this project so far have told us about barriers that hinder and deter them from establishing Papakainga housing when they move back to their land.

The main restricting factor is the difficulty of obtaining loans for land that is multiply-owned. Banks and other lenders are reluctant to lend on this type of land as it is virtually impossible to place a capital value on it.

It effectively cannot be sold on the open market so banks are wary of their lack of security if owners default on mortgage payments. If the building itself is used as security, depreciation can often result in the loan exceeding the value of the house.

Other challenges arise when considering developing multiply-owned land. Often a common vision is not shared by all the owners. As land is passed through generations the number of owners increases, which adds to the complexity of ensuring everyone’s needs are fulfilled.

The costs associated with the development of Papakainga, such as the construction of sewerage, stormwater, power and phone connections in isolated rural areas impacts on affordability. Then there are legal and compliance costs, such as resource and building consents. These costs may prohibit people from building.

Currently there are no rules in the District Plan relating to Papakainga housing. In the Whangarei District Council’s Countryside Environment, subdivision and housing is limited to only one site for every 20ha of land.

There has also been a lack of coordination between agencies, such as Housing New Zealand Corporation, Whangarei District Council and Maori Land Court so it has been difficult to get clear and consistent advice.

Key organisations

Three types of agencies perform key roles in relation to the implementation of Papakainga housing. Councils such as the Whangarei District Council deal with environmental factors such as size of dwellings and subdivision lots, access, services, and granting consents for building and land use.

The Maori Land Court deals with administration issues, such as ownership structure, land administration and the rules that govern how the land is used, developed and maintained.

Government agencies previously provided expertise to meet the environmental and administrative requirements, and to access secure funding through banks or other loan schemes. Te Puni Kokiri, one of the government agencies involved in the process will continue to provide information and assistance to Maori seeking to develop papakainga housing.

Council wants to work with these agencies to improve the way they work together to enable Papakainga housing projects to succeed.
Planning For Papakainga Housing

Whangarei District Council (WDC), in collaboration with Te Puni Kokiri, Housing New Zealand Corporation, Maori Land Court, Kaipara District Council and Far North District Council are seeking to develop provisions and associated guidelines for Papakainga housing developments.

We recognise there is a significant proportion of Maori land in our District, which has its own unique attributes that may require it to be treated differently from European freehold land. For this reason WDC is dealing with Papakainga housing as a specific project. To make sure that the Papakainga housing provisions are successful, and achieve the outcomes sought by those looking to live on their land, we invite you to make suggestions as to what we should be focusing on.

In Northland we are hoping to work in collaboration with Kaitiaki Kaitianga to achieve as much consistency as possible within our approach to Papakainga housing.

What we have discovered so far

This brochure summarises the information that we have collected to this point about the issues that people have raised regarding the development of land for Papakainga housing.

We now need to cast the net wider and gather your comments on the information we have gathered so far and where to go from here. This will help us to identify the issues that require the most attention, and give us direction as to how to proceed from this point.

Once this feedback has been received we intend to hold hui and carry out further consultation as this project advances.

Council’s role

Council has been told it can help to make Papakainga housing more successful in our District by:

• Ensuring Maori are involved in the development of the process and provisions.
• Making processes and provisions uncomplicated, useful, relevant and aimed at achieving the desired results.
• Ensuring that it enables the people who will ultimately live on the land and administer it to apply the principles of kaitiakitanga.

Gathering your views

To help us identify the issues that are important, we ask you to share your views about Papakainga housing.

We can then ensure your views are reflected in and shape a new policy that will help to put special provisions about Papakainga housing in the District Plan. The District Plan is the document that controls the way land is used through the Whangarei District, but at the moment it does not include any specific provisions for Papakainga housing.

Providing your thoughts on whether or not:

• houses should be spread out or grouped together
• Papakainga housing should be established in groups or one house at a time
• specific rules should be established for Papakainga housing communities whether Council should treat all land owners the same way
• Papakainga housing be provided only in certain areas, such as around marae, or be allowed on all Maori land
• other types of activities should be allowed within a Papakainga development or whether some types of activities that should not be allowed

will help us to decide the best requirements to put into the Plan regarding Papakainga proposals, and how these should be administered.

For more information please contact:
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Phone 09 430 4230 ext 8350 or email nicolaw@wdc.govt.nz

Forms of Maori land ownership

<table>
<thead>
<tr>
<th>Current Maori land block</th>
<th>Partition order</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owners: A, B, C, D &amp; E</td>
<td>Owners A &amp; B file for Partition</td>
</tr>
<tr>
<td>ROAD</td>
<td>Residual Title C, D &amp; E</td>
</tr>
<tr>
<td>ROAD</td>
<td>Easement or boundary needs to allow for access</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>License to occupy</th>
<th>Occupation order</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owners A &amp; B apply for License to Occupy</td>
<td>Owners A &amp; B file an Occupation Order</td>
</tr>
<tr>
<td>ROAD</td>
<td>Whanau A</td>
</tr>
<tr>
<td>ROAD</td>
<td>Whanau B</td>
</tr>
<tr>
<td>ROAD</td>
<td>ROAD</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lease</th>
<th>General title</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Trust sub-divides the property for lease retaining the current collective Title</td>
<td>A family trust or company is able to raise finance against the equity in the land more easily than Maori Land, however Resource Consent requirements will be more stringent.</td>
</tr>
<tr>
<td>Each lease creates an ‘estate’ that can be bought and sold or rented by the leaseholder. The lease has a commercial value that can be used by the leasee to secure finance</td>
<td>ROAD</td>
</tr>
</tbody>
</table>

Legend

- Maori Land on RateCodeB

Whangarei District

City Inset