

Te Keteparaha mō ngā Papakāinga

Māori Housing Toolkit

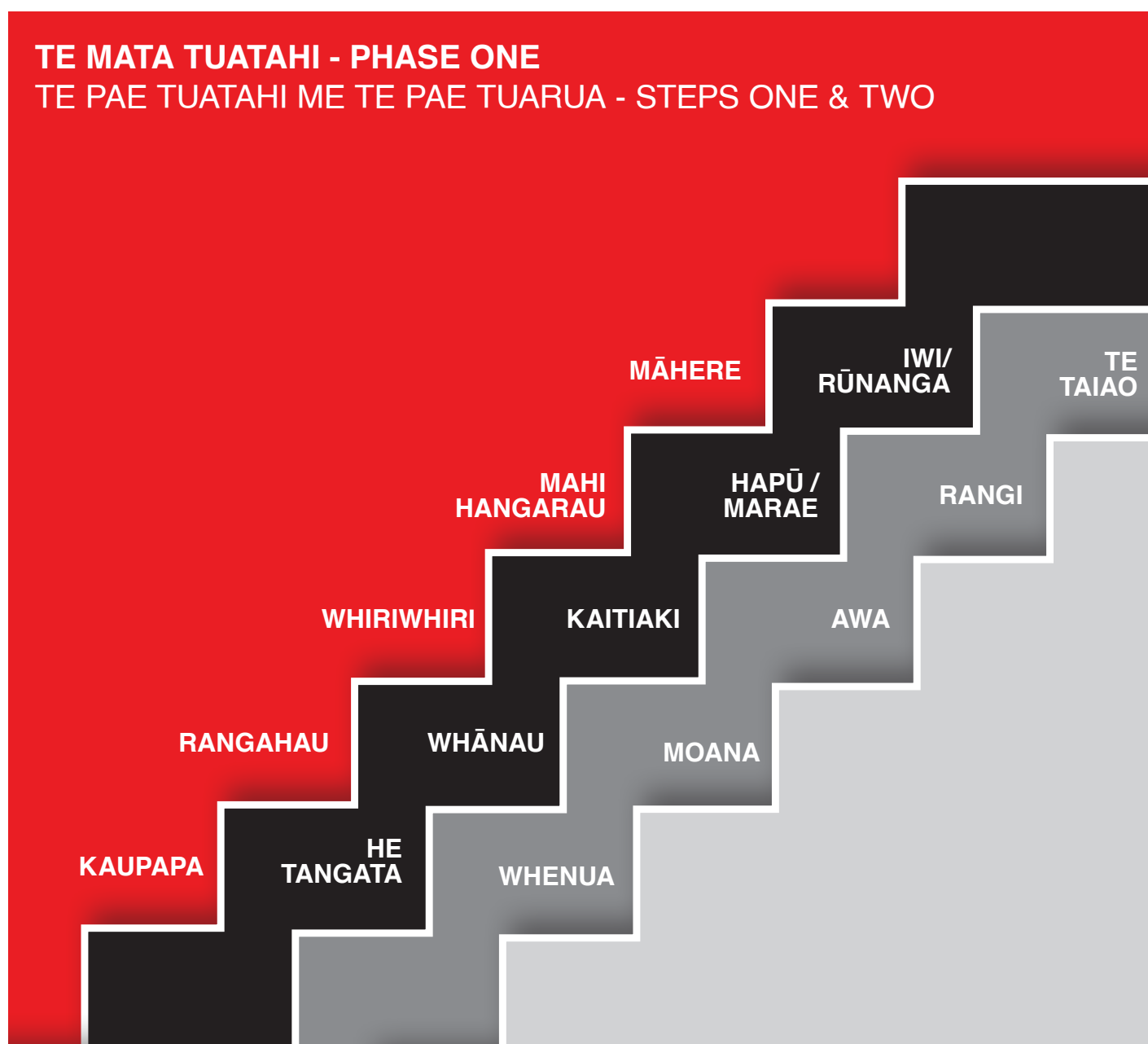


**Whānau
Papakāinga**

Building Communities

TE MATA TUATAHI - PHASE ONE

TE PAE TUATAHI ME TE PAE TUARUA - STEPS ONE & TWO



Kōrero Whakamārama / Cover story

TE KITEPARAHA MŌ NGĀ PAKAKĀINGA Translates to “Māori Housing Toolkit or Papakāinga Toolkit”

The traditional Poutama stairway pattern is commonly seen as a tukutuku panel in many meeting houses across the motu. Poutama symbolises our whakapapa (genealogies) relationships, mātauranga whānau, hapū and iwi at various levels of learning and intellectual achievement. The Poutama pattern also represents the journey of ascent undertaken by Tāne-o-te-wānanga to reach the top-most realm of the heavens in his quest for superior knowledge and attainment of Ngā Kete Aronui, Tuatē and Tuauri.

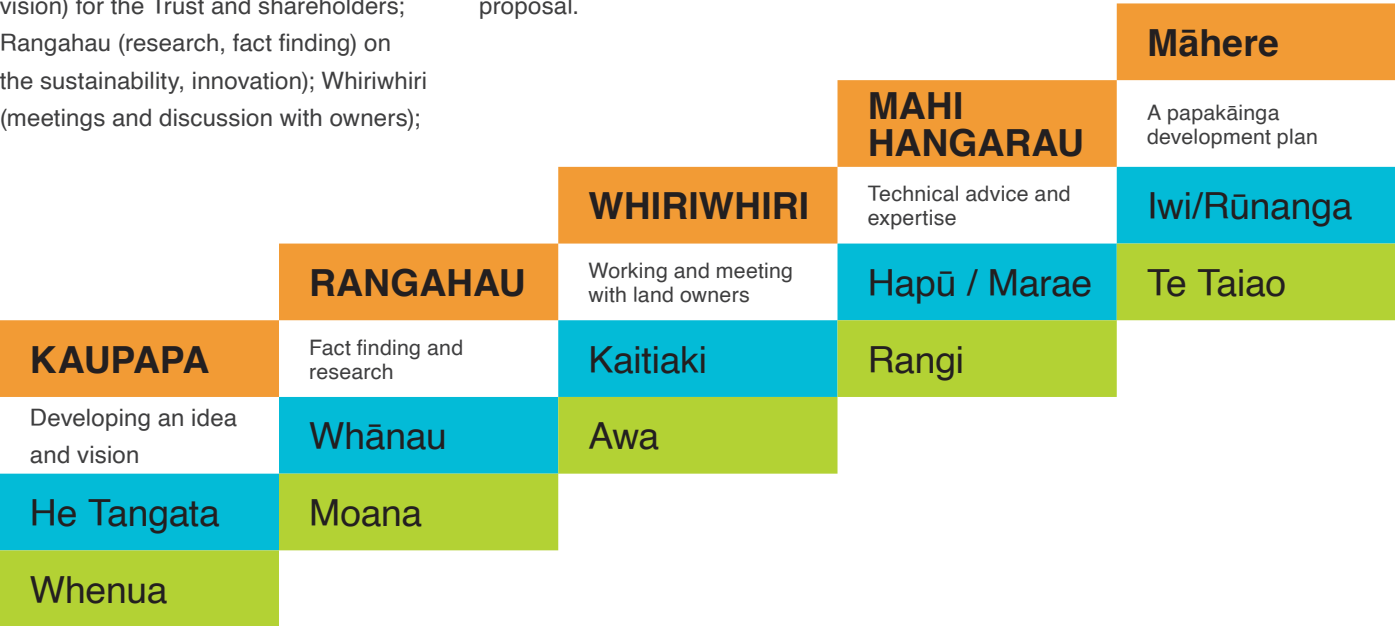
The 5 Steps discussed in this guide are Kaupapa, (purpose, values and vision) for the Trust and shareholders; Rangahau (research, fact finding) on the sustainability, innovation); Whiriwhiri (meetings and discussion with owners);

Mahi Hangarau (technical expertise and skills) required to explore the design and engineering options for homes and services and Māhere (a papakāinga concept / master plan) that shows the layout of homes and the appropriate infrastructure services with indicative construction and costs.

Underpinning the 5 Steps are the traditional Māori family structures (in blue): tangata (individual), whānau (family), kaitiaki (trustees / boards), hapū / marae (sub-tribe / marae), and iwi / rūnanga (tribal authority) that may be involved and support your papakāinga proposal.

The green pathway identifies those cultural connections with Papatūānuku and Ranginui that connect mana whenua with the whenua (land), moana / tāhuna (sea / harbour), awa (river or stream) Ranginui (the sky and air we breathe) as te taiao (our natural environment).

The learnings gained from each of the 5 Steps, adds value by building the intergenerational capability and capacity of whānau to manage and administer the whenua, homes, infrastructure services on your papakāinga.



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Kupu Whakataki/ Introduction



He mihi ki te whakaminenga e tū mai nei.

E ngā maunga whakahī, e ngā wai koiora, e ngā mana katoa o Tauranga Moana ki Ōtamarākau. Mai i Maketu ki ngā pae maunga ki tua o Pongakawa, whakapiri mai, whakatata mai rā. Tēnei te whakarewa i te pukapuka tuarua mō ngā Papakāinga o tēnei takiwā mō te tau 2020. Ko tēnei tā koutou pukapuka āwhina. He mea tohutohu i ngā huarahi tika me ngā hononga ki ngā Kaunihera ā Rohe me ngā tari maha o te Kāwanatanga me ōna rauemi.

Tuatahi, ka tīmata tātou ki te kōrero ki o tātou whānau. Tuarua, ka huihui tātou ki ngā kaitiaki o ngā whenua. Ka mutu, ka whakaputa i ngā hua o ngā rautaki whenua, māhere kāinga hoki. Ko te whāinga matua kia whakatū i ngā papakāinga tūturu hei oranga mō o tātou whānau me tō tātou hāpori hoki. He kaupapa whakahirahira tēnei kia whakahaumanu i o tātou kāinga tawhito me ngā papakāinga hōu. He mea tiaki, he mea manaaki, he mea whakahaumaru i o tātou whānau maha, uri whakaheke hoki e mau ana i te ahikā o ngā Papakāinga o Tauranga Moana whānui.

Nō reirā, tēnei te mihi maioha ki a koutou katoa e ngā rau tītapu e akiaki ana, e whakakaha ana, e whakamana ana i tēnei kaupapa, tēnā koutou, tēnā koutou tēnā koutou katoa.

“Te Keteparaha mō ngā Papakāinga”

The Māori Housing Toolkit is a Step-by-Step guide designed to assist Māori to develop papakāinga¹ proposals (development plans) on multiple-owned Māori land. The concept of papakāinga is not new and has traditionally been associated with Māori housing in a Marae setting. Papakāinga includes other activities such as: kōhanga reo, kura kaupapa, health clinic, horticulture or agriculture land uses, sports and/or recreational areas, urupā and heritage sites.

Developing Māori land is time consuming and challenging because of the large number of people and organisations involved, each with separate processes and compliance standards. The process recognises the joint customary ownership complexities and nuances of Māori freehold land that create additional hurdles and costs for whānau to meet compared to building homes on an individual freehold title.

¹ SmartGrowth Strategy, Glossary of Terms Page 192. “Development by Tangata Whenua of an area on any land in the traditional rohe of Tangata Whenua that is developed for live, work and play including but not limited to residential, social, cultural, conservation and recreation activities.”

In order to achieve the outcomes of the first 3 Steps of the toolkit, you will need a commitment from the trustees and other shareholders / whānau to work for the collective benefit of all the current and future owners in the land. The voluntary nature of this establishment phase of the Trust’s journey are the seeds that grow a common social, cultural and environmental commitment by whānau to the whenua.

This toolkit breaks the process up into 5 Steps. Each Step is broken down into achievable actions, questions, decisions and requirements for the next Step in an easy to understand and timely manner.

The focus of “Te Keteparaha mō ngā Papakāinga” is to assist Māori Land Trusts with achieving their aspirations to develop and build homes on their whenua for the benefit and use of the owners. Additional help in understanding the processes involved in home ownership and rental homes on Māori Land is currently available from Kāinga Ora and the Māori Land Court. We recommend you use the documents and web sites listed in the appendices in each Step of the papakāinga toolkit.

Pukapuka Mātārere Papakāinga / Papakāinga Brochure

In conjunction with the toolkit is the Papakāinga Brochure which provides a brief introduction to the 5 Steps, phases and overall process. The brochure is a useful tool to hand out at meetings and to other landowners to show the overall process and to check how your journey is progressing.



TE PAE TUATAHI

KAUPAPA

Explore and determine what the kaupapa is for your papakāinga. What does papakāinga mean to you? Do you need to setup a Trust for the whenua? This may include a vision statement, key whānau values and concepts for your papakāinga.

TE PAE TUARUA

RANGAHAU

Research and collate information from MLC on how to administer / manage your whenua and how Council can support building homes and services on your block.

TE PAE TUATORU

WHIRIWHIRI

Whānau wananga to discuss & share the research gathered to grow the understanding of the vision, key values and kaupapa for your papakāinga and a pathway forward.

TE PAE TUAWHA

HANGARAU

The Trust will need to engage technical advice to provide design options, plans and associated costs for homes and essential infrastructure services.

TE PAE TUARIMA

MĀHERE

The Trust’s final papakāinga structure plan showing the layout of homes, roading, stages other services and communal areas as part of a resource consent application.

How to use this toolkit

The 5 Steps are combined and published together in phases - an explanation of the phases is provided on pages 6 and 7.

At the beginning of each phase you will be given a workbook to complete and to insert further information into the relevant sections. A Trust should use and update one official working version of the toolkit, though the trustees may have their own copies.

Building papakāinga is an organic process and depends largely on a collective idea sparked by individuals with a vision. It should also be said that there is no set format or design of what a papakāinga should look like as no two papakāinga are the same. During the visioning and concept design processes of the development there is an opportunity to identify and address the individual beneficiary needs of its community. With this in mind, this toolkit is designed to assist at various levels allowing whānau and housing committees to navigate the relevant Steps.

Acknowledgements

The Toolkit was produced and developed with the assistance and support from the following partner agencies: Tauranga City Council (TCC), Western Bay of Plenty District Council (WBOPDC), Bay of Plenty Regional Council - Toi Moana (BOPRC), Kāinga Ora – Homes and Communities, Te Puni Kōkiri and the Waikato Maniapoto and the Waiariki District Māori Land Courts. The partner agencies acknowledge the invaluable experiences and practical contributions made to the toolkit from Ngāti Tūheke, the Makahae Marae Papakāinga Project, Tapūika Iwi Authority Trust, the WBOPDC Māori Forum and the SmartGrowth Combined Tangata Whenua Forum members.

SmartGrowth

Production and implementation of Te Keteparaha mō ngā Papakāinga (i.e. Māori Housing Toolkit) is one of the key tangata whenua development actions supported within SmartGrowth strategy. SmartGrowth is a strategy to sustainably manage growth in the Western Bay of Plenty sub-region. It is a joint initiative between BOPRC / Toi Moana, TCC, WBOPDC and the fourth partner Tangata Whenua with support from the community, commercial groups and key Crown agencies.

For more information on SmartGrowth use the web link below to view the implementation current Strategy and Implementation Plan, background and research papers, maps and other supporting documents are available from the SmartGrowth website below.

SmartGrowth
PO Box 13231
Tauranga

info@smartgrowthbop.org.nz
www.smartgrowthbop.org.nz





Te Keteparaha mō ngā papakāinga is released in three phases

Te Mata Tuatahi: Te Pae Tuatahi me Te Pae Tuarua

Steps 1 and 2 are published together and are available from the partner Councils TCC and WBOPDC as well as the Māori Land Court with details provided in the acknowledgements. Staff from these agencies are available to discuss the contents of Steps 1 and 2 with you.

TE PAE TUATAHI

KAUPAPA

What is the purpose, vision and rationale for your proposed papakāinga?

In a nutshell, why are you doing this?

The key to Step 1 is developing a common understanding of what papakāinga means to the whānau. This includes working on the Trust's vision, principles and values that are based on whānau tikanga, kawa and values such as tūrangawaewae, ahi ka, kaitiakitanga, whenua, tupuna, whakapapa and mana that form the foundation for communal living on your papakāinga.

This may generate the following questions:

- What is the catalyst for your papakāinga and how do you maintain the momentum amongst the owners in progressing the kaupapa?
- Is housing the best use of the land, what are the other alternatives?
- How do you manage the environmental effects on Papatūānuku from urban and rural intensification?
- Setting up an Ahu Whenua Trust over your Māori Land block may be a starting point for discussions:
- Do we need to establish a new Ahu Whenua Trust over our whenua or review an existing Trust structure?

What is an Ahu Whenua Trust?

The purpose of these trusts is to manage the land itself for the benefit of the owners. This kind of trust allows flexibility to consider alternative uses for the land, such as commercial use. Click and read about what Ahu Whenua Trusts and trustees do.

- <https://www.maorilandcourt.govt.nz/your-maori-land/trusts-and-incorporations/#ahu-whenua-trust>
- <https://www.tetumupaeroa.co.nz/trustees/what-trustees-do/>



TE PAE TUARUA RANGAHAU

The essence of Rangahau is research and fact finding and requires you / the Trust to gather information from the Māori Land Court and the respective Council about your Māori land block .

The Māori Land Court (MLC) is the primary source of historical and current information about your whenua that includes a list of owners and their respective shareholding, trust and trustee details as well as the memorial schedule that records all registered leases, mortgages, occupations, roading / access and any other encumbrances relating to the block. The Māori Land Online website below provides a convenient portal to access your Māori land information, <https://www.maorilandonline.govt.nz/gis/home.htm>.

This information will assist you in answering questions about how many shares you hold in the block, who the trustees are and what the land was used for in the past and what is currently happening on the property. Alternatively, you can visit the Māori Land Court offices in Hamilton or Rotorua or send an email request to the Court for the details of records shown in the memorial schedule.

Landowners can now obtain further local, regional and national information from the new Te Puni Kokiri website, Tupu. <https://www.tupu.nz/>. This site guides users through three key information gateways that search other local and central government websites to collate a profile for your block.

Tūhono assists you with connecting whānau with the whenua and becoming an active landowner / shareholder in the affairs of the block.

Kaitiakitanga promotes the sustainable protection and nurturing of your whenua as well as the appropriate governance roles, structures and practises.

Kōkiri assists owners and trustees in exploring the potential land use opportunities for the block, land management and compliance considerations, developing a business plan with possible funding or investment sources for the Trust.

It is important to note that you will have to use your whānau networks to confirm the current contact details and addresses for the owners and trustees because these are not available from the MLC websites.

The information obtained from either the TCC or WBOPDC and or BOPRC will identify the planning issues and the availability of services such as: access to the block, sewer connections and water supply for your property. To complete Step 2 it is recommended that you and / or one of the trustees makes an appointment with a planner from the relevant council to discuss the planning provisions and compliance requirements for your property. This information will assist you in developing your initial papakāinga concept plan.

Once you have completed the interview with TCC or WBOPDC and the Step 2 checklist you will be issued with a folder and can begin Step 3 Whiriwhiri. The folder will keep all 5 Steps together as a resource document for the Trust and it will also provide space to add more information and notes as the trust progresses through the next Steps.

The first two Steps may be achieved over a period of three to nine months depending on the time you and the trustees have available to meet, decide and confirm issues for discussion with the wider whānau in Step 3.

Te Mata Tuarua Te Pae Tuatoru

TE PAE TUATORU WHIRIWHIRI

Whiriwhiri is the whānau discussion and debate on the components of the process including as many as possible of the wider beneficial owners in the block.

The guide provides templates for calling meetings, setting an agenda and recording the discussion and outcomes from the meeting. There is likely to be a lot of discussion and many meetings of owners throughout this Step. The minutes from these meetings will become the support evidence for applications to the Māori Land Court and the terms of references or mandate for actions. This is probably the most important stage of the process for getting people on board and obtaining evidence of their support for the long term papakāinga vision.

Step 3 could take 6-18 months depending on the size of the block, the number of owners, an established trust, available trustees and support from other owners.

It should be noted that opportunities to talk and discuss your papakāinga ideas with the owners and, in particular, key beneficial owners (kaumatua, kuia, those already living on the property, neighbours and major shareholders) in the block could occur throughout Steps 1, 2 and 3.

Te Mata Tuatoru includes Te Pae Tuawha me Te Pae Tuarima

TE PAE TUAWHA HANGARAU

Mahi Hangarau refers to the detailed technical design, drawings, options and associated costs for your proposed papakāinga plan.

This Step will look at infrastructure such as roading, electricity, water supply, wastewater, stormwater, telephone and other utilities required to support your proposal in terms of the number of house lots, section sizes and the staging of the development. The construction of the infrastructure services must comply with the requirements of the respective Council standards.

During Step 4 the Trust and the owners will also need to discuss the process for selecting house designs, scale, styles and materials, energy-efficiency options and overall community layout on an individual or a collective basis.

TE PAE TUARIMA MĀHERE

Māhere is the final step. The Trust will pull together all of the detailed information, design reports and assessments that support the proposed papakāinga structure plan, and that will enable the trustees and beneficial owners to make critical development decisions on project management matters and funding options.

Steps 4 and 5 will require you / the Trust to engage professional services and technical advice to produce a final papakāinga development plan.

Te Pae Tuatahi - Kaupapa (Developing your ideas and vision)



Manaaki Whenua, Manaaki Tāngata, Kōkiri Whakamua
“Care for the land, Care for the people, Go forward”

Introduction

At the start of your journey you should identify the block of land in mind and the potential of that block. Ideally housing is the key element or the nucleus of your vision.

Try to envisage the end result and what you would like to see. Step 1 will form the foundational concept and all the possibilities for the future. Try not to get side-tracked by costs, or potential barriers. Just think about your aspirations for the land. Will it just be a housing development? If so, how many houses are likely; will it incorporate a community meeting facility and/or health or education services? Other ideas will come from working with other owners / shareholders.

When considering future housing developments and when talking about multiple-owned Māori land, it is important to consider aspects that help create positive community needs. The last thing you want to do is compromise the potential of future developments by your people.

Kōrero, creative, innovative thinking

Get the whānau / shareholders together and brainstorm what you'd like to do. List some of the ideas you envision for the block. Group these ideas under themes, such as, papakāinga, business, agricultural and commercial. Once you have these broad themes, rank which is the first priority.

If your first priority is housing, this is the toolkit for you.

Ask yourself what kind of papakāinga do you want and need, who will use it, how long will it be around for, what other developments

would complement the papakāinga. Will the papakāinga be a mix of housing types to provide for the small families (for example kaumatua) and those with large families? Will it include a mix of home ownership options including rental units?

The following pages will help you to focus on some of the practical suggestions and issues in developing the vision for your papakāinga. You should complete Step 1 as a group, sharing your ideas and your korero. This will take several whānau / Trust meetings to achieve.

Developing your idea / vision

The following questions may help the Trust and Trustees work through the key papakāinga issues that the beneficial owners / shareholders might need to consider as part of the Trust's papakāinga development.

If you are an Iwi Authority or Māori organisation there may be a number of land blocks you are considering. Working through these questions will help clarify which block is the most appropriate for papakāinga housing.

Possible funding avenues for visioning

To assist with this exercise the Trust may be able to access some funds from Te Puni Kōkiri for a visioning workshop as part of the overall development of a management plan. Seek advice from the Māori Policy unit at Bay of Plenty Regional Council on Māori capability and capacity building via email: maoripolicy2@boprc.govt.nz with further information from <https://www.boprc.govt.nz/your-council/contact-us>. The full contact details are included in Appendix 2 of Step 2.



A vision to house whānau on your whenua

Describe what activities the trust and owners want to do now and in the future

What are the current land use activities (i.e. farming, grazing, horticulture) on the whenua?

What are the future land use activities for whānau and the Trust?

What are the opportunities for the whenua? What are the key challenges?

Key opportunities (examples):

Zoning, some services are available?

Key challenges (examples):

Power supply or wastewater disposal options



What are the key whānau / Trust tikanga (values) and mātaḥono (principles) for your papakāinga project?

Support whānau to return to the Tauranga Moana.

To provide affordable, sustainable, long term infrastructure services to shareholders?

Why does the Trust want to do this? For example: to provide affordable housing for the owners, families or kaumatua who need a home or to those owners who want to return home.

What is the Trust's rationale and drive for housing?

Land / features

Identify a suitable land block or blocks.

Describe the size, land features and housing options

Name of the block?

Size / area of the block?

How much land could be set aside for housing?

How many houses do you think could be developed?²

² Note: Ideally any development of housing should be integrated into a bigger plan for the efficient use of the land that provides for economic and social benefit. This Step-by-Step guide assists in the planning and provision of housing but can be incorporated into larger planning exercises for economic and social use.

Site visit

One of the best ways to see what land features and other services exist on the property is to actually go and visit the site and make some notes on what you see. A site visit will also help you to identify physical land features and neighbour / context issues for the whānau and Trust to consider such as:

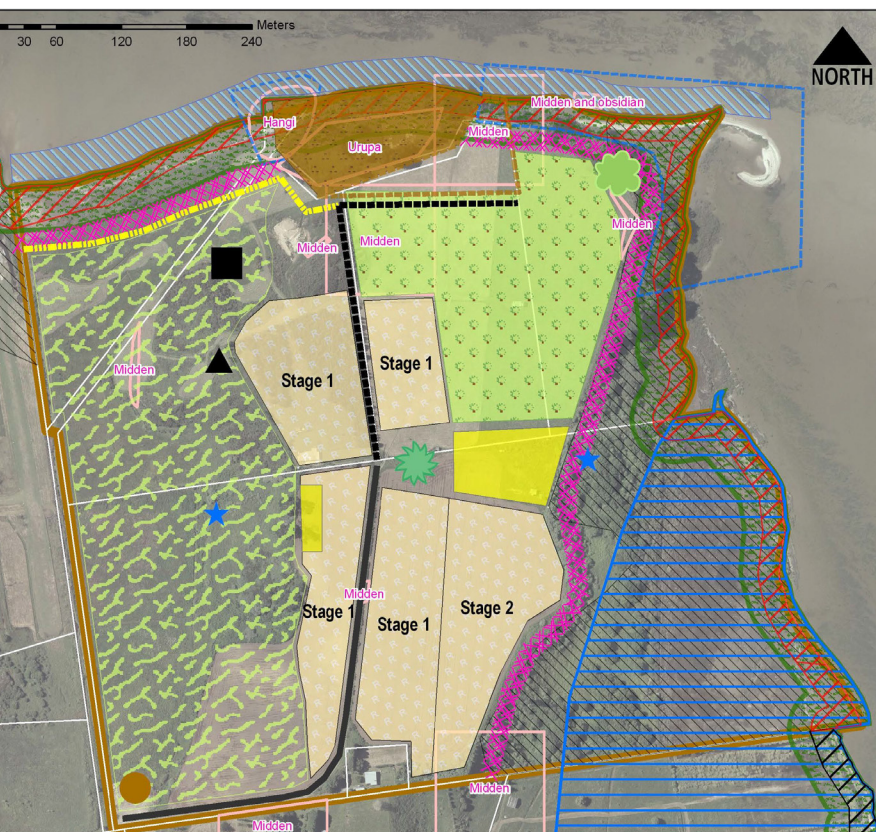
- What land features can you see on the block including: wetlands, harbour margins, native bush, cliff / banks or slopping areas, stream, creek or river?
- Is the site exposed to the elements wind and rain, what is the prevailing wind?
- Where does the sun rise and set on the property?
- Does the property have direct access to a formed and sealed road or street?
- Are there footpaths, street-lights, stormwater, curb and channelling in the area?
- Are there any significant views that you want to maintain or incorporate into your papakāinga proposal i.e. vies to Mauao, the harbour or marae etc.?
- Are there areas in the block that are significant to the owners and need to be protected from development e.g. an old homestead, urupā, puna (spring) fruit trees etc?
- What are the neighbouring land uses to your property e.g. farming, housing, commercial, reserve / park, marae etc?

Sketch plan or drawings

This is an opportunity to transfer your initial ideas, thoughts, values and principles onto paper to see how they might work after the site visit. The Trust could use tracing paper over a copy of a topographical map of the site from the local council (TCC and WBOPDC) or use Google Earth Download <http://earth.google.com/> for this exercise.

Using tracing paper allows you to reuse the topographical map over and over again until you are happy with the final results. It is important to identify, as close as possible, the property boundaries to ensure you work within your property.

The Trust can obtain a topographical map of the area from the local council or from the Google Earth. It would be important to identify, as close as possible, the true property boundaries to assist with the initial concept drawings.



Above left: Example of multiple blocks in the same area. Above right: Individual site plan

Location of the property

In order to identify the best place for your papakāinga it's good to consider how close the land is to public transport, roads, water, wastewater, electricity, schools, shops, health services, jobs and marae.

The Trust may not have all the answers to the following questions, but will have a good idea and can start considering them in consultation with the other owners.

Access and transport

How close is the property located to the state highways, major roads, footpaths, bus stops and cycle lanes? Where are the safe vehicle access points into and out of the block?

- | | | |
|------------------------------------|---|--|
| <input type="radio"/> Footpaths | <input type="radio"/> Bus stops | <input type="radio"/> Cycle lane |
| <input type="radio"/> Streetlights | <input type="radio"/> Speed Bumps | <input type="radio"/> Kerb & Channelling |
| <input type="radio"/> Power supply | <input type="radio"/> Telephone / Broadband | |

Safe road access:

Access to education How close is the property to local schools or day care centres, kōhanga, kura kaupapa, primary, secondary schools? How will the kids get to school?

Day Care:

Primary:

Secondary:

Intermediate:

Kōhanga Reo:

Kura kaupapa:

Tertiary options:

School bus service:

Retail opportunities

Where is your nearest shop? Will this be important to the people living in the papakāinga?

Supermarkets:

Local shops:

Petrol station:

Veggie & fruit shops:

Other shops:



Health services

How close is the nearest doctor's office, hospital and other health service?

Doctor:

Medical centre:

Hospital:

Other:

Employment

What are the employment opportunities near or on the land?

Distance to town (CBD):

Nearby Industrial area (s):

Other rural employment opportunities:

Recreation facilities

How close are the nearest playgrounds or sports facilities?

Sports Club(s):

Parks and playgrounds:

Sports Fields:

Beach or River:

Whānau and friends

Is having family close to you important?

Parents:

Siblings:

In-laws:

Friends:

Marae

Is there a marae nearby? Is this important?

Marae:

Hapū / Rūnanga Office

Urupā:

Other Marae:



Shared facilities

Some Trusts have found it can be good to have common areas to build community spirit. These might include vegetable or flower gardens, papa-tākaro (play areas for children), a hall, shared laundry or areas for regenerating native plants.

What shared or communal facilities would you like to include in your papakāinga?

Children's playground:

Community Gardens:

Hall or community centre:

Others key services:

Fire Service:

Police:

Neighbourhood watch:

Kaupapa Checklist

Developing your idea / vision

☐ Identified the idea or vision for the people?

☐ Why do you want to do it?

☐ Possible funding options for visioning workshops?

☐ Identified the potential layout of the papakāinga including communal areas?

☐ Site visit completed or organised?

☐ Topography or Google Earth map available?

☐ Sketch plan of the site completed or underway?

☐ Compiled a list of local facilities and shops?

☐ What are the benefits?

☐ What are the risks?

Before you move on to Step 2, check that you have completed Step 1

Self- assessment

Before progressing to the next step for your project, you should assess your progress to date by answering the following questions:
(Note: You don't have to write down answers, just consider them)

- What is your level of personal commitment and collective commitment as a whānau or hapū to the developing this papakāinga / housing kaupapa? i.e. high 4 – 5 days per month, medium 2 days per month or low at 1 day per month.
- How important is a development to the land owners and hapū?
- Can you champion the process or find someone to champion it?
- Will this benefit a wider group than just one or two individuals?
- Are you prepared to work with landowners/hapū and support agencies?

Conclusion

This 5 Step guide is designed to support you and give you the best chance of succeeding with the development of housing on your whenua / multiple-owned Māori land.

If you and the Trust are serious about progressing the papakāinga proposal, the next Step is Rangahau or Fact-Finding. Take this part of the guide (Page 16, 17, 18 & 19) and visit your local Council (either TCC or WBOPDC) and the Māori Land Court to begin Step 2. When you present this completed part of the guide your local Council or Māori Land Court will automatically begin the next Step.

Māori Land Court will be able to provide information at the time of your visit. When you go to the Council you will need to arrange a time for a followup meeting with one of council's planning staff and/or one of the Māori Liaison / Takawaenga staff.

References:

- Māori Land Use – National Resource Kit Te Kete Mātauranga Whenua
- Ki te hau kainga (New Perspectives on Māori Housing Solutions) – A design guide prepared for Housing NZ Corporation. August 2002
- Bay of Plenty Regional Council Guide “Nga Tikanga Tuku Awhina a Te Kaunihera mō ngā Māhere Whakahaere Rawa a ngā hapū/iwi a-rohe. Policies and procedures for funding to develop hapū/iwi resource management planning documents of our region.” October 2006.
- Bay of Plenty Regional Council Guide “Pūtea Māhere Rawa a Hapū/a Iwi Information on funding to develop hapū/iwi resource planning documents”

Contact details for:

Te Puni Kōkiri

Web: www.tpk.govt.nz

Ground Level
Te Puni Kōkiri House
1218-1224 Haupapa St
Rotorua 3010
Private Bag 3017
Rotorua Mail Centre
ROTORUA 3046
Ph: 0800 875 499
Fax: 0800 875 329
Email: tpkrotorua@tpk.govt.nz

Unit 3,
51-53 Fifteenth Avenue
Corner of 15 Ave and Burrows St
Tauranga 3112
PO Box 69
TAURANGA 3114
Ph: 0800 875 499
Fax: 0800 875 329
Email: tpk.tauranga@tpk.govt.nz

Bay of Plenty Regional Council - Toi Moana

Regional House,
1 Elizabeth Street,
Tauranga
PO Box 364
WHAKATĀNE 3158
Ph: 0800 884 880
Fax: 0800 368 329
Email: info@boprc.govt.nz
Web: <https://www.boprc.govt.nz/>



Te Pae Tuarua - Rangahau (Research and Fact-finding)



Kimihia, rangahaua te āhuatanga o te whenua. He taonga tuku iho i riro mai ai ki ngā uri whakaheke.

“Seek out and research the attributes of the land. Those treasures that are handed down to the next generation.”

Introduction

Step 2 focuses on finding the relevant information you will need from the Māori Land Court and your local Council to progress your papakāinga. The Step 2 is essential to avoid wasting time and resources. Read through this Step carefully as it is important to know some basic facts about your block of land before you go further.

Māori Land Court

It is necessary to get this information from these agencies as multiple-owned Māori land is governed by policies, plans and laws that determine what is possible and/or not possible on the land.

The Western Bay of Plenty is serviced by the Waikato Maniapoto District Māori Land Court and the Waiariki District Māori Land Court. The historical and current records for each district are held in the respective offices and can be accessed and viewed on site. Check out the contact details for each Māori Land Court at the end of this section.

The Māori Land Court is the primary source of historical and current information about your whenua that includes a list of owners and their respective shareholding, trust and trustee details as well as the memorial schedule that records all registered leases, mortgages, occupations, roading / access and any other encumbrances relating to the block. The Māori Land Online website link below provides a convenient portal to access your block information. <https://www.maorilandonline.govt.nz/gis/home.htm>

This information will assist you in answering questions about how many shares you hold in the block, who the trustees are and what the land was used for in the past and what is currently happening on the property.

Tupu NZ

Landowners can now obtain further local, regional and national information from the new Te Puni Kōkiri website Tupu <https://www.tupu.nz/>. This site guides users through three key information gateways that search other local and central government websites to collate a generic profile for your block.

Local, regional and national information through three pathways that gather information from other local and central government websites to collate a generic profile for your block.

- **Tūhono** assists you with connecting whānau with the whenua and becoming an active landowner / shareholder in the affairs of the block.
- **Kaitiakitanga** promotes the sustainable use and protection of nurturing your whenua as well as building the Trusts capability and capacity with appropriate governance roles, structures and practises.
- **Kōkiri** assists owners and trustees in exploring the potential land use opportunities for the block, land management and compliance considerations, developing a business plan with possible funding or investment sources for the Trust.

It is important to note that you will have to use your whānau networks to confirm the current contact details and addresses for the owners and trustees because these are not available from the MLC websites.

Te Puni Kōkiri

The Māori Housing Network can provide whānau with information, advice and identify potential sources of funding to help develop housing on your papakāinga. Areas of mahi include:

- **Sorted Kāinga Ora** – Financial capability program for whānau Māori;
- **Housing Policy** – Te Puni Kōkiri works with other agencies to ensure that government policy contributes to improved housing outcomes for whānau Māori and communities;
- **Capacity and Capability** – Supporting the development of whānau, hapū and iwi to meet their housing aspirations;

Māori Housing funding focus areas:

- Repairs to homes that are owned and occupied by low income whānau Māori, usually multiple whare within a community
- Supporting development of new whare for whānau, usually on papakāinga

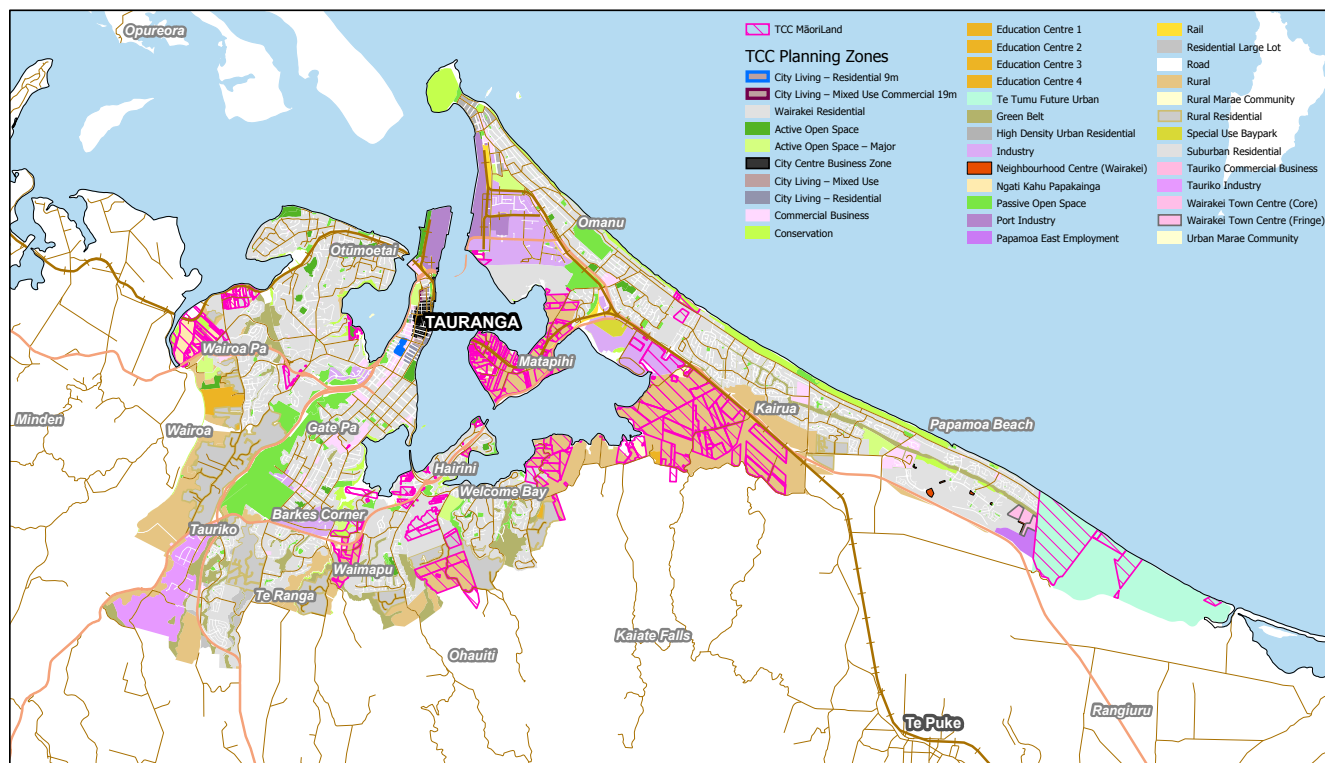
For more information on current programs use the TPK website link: <https://www.tpk.govt.nz/en/whakamahia/maori-housing-network>

Our three Councils

The planning information and maps that you obtain from either TCC or WBOP and BOPRC will provide an indication of factors that may affect the feasibility of your papakāinga and the need to lodge a resource consent for your block with Council. You can arrange a meeting with one of council's planning and/or Māori liaison / Takawaenga staff about your proposed housing development.



This map shows the location of Māori land in the TCC area as of March 2020 for each zone.



HORIZONTAL DATUM: New Zealand Geodetic Datum 2000
For practical purposes, NZGD2000 equates to WGS84
VERTICAL DATUM: Motuiki Datum
PROJECTION: New Zealand Transverse Mercator 2000
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Māori Land and City Plan Zones in Tauranga City

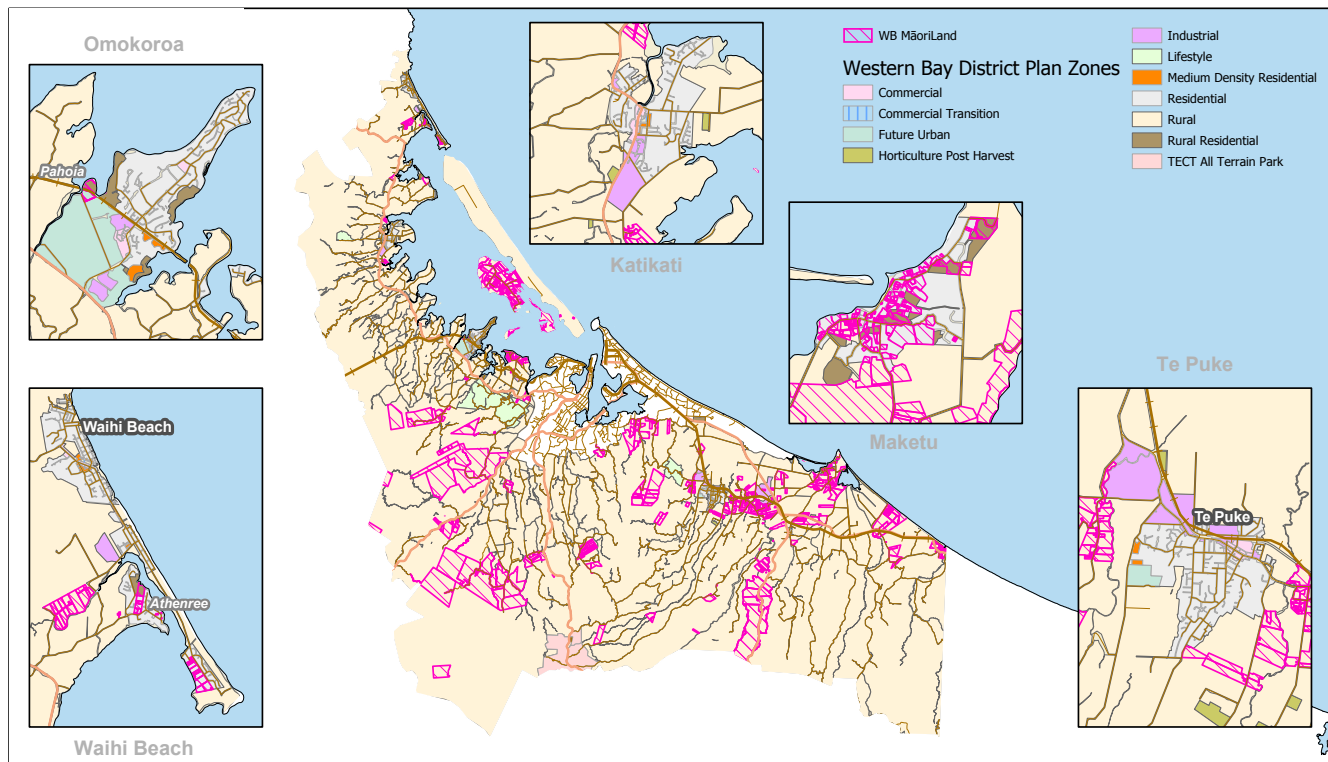
Scale 1:125,901 (A4)
2.5 0 2.5 5
Kilometres

606207_MaoriLandandDistrictPlanZones
Sheet 1 of 1
Printed 28/02/2020

ZONING TYPE	WBOP AREA	TCC AREA
Residential	72.1ha	*135.1ha - Refer note below.
Rural residential	25.5ha	12.6ha
Future Urban i.e. Te Tumu Kaituna Land Blocks		305.9ha
Suburban Residential		135.1ha
Ngāti Kahu Papakāinga		76.9ha
Rura Marae Community		73.7ha
Urban Marae Community		12.4ha
MĀORI LAND TOTAL	97.6HA	616.6HA

Note: For comparison purposes the equivalent TCC Zone to the WBOPDC Residential is the Suburban Residential Zone.

Māori land blocks within the Western Bay of Plenty District Council region.



HORIZONTAL DATUM: New Zealand Geodetic Datum 2000
For practical purposes, NZGD2000 equates to WGS84
VERTICAL DATUM: Moturiki Datum
PROJECTION: New Zealand Transverse Mercator 2000
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Māori Land and District Plan Zones in Western Bay of Plenty District

Scale 1:501,427 (A4)
10 0 10 20
Kilometres

606207_MaoriLandandDistrictPlanZones
Sheet 1 of 1
Printed 28/02/2020

Additional Papakāinga / Māori Housing Resources:

Te Puni Kōkiri “A guide to Papakāinga Housing 2017”

<https://www.tpk.govt.nz/en/a-matou-mohiotanga/housing/>

Māori Housing Network websites:

<https://www.tpk.govt.nz/en/whakamahia/maori-housing-network>

A guide to Māori housing support available to you, your whānau and community from Te Puni Kōkiri and other government agencies.

<https://www.tpk.govt.nz/en/a-matou-mohiotanga/housing/a-guide-to-maori-housing-support-across-government>

Ara Rau Tangata, a collective of Tauranga Moana Māori Land Trusts

<http://www.ararautangata.com/>

The Heritage New Zealand website:

<https://www.heritage.org.nz/>

Hapū or Iwi Resource / Environmental Management Plans lodged with the BOPRC / Toi Moana:

<https://www.boprc.govt.nz/your-council/plans-and-policies/plans/hapuiwi-resource-management-plans>

You may find it helpful to speak with other Māori Land Trusts who have participated in the Papakāinga workshops and built homes on their whenua.





Rangahau: Māori Land Court

Introduction

This is just the beginning of your relationship with the Māori Land Court. It is likely that you will need to make contact with the Māori Land Court more than once to gather all of the information you need.

The key to getting accurate information is obtaining the **full and correct name of the block** e.g. Tauranga Lot 1A1B2.

This information can be found on the rates notices from TCC and WBOPDC, or from the information desk at the appropriate council. Once you have the full name of the block you can ask the Māori Land Court for a report (Appendix 1) that outlines the current list of owners and their respective shareholding, a memorial schedule, a Māori land plan (where available), the type of trust structure in place (e.g. Ahu Whenua Trust) and the names of the administrator or trustees.

It's important to collect the most up-to-date forms and brochures from the Māori Land Court because the information is always being updated. Some trusts have wasted time by looking at old documents and information.

You can also check out the Māori Land Court website and their Māori land data base to find the current list of trustees, owners and the information in the memorial schedule about your block at <https://www.maorilandonline.govt.nz/gis/home.htm>

Some trusts have found that it is useful to talk to other whānau members about the oral history of the land. There may be some long-standing agreements that have not been recorded in the Māori Land Court but that you might want to factor into your papakāinga proposal. This may include sites that are culturally significant to your whānau, hapū or iwi such as: areas where infants' placenta (whenua) are buried, favourite fruit trees, old homesteads, kāinga or harvest areas.

Māori Land Court resources

The Māori Land Court and Māori Appellate Courts are constituted under the Te Ture Whenua Māori Act 1993 and have jurisdiction to hear matters relating to Māori land. The Māori Land Court is administered by the Ministry of Justice and legislative matters are dealt with by the Minister of Māori Affairs.

You and your Trust can make an appointment to meet with a Māori Land advisory officer from the Māori Land Court in respect to any Māori land issues and concerns related to Steps 2 and 3. Meetings with Māori Land Court staff are free of charge.

Online Māori Land Court Rules and Regulations can be viewed at: <https://maorilandcourt.govt.nz/>

- Māori Land Court Rules 1994
- Māori Assembled Owners Regulations 1995
- Māori Incorporations Constitution Regulations 1994
- Māori Land Court Fees 1993
- Māori Reservation Regulations 1994
- Māori Occupation Orders Regulations 1994

The Māori Land Court also provides the following booklets and guides on their website to assist people with general enquiries:

Booklets:

- Māori Incorporations: A guide - Māori Land Court, Ministry of Justice
- Māori Land Trusts: A guide - Māori Land Court, Ministry of Justice
- Māori Reservations: A guide - Māori Land Court, Ministry of Justice
- Succession: A guide - Māori Land Court, Ministry of Justice
- Title Improvement: A guide - Māori Land Court, Ministry of Justice
- Trustees' Duties: A guide - Māori Land Court, Ministry of Justice

Guides:

- Transferring Māori Land Shares - Māori Land Court, Ministry of Justice
- Application Process (trust/succession) - Māori Land Court, Ministry of Justice
- Glossary: Te Ture Whenua Māori - Māori Land Court, Ministry of Justice

The Māori Land Court produces a regular publication called The National Māori Land Court Pānui. This is useful for finding out the latest in Māori Land Court information. You can receive this free publication by contacting your local Māori Land Court and ask to be put on the mailing list.

You should also receive any relevant guides or booklets explaining the various trust structures.

Māori Land Court information checklist

<input type="radio"/>	Legal description of the land / name of the block
<input type="radio"/>	Status of the land.
<input type="radio"/>	Survey Plan (ML Plan).
<input type="radio"/>	Current list of owners will assist in identifying key shareholders in the block.
<input type="radio"/>	Memorial schedule for the block.
<input type="radio"/>	Encumbrances in the memorial schedule, anything that may limit you from proceeding with your development i.e. restrictions on the title, existing lease.
<input type="radio"/>	Name of the Trust and Trustees.
<input type="radio"/>	A copy of the Trust order. How does the order provide for housing/developments?
<input type="radio"/>	Find out the Māori Land Court Pānui and hearing dates for your area.

Contact details for:

Te Kooti Whenua Māori

www.maorilandcourt.govt.nz

<https://www.maorilandonline.govt.nz/gis/home.htm>



WAIARIKI DISTRICT OFFICE

Hauora House,
1143 Haupapa Street
JX10529

ROTORUA 3010

Ph: (07) 921 7402

Fax: (07) 921 7412

Email: mlcwaiariki@govt.nz

Web: www.maorilandcourt.govt.nz

Web: www.maorilandonline.govt.nz

WAIKATO and MANIAPOTO DISTRICT OFFICE

Level 2, BNZ Centre,
354-358 Victoria Street
GX10101

HAMILTON 3204

Ph: (07) 957 7907

FAX: (07) 957 7881

Email: mlcwaikato@justice.govt.nz

Web: www.maorilandcourt.govt.nz

Web: www.maorilandonline.govt.nz

Direct your inquiries to the District Advisory Service officers or Principal Liaison Officer.



Rangahau: Council Information

Tauranga City Council (TCC) and Western Bay of Plenty District Council (WBOPDC) provide a service to find out information about your land block(s) if you wish to build Papakāinga. If you are not sure which council your land block(s) are affected by, you should call both councils and ask who you need to talk to about building Papakāinga.

On the next page is a blank information sheet that either the TCC and WBOPDC staff will help you complete for the block of land you are hoping to develop, assuming you have completed Step 1. There may be some minor costs involved with the purchase of maps, photographs and information printed from council's Geographical Information System (GIS).

The information sheet will provide specific guidance about the land. This will assist you to determine the feasibility of your proposed development.

It is likely that you will need to leave the sheet with council staff because the information may take some time to collect. You should consider making an appointment for a meeting with the council's technical staff so that you have the completed information available for the meeting.

If your Trust is considering a papakāinga development on land that does not have access to a reticulated town wastewater scheme you will need to contact and discuss your proposal with the BOPRC. The council administers the On-Site Effluent (OSET) Treatment Regional Plan. Depending on the size and scale of your proposal, Council can assist in the discussion about wastewater treatment and disposal options.

Options for consideration include: whether each residential unit will have its own wastewater treatment and disposal system (septic tank); or an alternative communal system designed and built based on the number of homes, the amount of land available, soil type, contour, and water sources. In rural zoned areas, each house site must have a minimum area of 1,200m² per residential unit to be a permitted activity. Reference to the BOP On-site Effluent Treatment (OSET) Regional Plan 2006; Regional Rule 5.10 Papakāinga on MOML, Permitted provisions Rule 24, (1a to d) for approved new individual systems. Conditional provisions in Rule 25, (1a to d) for approve new shared systems with a minimum area of 2000m² per dwelling." These rules apply to Papakāinga on Multiple-Owned Māori Land located within the Tauranga City and Western Bay of Plenty local authority areas that are outside the Tauranga City Urban Area.

Wastewater and other essential services (discussed in Step 4) will all have a bearing on the overall affordability of the project.

The information sheet will include:

The following constraints may affect your proposed housing development:

Geographic features:

- shape of the block
- contour of the land

Details contained in the Council City / District Plan & Planning Maps, such as:

- Zoning of the block
- Relevant District/City Plan rules for the zone
- Archaeological/Heritage sites
- Protected trees as identified in the District Plan
- Special ecological/landscape features as identified in the District Plan

Plan areas and overlays, such as:

- Flood Hazard Plan Area,
- Coastal Hazard Erosion Plan Area

Constraints that Council are aware of, such as:

- Flood risk areas
- Slips
- Slope
- Contaminated land uses

Existing services or infrastructure provided by Council:

- Water
- Wastewater
- Stormwater
- Council roading

The toolkit provides space for you to record notes of your meeting with technical staff from the relevant council.

Base papakāinga development information

Applicant details

Name:

Contact details:

Phone (daytime):

Phone (mobile):

Email Address:

Postal Address:

Address or location of the proposed papakāinga property

Street:

Suburb:

Legal description of the property

Deposited Plan number:

Property Area (ha):

Other details:

Property / location maps

	Yes	No
Aerial Photograph (if available)	<input type="radio"/>	<input type="radio"/>
GIS printout of features/services	<input type="radio"/>	<input type="radio"/>
District Plan Map	<input type="radio"/>	<input type="radio"/>
Geographical features	<input type="radio"/>	<input type="radio"/>



Are the following details located on the property? (as identified on council's GIS system or in the District Plan)

	Yes	No	Comments:
Flood risk areas	<input type="radio"/>	<input type="radio"/>	
Hazards/coastal slips	<input type="radio"/>	<input type="radio"/>	
Wastewater	<input type="radio"/>	<input type="radio"/>	
Water reticulation	<input type="radio"/>	<input type="radio"/>	
Stormwater	<input type="radio"/>	<input type="radio"/>	
Council road access	<input type="radio"/>	<input type="radio"/>	
Archaeological sites	<input type="radio"/>	<input type="radio"/>	
Heritage features	<input type="radio"/>	<input type="radio"/>	
Special ecological areas	<input type="radio"/>	<input type="radio"/>	
Landscape features	<input type="radio"/>	<input type="radio"/>	
Protected trees	<input type="radio"/>	<input type="radio"/>	
Rubbish collection	<input type="radio"/>	<input type="radio"/>	Collection day?
Contaminated risk areas	<input type="radio"/>	<input type="radio"/>	

What is the Zone for the Property?

Council Disclaimer:

Please note this information sheet is not to be used for any purposes other than the preliminary Council information relating to a possible development of multiple owned Māori land at the address/location stated. Specifically, this information sheet is not a statutory document and it is not a Land Information or Property Information Memorandum, both these are available for purchase.

The following items have not been discussed or included in the form on the previous page:

1. The availability and connections for telephone, gas, electricity supply and broadband. The trust will need to contact the actual service provider to check these;
2. The provision of footpaths, street lighting, kerb and channelling;
3. An estimate value of your property is available at a cost from: <https://www.qv.co.nz/propertyinformation>.
4. Land Information New Zealand (LINZ) provides another source of information on questions relating to Māori Land <https://www.linz.govt.nz/kb/849>

Contact council staff if there are any questions or if further clarification is needed:

Duty Planner

District / City Plan / Zoning matters, including lodgement fees

Technical Building Officer

Building matters, including lodgement fees

Customer Service Officer

GIS information/LIM and PIM forms

TCC Development Contributions Advisor

Development Contribution Fees

Notes from meeting with technical staff

Date: _____

Attendees: _____

Actions: _____

Follow up: _____

Contacts: _____

example of meeting notes

Tauranga City Council (TCC) References:

- TCC guide to building on Māori Land within TCC area: <https://www.tauranga.govt.nz/living/building-and-renovations/apply-for-a-building-consent/building-on-māori-land>
- Tauranga City Plan: <https://cityplan.tauranga.govt.nz/>
- TCC Development Contribution fees: <https://www.tauranga.govt.nz/council/council-documents/development-contributions>
- The TCC website provides an range of helpful links to assist you to navigate the resource consent process, how to apply for a consent, subdivision consent, planning forms and checklists and planning fees and charges etc. <https://www.tauranga.govt.nz/living/planning>
- “What is a Resource Consent” link: <https://www.tauranga.govt.nz/living/planning/resource-consents>
- All TCC building consent applications are submitted online: <https://www.tauranga.govt.nz/living/building-and-renovations/apply-for-a-building-consent/how-to-apply-for-building-consent>

References for Bay of Plenty Regional Council

- The On Site Effluent Treatment Regional Plan 2006, PC 1 March 2011 and PC2 12 August 2014 Information sheet and maps are available here: <https://www.boprc.govt.nz/your-council/plans-and-policies/plans/regional-plans/on-site-effluent-treatment-regional-plan>
- Note: Section 5.10 of the OSET Regional Plan 2006 includes the provision that Council will work with applicants using the Toolkit to ensure that the necessary technical requirements and supply of information are met.
- The OSET management area maps in the WBOP include: Map 15 Tanners Point; Map 16 Ongare Point and Map 17 Te Puna West.
- Regional Natural Resource Plan Coastal Environment Plan: <https://www.boprc.govt.nz/your-council/plans-and-policies/plans/regional-plans/regional-natural-resources-plan>
- Regional Coastal Environmental Plan (RCEP) and Maps: <https://www.boprc.govt.nz/your-council/plans-and-policies/plans/regional-plans/regional-coastal-environment-plan>

Western Bay of Plenty District Council:

- The WBOPDC resource consent process for dwellings on multiple-owned Māori land in the Western Bay sub-region: <https://www.westernbay.govt.nz/property-rates-and-building/district-plan-and-resource-consents/resource-consents/common-resource-consent-planning/dwellings-on-multiple-owned>
- WBOPDC explains their building consent process for Māori land: <https://www.westernbay.govt.nz/property-rates-and-building/building-consents/other-building-projects/building-on-māori-land>
- WBOPDC link to Te Keteparaha mō ngā Papakāinga – Māori Housing Toolkit: <https://www.westernbay.govt.nz/council/working-with-māori/maori-housing-toolkit>
- WBOPDC District Plan: <https://www.westernbay.govt.nz/property-rates-and-building/district-plan-and-resource-consents/district-plan>

Local Authority / Council information checklist

- ☐ Location and title information
- ☐ Aerial photographs and maps
- ☐ District Plan provisions (zoning and consents - what you can do within the zone)
- ☐ Structure Plans: (what services are present / required)

	Available on Site	Upgrade Existing	Full Assessment
Wastewater / sewer	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Water supply	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Stormwater	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Electricity, telephone and broadband	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Roading requirements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Easements over the land	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

- ☐ Ecological features that need to be taken into account
- ☐ Heritage sites
- ☐ Iwi/Hapū Management / Environment Plans
- ☐ Completed interviews with Tauranga City Council or Western Bay of Plenty District Council
- ☐ Obtained the He Keteparaha folder and Step 3

**It's helpful to remember that this is the beginning of an ongoing process.
There is still a lot of work to do with the trustees.**

**When you have completed Steps 1 and 2, and confirmed that you still wish to proceed,
you will be issued with a folder and commence Step 3.**

Āpiti hanga Tuatahi - Māori Land Court Information

The following information is typically obtained from the Māori Land Court records that confirms what type of Trust is established, identifies who the trustees are and provides a list of shareholders

Māori Land Block Description

Block Name:	District:
Title Order Reference:	Number of Māori Owners:
Title Order Date:	Total Area (ha):
Title Order Type:	Total Shares:
Block Status:	Block Balanced:
Land Status:	Block ID:
LTO Reference:	Ownership Last Modified:
LTO Districts:	Land Administrators:

Management

Management Structure Name:
Structure Type:
Area: (ha)
Administrator Name:

Shareholdings

Name(s)	Ownership Type	Sex	Ratio	Remainder Shares	Shares

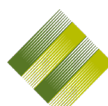
Āpiti hanga Tuarua - Contact details for:



Tauranga City

Tauranga City Council

91 Willow Street
Private Bag 12022
TAURANGA 3110
Ph: (07) 577 7000
Email: info@tauranga.govt.nz
Web: www.tauranga.govt.nz



Western Bay of Plenty
District Council

Western Bay of Plenty District Council

Barkes Corner Cameron Rd
Private Bag 12803
TAURANGA 3143
Ph: (07) 571 8008
Fax: (07) 577 7193
Email: customerservice@westernbay.govt.nz
Web: www.westernbay.govt.nz



Bay of Plenty Regional Council - Toi Moana

Regional House
1 Elizabeth Street
Central Tauranga
PO Box 364
Whakatāne 3158
Ph: 0800 884 880
Fax: 0800 884 882
Email: info@boprc.govt.nz
Web: www.boprc.govt.nz/



Te Puni Kōkiri
MINISTRY OF MĀORI DEVELOPMENT

Te Puni Kōkiri – Waiariki

Ground Level
Te Puni Kōkiri House
1218-1224 Haupapa St
Rotorua 3010
Private Bag 3017
Rotorua Mail Centre
ROTORUA 3046
Ph: 0800 875 499
Fax: 0800 875 329
Email: tpkrotorua@tpk.govt.nz
Web: www.tpk.govt.nz

Unit 3,
51-53 Fifteenth Avenue
Corner of 15 Ave and Burrows St
Tauranga 3112 PO Box 69
TAURANGA 3114
Ph: 0800 875 499
Fax: 0800 875 329
Email: tpk.tauranga@tpk.govt.nz
Web: www.tpk.govt.nz