Te Kāwanatanga o Aotearoa

Te Puni Kōkiri
MINISTRY OF MĀORI DEVELOPMENT

Analysis of District Plan Papakāinga Rules

Summary

Housing is a key priority for the work Te Puni Kōkiri does to bring about our vision of thriving whānau. Communal living on ancestral whenua (papakāinga) in affordable housing can provide long term benefits for whānau, in terms of housing, health, whānau wellbeing, and much more.

Owners of Māori land face many barriers in developing papakāinga housing on their whenua. Among those barriers are local authority planning rules and processes. We believe that improved papakāinga planning rules could make a positive difference to whānau by unlocking the housing potential of whenua Māori. Improved rules would also help local authorities to increase the supply of developable land for housing, to better meet local housing demand.

This report provides a snapshot across the motu of how well district plans provide for the development of papakāinga housing. It identifies examples of good practice from among the 65 plans we reviewed and makes recommendations for how local planning rules can be improved.

Our analysis found that 45 out of 65 district plans have an explicit papakāinga rule. However, there is wide variation between rules in different plans, so some are more enabling than others. In particular, we found that:

- Some rules define the term ‘papakāinga’ narrowly to include only residential development. Other definitions are broader, and include non-residential uses such as education, health, cultural, and commercial uses. These broader definitions align more closely with traditional concepts of papakāinga.
- There is wide variation in the geographical scope of papakāinga rules and the ‘activity status’ of papakāinga. In 29 plans, papakāinga is ‘permitted’ somewhere in the district. In some plans, the papakāinga rule applies only on land with the status of Māori freehold land, while in others the rule other applies more broadly including on certain kinds of general land.
- Often, detailed planning rules limit the maximum number of homes on a block. Only rarely are such limits tied to the underlying capacity of the whenua to service homes in a sustainable way.
- Some district plans require landowners to provide a papakāinga development plan. Development plans may support good design and planning over the long term.

We conclude that district plans need well-defined papakāinga rules, not just high-level statements. For example, papakāinga rules should:

- Apply in all the places where hapori Māori may want to develop papakāinga, not just on Māori freehold land, or in certain areas.
- Provide for a range of non-residential activities to take place (for example cultural, educational, and commercial activities, and urupā) and not unreasonably restrict the number of dwellings allowed on land developed for papakāinga.

Local planning rules must also align with other council policies that govern how easy or difficult it is to develop housing on Māori land, such as consenting processes, and development contributions and rating policies. Local provisions must reflect the specific circumstances of each district, and this can only be achieved through the development of strong relationships between councils and tangata whenua of the rohe.

We hope councils use the findings in this report to improve their planning provisions as opportunities arise. We hope that whenua owners find the discussion useful too, and that it helps mana whenua to push for better rules in their local area and whānau to realise their housing aspirations.

Whakatauki

Tē tōia, tē haumatia
Not dragged, not shouted

The metaphor is based on the traditional method of launching a large canoe. The dragging of the waka cannot be done without the shouting. Nothing can be achieved without a plan, a workforce and a way of doing things.

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Section 1. Introduction

1.1 Purpose

Te Puni Kōkiri has a vision of thriving whānau. When whānau thrive, so do their communities, hapū, iwi and all of Aotearoa.

One of our key focus areas is working to ensure whānau have access to good housing and have opportunities for home ownership and investment – because enabling access to more affordable, healthy, and secure homes can lead to better outcomes for whānau.

As part of this mahi on housing, we work to address systemic barriers to developing housing on Māori freehold land and other types of whenua Māori. For many years, we have supported the development of papakāinga through funding programmes like the Māori Housing Network and Whai Kāinga Whai Oranga.[1] Through this mahi, our kaimahi have seen the way planning rules and the resource consent process can add unnecessary time and cost to what is already a long and challenging journey for whānau to develop papakāinga. An analysis completed in 2016 by Te Matapihi, the national representative body for Māori housing, also found some district plans did not enable papakāinga developments.

This report offers a snapshot of the extent to which different district plans across the motu work to enable papakāinga today. It identifies examples of good practice from among the 65 plans we reviewed and makes recommendations for how local planning rules can be improved in future. We hope this will contribute to planning practices that will better enable whānau to use their whenua to address housing needs and build strong communities where they can thrive.

We plan to follow up the desktop research in this report with further work to understand whānau experiences of how council processes work in practice. We also aim to bring councils and Māori housing specialists together to discuss the findings in this report and share insight about how to ensure our planning systems better support papakāinga development. We discuss these plans further in the Next Steps section at the end of the report.

1.2 Policy reform

As of early 2024, the government is embarking on a comprehensive review of the resource management and planning regime to, among other things, remove barriers to housing growth and increase the supply of land that can be developed for housing.

We believe the analysis and findings in this report will provide an important evidence base to support that review and will help ensure the reformed planning system will better realise the housing potential of Māori land and the housing aspirations of whānau. Improving access to new homes will in turn have positive impacts on whānau health and social outcomes.

1.3 Scope

This report contains desktop analysis of district planning rules for papakāinga across Aotearoa. The analysis has not been done before and we believe it is an important contribution to ongoing conversations about the planning system and papakāinga housing.

Nevertheless, we acknowledge there are several related topics relevant to the issues raised in this report, that we have not investigated. These topics include, for example, the way that planning rules are applied in practice by councils, the level of participation by iwi and hapū in the development of district plans, and the extent to which council policies on development contributions and rating help or hinder housing on Māori land.

[1] More information on these programmes can be found on Te Puni Kōkiri website at: https://www.tpk.govt.nz/en/nga-putea-me-nga-ratonga/maori-housing-support/supporting-new-homes-and-papakainga

Nor have we looked at other processes that whānau must successfully navigate to develop papakāinga. These include:

- regional council consent processes;
- Māori Land Court processes;
- challenges accessing finance using Māori land as loan collateral;
- the building consent system;
- gaining consensus from multiple owners on the use of land (and multiply-owned lands that have no administration cannot be developed at all); and
- managing development on blocks which are often poorly served by public infrastructure.

Many of these wider issues are described in other literature, for example the Office of Auditor General's report *Government planning and support for housing on Māori land* and *Kāinga Tahi, Kāinga Rua: Māori Housing Realities and Aspirations* edited by Fiona Cram, Jessica Hutchings, and Jo Smith. Te Puni Kōkiri has also commissioned independent research into the experiences of whānau developing and living in papakāinga which we expect to publish later this year.

Section 2. Background

"Papakāinga is more than just physical homes. This living practice looks to provide stronger whānau connections, cultural preservation, and the revitalisation of communal living." - Tūwharetoa Settlement Trust

2.1 What do we mean by 'papakāinga'?

There are many ways to define 'papakāinga', but in broad terms, papakāinga is often understood as 'communal settlements on ancestral land'.[2] That is, a papakāinga will usually include more than one house, and those houses can function as a community and be located on 'Māori land' (see below).

Papakāinga come in many shapes and sizes, and can be rural, suburban, or urban. As well as homes, papakāinga may also include other buildings to support aspects of community living, such as kura and kōhanga reo, health services, commercial enterprise, or cultural activities. Many papakāinga include kaumātua housing and encourage intergenerational living. By developing papakāinga, Māori landowners can support whānau with quality affordable housing (development costs are reduced by building on their own land), while also providing ongoing accommodation and assets for future generations.

The return to more traditional ways of living also enables whānau to reconnect with each other and te ao Māori, where they can gain confidence in their identity. Professor Leonie Pihama notes that:

"Papakāinga have the potential not only to provide homes but also to re-embed tikanga practices as 'cultural buffer', supporting wider aspirations for Māori wellbeing."[3] - Leonie Pihama

In planning terms, the key features of papakāinga development are that it:

- includes more than one house;
- is located on 'Māori land';
- includes some non-residential activities; and
- aims to encourage connection between neighbours.

Recent years have seen increasing interest from whānau in developing papakāinga on Māori land. The whānau we spoke with, who were developing papakāinga, identified their strong desire to return to live on their ancestral land to provide homes for their whānau members. They regarded that whenua as home. Professor Pihama puts it this way:

"There is growing advocacy for a return to papakāinga as one means by which to reinstate and strengthen relationships amongst and between whānau.

"The papakāinga movement provides Māori with a contemporary housing option that is grounded on traditional understandings and tikanga. It is a way of re-envisaging and revitalising collective ways of living that support our overall wellbeing."[4] - Leonie Pihama

[2] Leonie Pihama, 'Papakāinga: Māori Wellbeing in the Context of Collective Living', in Fiona Cram, Jessica Hutchings, and Jo Smith (eds), *Kāinga Tahi, Kāinga Rua: Māori Housing Realities and Aspirations* (2022), p 26.

[3] Leonie Pihama, 'Papakāinga: Māori Wellbeing in the Context of Collective Living', in *Kāinga Tahi, Kāinga Rua*, p 27.

[4] Leonie Pihama, 'Papakāinga: Māori Wellbeing in the Context of Collective Living', in *Kāinga Tahi, Kāinga Rua,* p 37.

2.2 What is 'Māori land'?

We use the term 'Māori land' frequently in this report. Most often, it is defined in Section 4 of Te Ture Whenua Act 1993 to mean:

- Māori freehold land - has gone through the Māori Land Court (or what was known as the Native Land Court) to determine who held customary title, divide the land into blocks and convert them into freehold titles. Converting land into titles was implemented by the settler government to move away from traditional collective guardianship. Māori freehold land is the most common type of Māori land. Today, there is around 1.47 million hectares of freehold land, about six percent of all land in Aotearoa New Zealand; and
- Māori customary land – has been held by Māori continuously since the introduction of the land ownership system in Aotearoa and never divided into blocks or converted into freehold titles. This land is held in accordance with tikanga Māori, and unlike Māori freehold land, and there are no 'legal owners' of Māori customary land. Less than 1,200 hectares of Māori customary land remains in Aotearoa.

Because there is so little customary land left, in practice when the term 'Māori land' is used, it usually refers to blocks with the legal status of Māori freehold land.

In some cases, however, the terms 'Māori land' or 'whenua Māori' are used more broadly, often including certain blocks of land with the legal status of General land, for example:

- General land that has been set aside as a Māori reservation (under section 338 of Te Ture Whenua Māori Act 1993).
- Former Māori freehold land that was compulsorily converted to General title under the Māori Affairs Amendment Act of 1967 – a process which the Waitangi Tribunal has found to be 'coercive' and in breach of the Crown's Treaty duty of active protection.[5]
- Other General land that is held collectively by Māori owners, for example land returned to a post settlement governance entity via the historical Treaty of Waitangi settlement process.

Note that some of these classes of General land are included in the definition of 'protected land' under the Urban Development Act 2020. We discuss these issues further in the 'Discussion' section below.

2.3 Developing papakāinga takes tenacity and determination

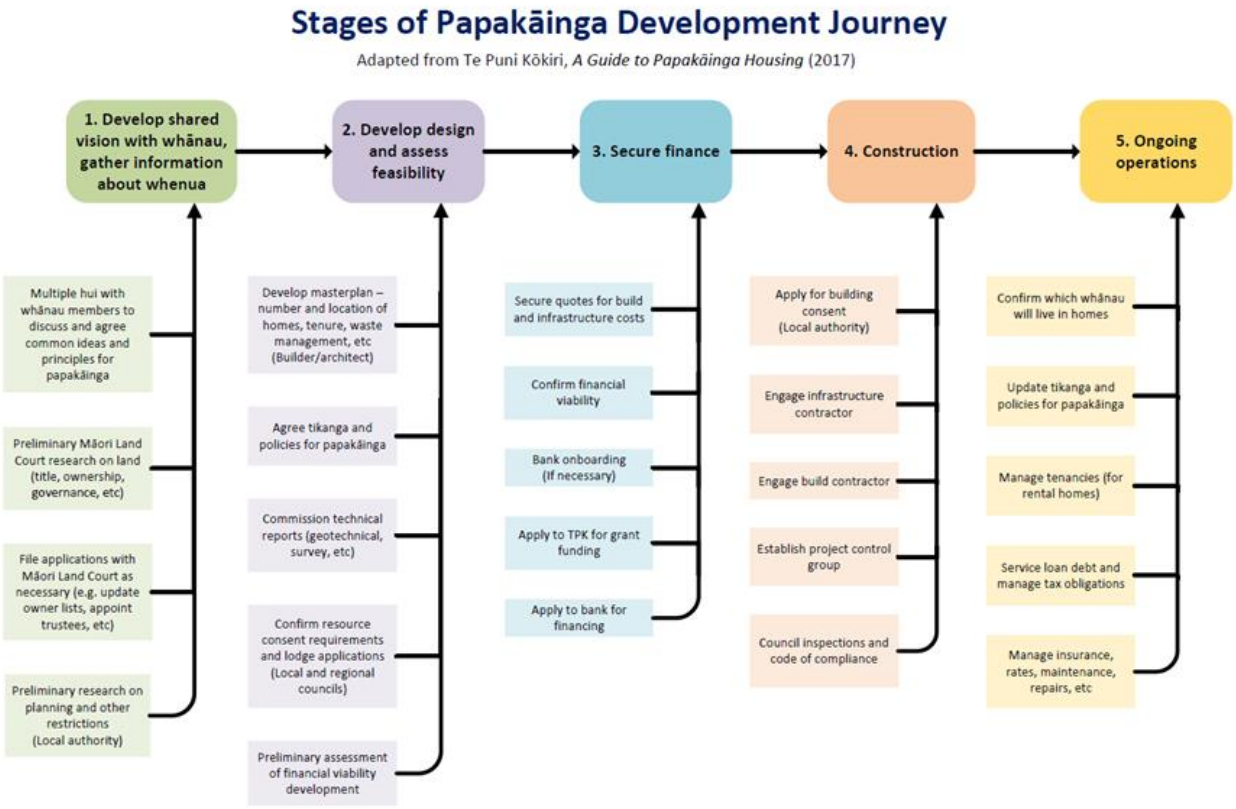
> *"As always, I'm reminded of the numerous barriers to re-occupying ancestral land and developing papakāinga, but also the tenacity and determination of whānau to come together to initiate and progress such projects."*[6] - Jade Kake

Developing a papakāinga under current housing system settings is a difficult process for whānau. Much has been written about the challenges of developing housing on Māori land, and despite various initiatives and reports since the 1980s, many of these challenges and barriers remain (as noted on page 10).

The papakāinga journey diagram below shows, at a high level, all the steps that whānau need to go through to develop papakāinga.

[5] Waitangi Tribunal, *He Maunga Rongo: Report on Central North Island Claims* (2007), p 773.

[6] Jade Kake, 'Ngā Uri o Te Aurere Pou Whānau Trust Papakāinga, Mangakāhia', in Fiona Cram, Jessica Hutchings, and Jo Smith (eds), *Kāinga Tahi, Kāinga Rua: Māori Housing Realities and Aspirations* (2022).



Any one of the steps shown above can present a significant barrier to realising housing aspirations. For example, banks are not generally willing to make home loans using Māori freehold land as collateral, because the land is typically multiply owned and cannot easily be sold on the open market in the case of default.[7] There is evidence that some councils' approach to the application of building consent system contributes to barriers for Māori housing development. A 2023 Ministry of Business Innovation and Employment consultation document for a review of the building consent system options paper notes that public consultation and targeted engagement indicated that 'there is a need to improve building consent authorities' Māori capabilities (understanding of Māori culture and practice)'.[8]

It is the combination of multiple hurdles and barriers, and the lack of coordinated specialist support for whānau, that makes the papakāinga journey so challenging.

In 2011 the Office of the Auditor General summed up the situation facing whānau seeking to develop papakāinga as follows: [9]

- Although some individuals in agencies provide high-quality advice to guide people through the maze of agencies and processes, agency staff generally lack the knowledge and depth of understanding to do this well.
- There are complicated and disconnected processes for getting the necessary approvals and funding for putting housing on Māori land. Central and local government do not always work together in a co-ordinated way.
- Getting consent to build on Māori land can require approval from multiple shareholders who can be hard to locate.
- Without adequate financial support, the upfront costs (such as development costs from resource consent, building consent processes, and development and /or financial contributions)

[7] The Kāinga Whenua loan scheme aims to make it easier to use whenua Māori as a loan security but there has been very limited uptake to date because of the scheme settings. Those settings are currently under review.

[8] Ministry of Business, Innovation and Employment, *Options paper: Review of the building consent system – June 2023* (2023), p 62: https://www.mbie.govt.nz/have-your-say/building-consent-system-review-options-paper-consultation/

[9] Office of the Auditor-General, *Government planning and support for housing on Māori land. Ngā whakatakotoranga kaupapa me te tautoko a te Kāwanatanga ki te hanga whare i runga i te whenua Māori* (August 2011).

required by local authority consent processes can pose a significant challenge for Māori landowners.

- Banks are reluctant to accept Māori land as security for a loan, state lending programmes could be better targeted to the financial circumstances of Māori households and organisations, and houses built on Māori land tend to lose rather than gain value because there is a limited market for them.

These findings align with what Te Puni Kōkiri housing advisors hear from whānau who have recent experience of developing papakāinga. They also align with the experiences that MBIE heard from Māori, in its review of the building consent system.[10]

In the next chapter we include a case study of one whānau journey to realise their dream of building a papakāinga on their whenua. The case study illustrates how, even when the resource consent process is relatively smooth, there are multiple points at which the development would not have proceeded without perseverance, professional guidance, supportive local government officers and some luck.

2.4 Planning rules are critical to the papakāinga development process

This report is focused on just one of the steps shown in the papakāinga journey diagram above: the role of territorial authorities in administering the district planning system under the Resource Management Act 1991 (RMA).

The RMA regulates development of land in New Zealand, allowing 'communities to make decisions on how their own environment is managed through regional and district resource management plans'.[11]

A key role of a local authority under the RMA is to prepare and administer a district plan. A district plan sets out the resource management issues, objectives, policies, methods, and rules which control and manage the development of the district or city.

The 'issues' and 'objectives' in a plan are very high level, and the 'policies' provide more detail on how the objectives will be implemented. However, it is the 'rules' that actually regulate what landowners or a person can do, and therefore provide certainty about what development can happen in particular place within the district.[12]

A district plan divides the district into different zones (for example, the residential zone, the rural zone, industrial zone, and so on).[13] The rules then set out the status of different activities in each zone. An 'activity' may be any kind of land use from 'childcare services' to 'marae' to 'farming' to 'wastewater treatment'. In this report we are concerned with the activity of 'papakāinga housing'.

The status of an activity in a particular zone is very important. If the status of an activity is 'permitted' within a certain zone, then a person can carry it out without seeking a resource consent, for example. Within a zone, an activity may have a status of 'permitted', 'controlled', 'restricted discretionary', 'discretionary', 'non-complying', or 'prohibited'. For our purposes, the key activity statuses, that can enable papakāinga are:

- *Permitted* – the activity is allowed without the need for resource consent, providing it complies with the relevant standards.
- *Controlled* – the activity requires resource consent, but the council must grant that consent as long as the standards are met.
- *Restricted discretionary* – the activity requires resource consent and is subject to the objectives and policies specified in the district plan. The council will only assess the matters of non-compliance with the relevant rules.
- *Discretionary* – the activity requires resource consent and is subject to the objectives and policies specified in the district plan. The council may grant or refuse consent to a discretionary

[10] Ministry of Business, Innovation and Employment , *Options paper: Review of the building consent system – June 2023* (2023), p 61

[11] Ministry for the Environment website, https://environment.govt.nz/acts-and-regulations/acts/resource-management-act-1991/

[12] Plans may also set out 'methods', other than rules, for implementing the policies for the district. These might include for example council grants and assistance

[13] Many districts include Māori Purpose Zone for 'areas used predominantly for a range of activities that specifically meet Māori cultural needs including but not limited to residential and commercial activities'.

activity and may impose conditions if consent is granted.

- *Non-complying* – the activity requires resource consent as it cannot comply with a standard in the district plan. They require careful justification and resource consent applications are likely to take longer, cost more and are more likely to be refused.
- *Prohibited* – the plan expressly prohibits the activity. Resource consent cannot be granted and cannot be applied for.

More detailed provisions in the rules, often called 'performance standards' or just 'standards', also influence what is allowable within a certain zone. They can include more detailed criteria such as the maximum height of a building, the maximum number of buildings, or the distance a building must be set back from the block boundary. A development proposal may be 'permitted' if it complies with these detailed rules, but 'restricted discretionary' if it does not.

2.5 Issues with the current regulatory system

We have explained how planning rules determine how easy or difficult it is to get permission to build a particular kind of development in a particular location.

Often issues arise for papakāinga development because the design of planning rules does not take into account the nature of papakāinga and the specific characteristics of Māori land. For example, a common problem for whānau is that papakāinga comprise multiple houses on Māori land, but Māori land is often located in the rural zone, and district plans rules often only allow one or two houses per block in the rural zone.

Many of the challenges we hear about from whānau still suggest that the idea of communal housing in non-residential (usually rural) areas, on Māori land, somehow does not 'fit' with mainstream planning approaches. Author Nathan Williams expresses the issue in this way:

"With so much Māori land being located rurally it was zoned as such, so there were restrictions on how many houses could be built on it. Exacerbating the situation, banks historically cited multiple ownership as a reason to decline finance. Consequently, Māori land was generally utilised for agriculture, though just as often, it was not used at all."[14] - Nathan Williams

2.6 What is the opportunity for local authorities?

There are a number of reasons for councils to improve their district plan papakāinga provisions. By adopting some of the good practices identified in this report, councils can address local housing need by enabling an affordable housing solution while building stronger communities. Secure, healthy homes and strong communities provide an essential foundation for enabling improvements to other social outcomes such as health, educational achievement, employment and incomes. Specifically, enabling papakāinga can:

- Increase the supply of developable land for housing.
- Build stronger relationships with owners of Māori land in the district.
- Create stronger, more resilient communities by supporting whānau to exercise mana motuhake over their land, their homes and communities.
- Meet relevant requirements under national and regional policy statements, for example:
    - Regional Policy Statements (for example, the Northland Regional Policy Statement requires that 'regional and district councils shall recognise the historical, cultural, and social importance of marae and papa kāinga, and enable their ongoing use and development in regional and district plans').
    - The National Coastal Policy Statement requires that district plans ensure that

[14] Nathan Williams, Māori Counter-Migration and Housing, 1981-2013, in Fiona Cram, Jessica Hutchings, and Jo Smith (eds), *Kāinga Tahi, Kāinga Rua: Māori Housing Realities and Aspirations* (2022), p 42.

activities in the coastal environment recognise tangata whenua need for papakāinga, marae and associated developments and make appropriate provision for them.[15]
    - The National Policy Statement for Urban Development requires local authorities to consider how their planning will meet the future demands of Māori housing, including demand for different types of housing, like papakāinga.

- Strengthen decision-making and help fulfil statutory obligations to provide opportunities for Māori to contribute to decision-making processes (sections 14 and 81 of under Local Government Act 2002). Stronger relationships with tangata whenua can also support the development of policies related to rating of Māori freehold land (section 108).
- Help fulfil statutory obligations under the RMA, which charges all persons exercising functions and powers under the Act to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

[15] New Zealand Coastal Policy Statement 2010 Policy 6, p 13: https://www.doc.govt.nz/about-us/science-publications/conservation-publications/marine-and-coastal/new-zealand-coastal-policy-statement/new-zealand-coastal-policy-statement-2010/

Section 3. Pīngao Estate Trust case study

While preparing this analysis, we spoke with John Waata about his experience of developing a papakāinga at Kaiaua in the Hauraki District. John is Whānau Liaison to Trustee – Papakāinga Project Lead for the Pīngao Estate Ahu Whenua Trust and is the trust's whānau liaison. His experience illustrates just how long and challenging the papakāinga development journey can be – even with favourable planning rules and an understanding council.

John told us that while living in Auckland, he always dreamt of moving back to his tūrangawaewae in Kaiaua. Where he could help his whānau "get their feet back on the ground" by building whare on their whenua.

Back in 1986, John and his brother had no choice but to demolish the old original homestead which was riddled with borer beetle and rotting away. His childhood memories of growing up on the whenua, and in that old whare with his parents and eight siblings were vivid in his memory. It was then the long-term endeavour began, to move home to where his heart had always been.

3.1 Preparing the whānau

Ten years ago, John's first steps towards achieving that goal began. He called a whānau hui to share his vision, dreams, and aspirations of developing their whenua.

The next step was a call to the Māori Land Court to get more information about the land, its ownership, and the legal requirements he would have to work through. John learned there were 115 owners of the block and the title to the land was complex as it was an amalgamation of two Māori land blocks originally owned by different whānau. The Māori Land Court case manager let John know about a Te Puni Kōkiri papakāinga workshop due to be held nearby in Tuakau later that year, so John informed all his whānau to attend.

Representatives from agencies including Te Puni Kōkiri, Māori Land Court, Kiwibank, and Housing NZ presented at the workshop. This helped John's whānau to build greater knowledge and understanding about the process to develop their papakāinga. The whānau then met again to kōrero about the plan moving forward. There have been many more hui since then, and John says he has always had one hundred percent support from all the whānau about the plan, including from the whānau connected to the amalgamated block. He knows he is very fortunate in this respect, as it is not always the case for other whānau seeking agreement to develop their whenua.

3.2 Preparing the whenua

Once the whānau had agreed on what they wanted, work started on developing a masterplan for the site – how many houses there would be, where they'd be located, planning a garden, orchard, and communal spaces. The papakāinga would have a mix of rental and owner-occupied homes.

However, the process of getting the necessary approvals from the Māori Land Court and the bank turned out to be slow and challenging.

John estimates that it took seven years to secure funding for the papakāinga. This process included preparing whānau for home ownership and other factors that come into play when developing papakāinga on multiply-owned whenua Māori.

For example, the bank would only loan for building on whenua Māori if the whānau had an occupation license for the full term of the Kāinga Whenua loan (a government-backed home loan product which enables whānau to borrow to build on whenua Māori).

The land where the papakāinga was to be located had been set aside as a Māori reservation under section 338 of Te Ture Whenua Māori Act 1993. At that time, the Act did not allow an occupation licence to be granted on Māori reservation land for housing for a term exceeding 14 years, longer than the term of the Kāinga Whenua loan (this has since changed). This meant that John had to apply to the court to have the Māori reservation cancelled. That created further delays as he waited months before the Māori Land Court hearing took place.

Even the process of opening a bank account for the Pīngao Estate Ahu Whenua Trust (which administers the block) was a long process. The bank needed to see court documents relating to the establishment of the trust and past trustees from as far back as 1967. This required several trips to the nearest Māori Land Court office, a two-hour drive away. All these processes cost precious time and money.

3.3 Project management

With land title issues and financing on the way to being resolved, the whānau brought in a project management company with specialist knowledge of papakāinga development to support the design, consenting, and construction processes. They were careful to choose a company they knew would work the way they wanted and that understood their vision and the unique challenges of developing papakāinga.

The same project manager worked with and guided the whānau through all phases of the development.

3.4 Local Council

The Hauraki District Plan provided for papakāinga development as a permitted activity in the zone where the land is located. In other words, it is about as enabling as a district plan can be. Still, work with the planning team to resolve various technical issues and confirm that the plan met the relevant criteria and standards took a few years. John said over that time he developed a strong relationship with the council planner, who was very supportive throughout the process.

One issue that arose was council records that showed an archaeological site on the block. Heritage New Zealand had an interest in the site. The site appeared to be located in the centre of the papakāinga development area. However, the animated online council maps were unclear about the exact location of the site, and no knowledge about the site had been passed down from the previous generation of the whānau.

In the end, the issue was resolved when John managed to track down the archaeologist who had originally surveyed the block back in 1975. She had been retired for many years but thankfully had kept her own site drawings showing the exact location. She was able to overlay her drawings against the council drawings where it confirmed the actual archaeological site was 85 metres away from

John Waata (right) and his son Maureece Waata (left) at the site of the new papakāinga as houses arrive on site

the site shown on the council map. This was a welcome relief for all involved and the council has since updated their map. Because the papakāinga was located more than one kilometre from the marae, John also had to comply with a planning requirement where consent was needed from the relevant marae committee. John said he had no problem gaining this consent.

These issues give a sense of the enormous perseverance required from whānau, even in situations where planning rules are set up to enable papakāinga.

3.5 Building the whare

Thankfully, most of the hard work is now behind John and his whānau. The masterplan is becoming a reality. Stage one involved six houses being built off-site and transported onto the land, and a seventh house will be built onsite. Four houses were transported to the site before Christmas 2023. In early 2024, two more were delivered and the onsite build began.

The seven whare will be owned by the Pīngao Estate Ahu Whenua Trust, to be managed as affordable rentals for whānau. Three additional whare will be built and owner-occupied by whānau who can fund their own builds with a Kāinga Whenua loan. Work is beginning on an orchard, raised gardens, water bore, and a communal space with a self-contained cabin, adventure playground, flying foxes, BBQ area, hangi pit, and fire pit.

Aerial view of the first six houses at the papakāinga in Kaiaua.

The whānau plan for stages two and three include the development of 12 additional houses over a span of five to ten years, and eventually a wharenui.

Even at this late stage, John told us about a number of ongoing issues that required his attention: the off-site manufactured homes would require building consent processes from two different councils (in the district where they are manufactured and then onsite at Kaiaua); the regional council had initially declined consent for the wastewater system, so John was waiting for his engineer to produce an updated design; and conversations were ongoing about exactly what number of homes could be allowed given the single land road access. The list goes on!

3.6 Conclusion

We were privileged to speak to John right at the point where his dream of many years was becoming a reality. He was justifiably proud of the hard mahi he and his whānau had put in over many years, and the support he'd received from his project manager, the council planner, engineering and electrical contractors, and others.

John explained that the funding the whānau received through Te Puni Kokiri and Te Tūāpapa Kura Kainga (Ministry of Housing and Urban Development) had enabled them to unlock their whenua for further development in the future. He said this had created an intergenerational change and emphasized the utter importance of kotahitanga throughout this very long and drawn out haerenga. His determination and resilience were inspiring.

Section 4. Methodology

4.1 How we approached the research

The aim of our analysis was to take a snapshot of how councils across the motu provide for papakāinga in their district plans today. We reviewed all 65 district plans, accessed via council websites.

We collected a consistent set of information on papakāinga-related provisions from each plan. The following information was collected:

- The objective most relevant to the development of papakāinga.
- The policy (or policies) most relevant to the development of papakāinga.
- The rule(s) most relevant to the development of papakāinga. Usually these rules are called 'papakāinga' or 'papakāinga housing', though sometimes papakāinga is provided for within another rule such as 'marae development'.
- The zone (or zones or precinct) where the papakāinga rule(s) apply. For example, whether the rule applies only in the rural zone or Māori Purpose Zone,[16] or in multiple zones, or district-wide.
- The most enabling activity status that applies to papakāinga housing anywhere in the district (permitted, controlled, restricted discretionary, etc).
- Any detailed provisions within the rules that apply to papakāinga that limit the number houses that can be built (for example, minimum lot size per house, maximum site coverage, etc).
- Whether the definition of papakāinga explicitly provides for non-residential activities (cultural, educational, small business, etc), as well as housing.
- Whether the papakāinga rules apply only to Māori land as defined by section 4 of Te Ture Whenua Māori Act 1993, or whether it applies more broadly to also include certain classes of General land (for example, those described in the 'What is Māori land?' section above).

In most cases, we included the operative district plan in our analysis. In a few cases, however, we included a proposed plan change in our analysis. We included these only where the proposed change had already been consulted on and approved by council - but was still subject to appeal.[17]

The full set of information we collected is attached at **Appendix 1**.

4.2 Categorisation scheme

Different district plans are structured in different ways, in terms of the way that the zones, activity status, and other rules interact. For example, one plan may have a very enabling rule for papakāinga (permitted activity status, with no restrictive standards) which applies only in a very small geographical area. In another district, papakāinga may be a 'restricted discretionary' activity district-wide. It is also common for a different activity status and different rules to apply within different zones in a district.

All of this makes it difficult to make general comparisons between different plans, in terms of how well they enable papakāinga.

Nevertheless, we have devised a simple categorisation scheme to give a high-level sense of how councils provide for papakāinga. We categorised the 65 district plans into four groups, described below. The groups are:

[16] Note: as the National Planning Standards published by the Ministry for the Environment in 2019 include 'Māori Purpose Zone' as a standard zone (p 38), this name is likely to become more common.

[17] The RMA sets out a process for councils to develop plans and plan changes. It specifies who must be consulted with to develop the plan, including relevant iwi authorities. Proposed plan changes must be publicly notified, and submissions sought. Councils then consider submissions and hold hearings before making decisions. Council decisions on plan changes are subject to appeals through the Environment Court. Changes only become operative if they are not appealed, or once the Environment Court has ruled on any appeal.

- Group 1 - plans that contain no provisions relating to papakāinga.
- Group 2 - plans that contain an objective or policy relating to papakāinga, but no rule.
- Group 3 - plans that contain a papakāinga rule(s) which applies to one or two geographical areas (usually a zone or precinct).
- Group 4 - plans that contain a papakāinga rule(s) which applies to three or more geographical areas or district wide.

The aim of our categorisation scheme is to give an overall sense of how councils across the motu are providing for papakāinga. It is clear that plans in groups 3 and 4 are doing a better job at providing for papakāinga than plans in groups 1 and 2. Beyond that, however, it is difficult to make any generalisations about which groups are most enabling, because the geographical scope of the papakāinga rule interacts with the activity status, standards, and other variables in each plan.

4.3 Limitations of our analysis

We are releasing the analysis and preliminary findings to provide a basis for further discussion, research, and analysis with the goal of improving planning provisions and enabling more papakāinga. Nevertheless, we acknowledge the following limitations of our analysis.

First, the scope of this report is narrowly focused on planning rules relating to papakāinga in district plans. That means there are many related issues and processes that are out of scope, but that impact on whānau seeking to develop papakāinga and therefore warrant further investigation. These include:

- The quality of relationships between councils and tangata whenua, in particular the extent to which councils understand their housing aspirations.
- The way resource consent processes are carried out in practice by district councils, and how accessible those processes are to whānau.
- The impact of council policies for development contributions and the rating of Māori land on papakāinga development.
- The impact of regional council resource consent requirements and processes on papakāinga development.
- The level of engagement of tangata whenua in the development of new provisions through the plan change process.
- The extent to which councils are taking into account the principles of Te Tiriti o Waitangi in exercising their functions and powers under the RMA.

Secondly, the analysis in this report was not done by qualified planners. However, we have tested our methodology and preliminary findings with a number of planners, and our analysis of each district plan has been checked by two members of the Te Puni Kōkiri housing team. Also, we have been cautious in the way we have interpreted our analysis to reach our findings, so that, if there are any errors in our analysis of particular plans in Appendix 1, those will not affect the validity of our general findings on how councils improve their planning for papakāinga.

Thirdly, our findings are based almost entirely on our analysis of district plans. We have drawn on the experience of our housing advisors who support whānau to develop papakāinga, but we have had relatively limited direct kōrero with whānau and trustees who are developing papakāinga (the ‘end users’ of the planning system), or with planners and other council staff who apply planning rules on the ground.

However, when our papakāinga research is completed later in 2024, we will gain a more in-depth understanding about the experience of whānau and trustees.

Given these acknowledged limitations, we welcome feedback from any whenua owners, council staff, planners, or other readers on any aspect of the report.

Section 5. Findings and Discussion

5.1 More than two thirds of district plans provide for papakāinga in some way

Following the categorisation scheme described in the methodology section above, the 65 district plans are broken down as follows:[18]

Table 1: Summary of analysis

Group 1 - plan that contain no objective, policy, or rule relating to papakāinga	17	26%
Group 2 – plans that contain an objective and/or policy relating to papakāinga, but no rule (so the normal rules for each zone apply)	3	5%
Group 3 - plans that contain a papakāinga rule(s) that applies within one or two zones	31	48%
Group 4 - plans contain papakāinga rule(s) which applies district-wide on whenua Māori or in three or more zones	14	21%
TOTAL	**65**	**100%**

These results show that 48 of the 65 plans (74%) make some mention of papakāinga, and that most of those (45) have an explicit rule relating to the development of papakāinga.

North Island councils are more likely to have papakāinga provisions than councils in the South Island: while 34 out of 42 North Island district plans (81%) include papakāinga provisions, only 14 of the 23 South Island district plans do (61%).[19] More than half of the plans (9 of the 17) that did not include papakāinga provisions were in the South Island.

Whānau in districts without papakāinga provisions are likely to find it more difficult to develop papakāinga. At the very least they will be uncertain as to whether they will be able to develop papakāinga and in most instances they will need to go through more effort and probably, legal expense to gain planning permission.

We did not find any obvious correlation between plans containing papakāinga provisions, and the amount of whenua Māori in the district. A table showing the amount of whenua Māori in each territorial authority area is attached at Appendix 2. There was also no consistent relationship between the date of the plans and the papakāinga provisions, though more recent plans tended to be more likely to have papakāinga provisions and older plans not.

A small number of plans contained high-level policies or objectives expressing an intent to enable papakāinga in the district but had no rule to give effect to that intent. If plans do not contain rules to support intentions for papakāinga, whānau will have less certainty about what they are able to do and they may need to go to court for papakāinga development to go ahead.

5.2 The definition of ‘papakāinga’ varies between plans

We found considerable variation in the way ‘papakāinga’ was defined across the different plans. As discussed in the ‘Background’ section above, the definition is important. A narrow definition may not enable whānau to develop the communities that they aspire to, which support the activities to sustain them and build wellbeing.

Of the 45 plans that contained a papakāinga rule, 42 contained an explicit definition of the term ‘papakāinga’ (usually in the Interpretation or

[18] The full analysis that sits behind these figures is attached at Appendix 1.
[19] We included Chatham Islands Territory in the South Island totals, in line with Local Government New Zealand website.

Definition section). Typically, definitions were along the lines of ‘a housing development on multiply-owned Māori land’. Of the 42 plans that included a definition, 27 gave a broader definition which included non-residential activities and better reflected traditional concepts of papakāinga. Some examples of these broader definitions include:

- **Gisborne District plan:** Papakāinga… means one’s home place and any activity which the owners of Māori land shall seek to undertake on their land to sustain themselves. Papakāinga may include (but not be restricted to) waahi tapu, urupa and recreation areas.
- **Hauraki District Plan:** Papakāinga housing means a comprehensive residential development for a recognised tangata whenua group or organisation residing in the Hauraki District to support traditional Māori cultural living on Māori land for members of the iwi group or organisation.
- **Proposed Far North District Plan:** Papakāinga … means an activity undertaken to support traditional Māori cultural living for tangata whenua… Papakāinga may include (but is not limited to) residential, social, cultural, economic, conservation and recreation activities, marae, wāhi tapu and urupā

These definitions refer in general terms to activities that are necessary for a whānau to ‘sustain themselves’, or ‘support traditional Māori living’ or ‘to enable the owner to live on the land’. Other plans were quite specific about the other activities that are permitted. For example, the Auckland Unitary Plan includes a table of activities that are permitted, which specifies not only what types of activities, but also the size of the building that is permitted.

Interestingly the Manawatu District Plan has no explicit ‘papakāinga rule’ as such but allows for more than one dwelling on a parcel of Māori land in rural zones (as a controlled activity).

5.3 Papakāinga rules apply to different types of land in different districts

We also found significant variation between plans, in terms of the types of land to which the papakāinga rule applied. Most definitions for ‘Māori land’ align with the definition in section 4 of Te Ture Whenua Māori Act 1993 (that is, Māori freehold land and Māori customary land). Sometimes, Māori reservation land is also explicitly included. However, these definitions may restrict the amount of papakāinga development that can occur and whānau aspirations for papakāinga will not be fulfilled if their land does not fall within this definition.

In some plans, rules could apply to other types of land. We found that in 16 plans, the papakāinga rule could apply beyond ‘Māori land’ as defined in Te Ture Whenua Māori Act 1993. This should enable papakāinga to be developed in more locations in the district, than if Māori land was defined more narrowly.

The Hastings District Plan, for example, also provides for papakāinga to be developed on land given a declaration of status under Part 1 of the Māori Affairs Amendment Act 1967. That is, former Māori freehold land that was compulsorily converted to General title. In these cases, however, the plan requires the applicant to provide evidence that the land has remained in ancestral ownership continuously from the date that it was converted under the 1967 Act.

The Nelson Resource Management Plan provides for papakāinga to be developed on land ‘General land owned by Māori’ provided the land is vested in a trust constituted under Te Ture Whenua Māori Act 1993. ‘General land owned by Māori’ is a broad class of land (also defined in sections 4 and 129 of Te Ture Whenua Māori Act 1993) which includes any General land owned ‘by a Māori or by a group of persons of whom a majority are Māori’. The requirement that such land must be vested in a trust is intended to ensure only the beneficiaries of the trust will own the land and the land cannot be sold.

These two examples (Hastings and Nelson) demonstrate that papakāinga planning rules can be made to apply beyond Māori freehold land and Māori customary land, without creating a 'loophole' for non-papakāinga developments.

Very few plans specify in any detail who is entitled to develop papakāinga in the district, beyond a general reference to 'Māori housing'. One plan we reviewed specified that papakāinga applies only for tangata whenua who have mana whenua status. At the other end of the spectrum, the Hamilton District Plan provides that:

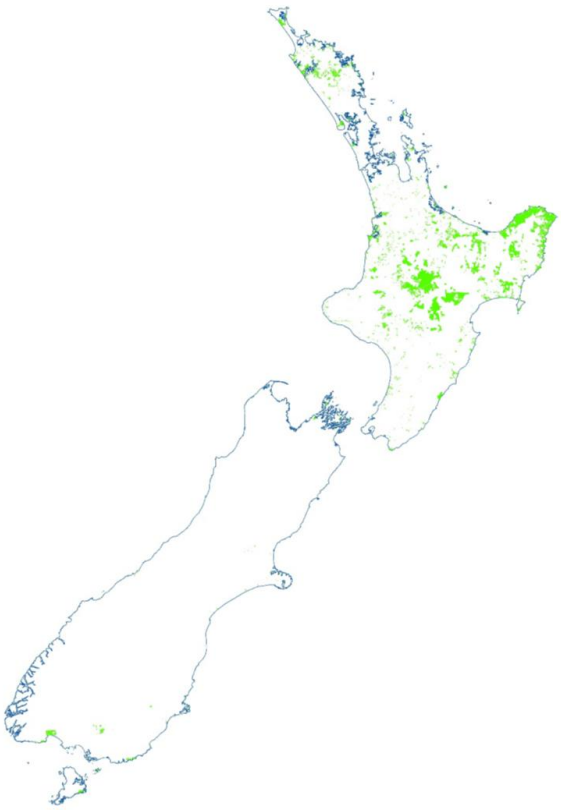
The extent of papakāinga should be determined in consultation with tangata whenua and is not necessarily confined to multiple-owned Māori land. The definition may also include 'taura here' communities who establish modern/urban papakāinga.

This was one of the few explicit references to Māori who want to develop papakāinga on land they don't whakapapa to, that we came across. It is broad enough to ensure that papakāinga development is not unnecessarily restricted. Whānau will be able to develop papakāinga on their land no matter what the circumstances around ownership, as long as relevant tangata whenua are involved in decisions.

5.4 Most often, papakāinga rules apply within the rural zone or a special purpose zone

Of the 45 district plans that contain a papakāinga rule, 31 show the rule applies to one or two specified zones. Most often, the rule applies in the rural zone or in a special purpose zone, such as a Māori Purpose Zone, Māori Development Zone, Papakāinga Zone, or Nohoanga Zone. In some cases, the papakāinga rules also apply to other zones, like the Rural or Coastal Zone. This pattern reflects the fact that much Māori freehold land is in rural and coastal areas, as shown in Figure 2 below.

Figure 2: Map of NZ showing Māori Freehold Land



As you would expect, Māori Purpose Zones are usually located around marae, Māori communities, and whenua Māori, but the zone may not encompass all Māori freehold land in the district. In a couple of instances, we found the boundaries of the zone difficult to find on plan maps.

District plans generally contain little or no information to explain how the boundaries of special zones were defined, and how tangata whenua participated in the process. Some of these plans may unnecessarily restrict the amount of papakāinga development that can occur because the zone does not include land where whānau and hapori Māori want to build papakāinga.

In 17 plans, the papakāinga rule applies district-wide. This means the rule applies to Māori land anywhere in the district (and in some districts, such as Hastings, to certain types of general land).

5.5 The activity status for papakāinga varies between districts, and between zones within districts

The activity status that applies in a particular location is a critical factor in determining how easy or difficult it will be to gain resource consent to develop papakāinga there.[20] Where papakāinga is a permitted activity, for example, no resource consent is required, though the whānau will need to work with council planners to ensure their plans meet the relevant criteria and standards.

Where a resource consent is required, this can present a huge barrier for whānau – especially if the consent application needs to be publicly notified. In addition to time and cost required to make the application, exacerbated by the generally low level of understanding of papakāinga and whenua among council staff, notification can be a sensitive issue for whānau wanting to return to live on their whenua. As a consultant planner quoted in *Kāinga Tahi, Kāinga Rua* puts it:

> *"It was challenging for the applicants to be thinking that they have to engage with neighbouring, or even potentially the wider, community… sometimes there's quite possibly a long history around how the community were able to establish themselves around [the whānau], and what advantages they had, and what disadvantages the whānau had to be able to use their own land. So it was quite distressing for [the whānau] to be thinking – okay we just want to go home and we want to do something that's good for our people, and good for our whenua, and yet we're going to have to go and have the conversation with these people, who we don't know, who have absolutely no responsibility to their environment."*[21] - Bernadette Aperahama

In our analysis, for each plan we recorded the most enabling activity status that applied anywhere in the district. The extent to which the overall plan enables papakāinga depends on many other factors in addition to this measure (as we explain in the Methodology section). Nevertheless, we believe this provides an interesting point of comparison across plans.

We found that in 29 plans, papakāinga is a permitted activity at least somewhere in the district. In 12 plans the most enabling status for papakāinga was controlled, and in two it was restricted discretionary or discretionary. Often, papakāinga will be permitted in certain a zone and restricted discretionary in other parts of the district. Or papakāinga will be permitted if certain standards are met, but will be controlled or restricted discretionary if the proposal does not meet standards.

Sometimes the kinds of activities that are allowed as 'papakāinga' also vary between zones in a district, which will limit what owners of Māori land can do in different locations. In Tasman for example, papakāinga are permitted in the

[20] The different 'activity status' categories are described in the Background section above.

[21] Bernadette Aperahama quoted in Jade Kake, 'Ngā Uri o Te Aurere Pou Whānau Trust Papakāinga, Mangakāhia', in Fiona Cram, Jessica Hutchings, and Jo Smith (eds), *Kāinga Tahi, Kāinga Rua: Māori Housing Realities and Aspirations* (2022).

Papakāinga Zone, but are a controlled or restricted discretionary activity in other zones. In the Whangarei District Plan, the activity status for papakāinga depends on the area of land per house (permitted if there is 2000 m^2 per unit or more, restricted discretionary if not) and the status of the land (permitted on Māori freehold land, restricted discretionary on General land owned by Māori).

The Tauranga District Plan was developed through a close working relationship between council and mana whenua. The result is a fairly complex set of provisions, with different rules for papakāinga development in several different zones across the district. While complex, the tailored provisions are aimed at maximising the potential for papakāinga in each zone and providing certainty for owners of Māori land.

5.6 Planning rules often limit how many homes can be built on a site

Detailed provisions in the rules set the design conditions that whānau must meet in developing a papakāinga. Anecdotally, we have heard these can sometimes have unintended consequences that limit or prevent development. For example, rules may require homes to be set back at least 50 metres from the block boundary, meaning that homes cannot be built on a block less than 100 metres wide. Rules requiring a certain standard of sealed road access within the block may add significant cost to a development.

In our analysis, we focused on detailed rules that limit the number of homes that can be built on block, either through an explicit cap on the number of homes or through a density or coverage standard. Such rules are very common and are likely to reflect the fact that Māori land is often rural and poorly served by public roads and water infrastructure. Nevertheless, such rules have the potential to unreasonably limit the number of homes on a block.

We found that in the majority (73%) of plans with a papakāinga rule, that rule included a provision that limited the number of homes on a block.

The rules vary widely between plans. For example, some plans require a minimum of 1200 m^2 per dwelling in a rural area, while others require a minimum or 2000 m^2 per dwelling, and others a maximum of 50 per cent site coverage. In some cases, the density limits that apply under the papakāinga rule are the same as the limits in the underlying zone which, in a rural zone, are not intended to enable communal housing approaches. This means that papakāinga developments may not go ahead unless whānau compromise on their aspirations and fewer houses will be built.

We found only a few cases where a plan made an explicit link between the number of homes that could be developed on a site and the practical issues of sewage disposal, access and so on. Policy UFD-P5 of the Kapiti Coast District Plan, for example, states that development of papakāinga 'will be provided for *where it is of a scale, extent and intensity that is determined by the physical characteristics of the subject site, surrounding environment and tikanga Māori*' (our emphasis). Policy PKA-P2 of the Whangarei District Plan requires 'the maximum intensity and scale of papakāinga development *to be determined by the sustainable servicing capacity of the land and the surrounding environment* (our emphasis).'

5.7 References to 'amenity values' may prevent development in some cases

The RMA defines amenity values as the 'natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes'. In its 2020 report, the Resource Management Review Panel found that consideration of amenity values under the RMA is subjective and has often been used to prevent development.[22]

Several plans require the impact on amenity values of a papakāinga proposal to be considered as a factor in the resource consent process. Insofar as whānau developing papakāinga are often seeking to return and live on rural land that may not have been occupied for generations and used for farming

[22] Resource Management Review Panel, *New Directions for resource management in New Zealand: Report of the Resource Management Review Panel* (2020), p 74.

over that time, it seems likely that plans requiring amenity values to be taken into account may present yet one more barrier for whānau. That is because where amenity values are referenced in papakāinga planning provisions, it is usually in the context of maintaining existing amenity values of the (usually rural) area. In these cases, introducing comparatively higher density of housing risks being in conflict with the perceived amenity of the surrounding area. In some plans, the subjectivity of judgements about amenity values is reduced somewhat by specific descriptions of the values to be protected.

We were only able to find one example of the term 'amenity value' being used to relate to the amenity within the papakāinga. In the Rotorua Lakes District Plan, the objectives for Marae Protection include protecting the amenity of the papakāinga and the cultural and spiritual values of the marae.

5.8 Papakāinga development plans may support the process

A number of plans require whānau to provide a papakāinga development plan as part of their resource consent application. The Hastings District Plan, for example, provides that the council will have regard to the development plan in assessing papakāinga applications (21.1.8A). The development plan should include:

- location of house sites and availability of land for future house sites with consideration given to retaining the potential of any residual land;
- location of structures other than dwellings;
- how compatible the layout and design of any buildings are with any other buildings or services that are present or planned on the site;
- areas of the site proposed to be devoted to rural productive activities or other employment generating activities;
- location of any community facilities, industrial or commercial buildings;
- location of utility servicing requirements;
- location of access(s) and internal roading network;
- identification of, and avoidance or mitigation from the locational constraints of natural hazards, such as erosion, falling debris, subsidence, slippage, or inundation from any source; and
- how the principles of tikanga and kaitiakitanga have been incorporated into the development.

Further details are required for papakāinga developments of more than five dwellings.

The Nelson Resource Management Plan requires applicants to provide a development plan for the land, which must indicate:

- the broad resource management principles to be applied in the papakāinga area
- the location and extent of the area to be part of the papakāinga development,
- land contours, water bodies, vegetation and existing activities,
- the nature and location of neighbouring activities, including the location of any residences,
- the number and location of proposed buildings, and their intended use,
- the proposed provision and design of access to the site,
- any proposed earthworks, including any tracks or roads,
- the proposals for landscaping to avoid, remedy or mitigate any adverse visual effects of the activity,
- the proposed reticulation of water supply and provisions for stormwater and sanitary drainage, including the disposal of effluent,
- a proposal for staging of the development.

The Matamata Piako District Plan provides that 'iwi housing, subject to an Iwi Housing and Marae Development Plan' is a permitted activity in certain zones with a development plan, and discretionary without (Activity 6). However, we were not able to

find a description of what should be included in the marae development plan.

We are interested in hearing from whānau and councils about their experiences and views of the utility of papakāinga development plans. It may be that they play a useful role in supporting a good planning and design process. Where development plans are required, however, they should not be overly onerous and it should be clear what information is required.

Section 6. Conclusion Improving planning rules to enable papakāinga

"Papakāinga are about more than simply hauora – they're about mana motuhake. Everything connects back to mana motuhake: mana whenua, mana atua, mana tangata – everything comes from this."[23] - Reuben Taipari

6.1 Better planning rules can help unlock the housing potential of Māori land

Owners of Māori land face considerable barriers to developing papakāinga housing on their whenua, especially in rural areas. Better planning rules can reduce those barriers and in the process, help realise the enormous benefits for whānau - in terms of housing, health, whānau wellbeing, and much more – that can flow from communal living on ancestral whenua.

Carrying out our analysis, we were pleased to find that many councils around the motu are making provision for papakāinga in their district plans. Nevertheless, there is still much room for improvement.

The resource management reforms currently underway at a government level should present an opportunity to improve planning rules relating to whenua Māori and housing, as a key objective of those reforms will be to increase the supply of land for housing. Better regulatory settings would make a positive difference in unlocking both the housing potential of whenua Māori and the perseverance and resourcefulness of whānau in realising their housing aspirations.

We expect there will still be many opportunities to review and change district plans under the RMA over the coming years, as the reform work proceeds and as we transition to a new regulatory regime. We hope the findings and discussion in this report will help councils and whenua owners to learn from the approaches taken in other districts, as those opportunities arise.

These changes, alongside other reforms such as the improvements to the Kāinga Whenua Loan scheme, will help ensure the papakāinga movement continues to grow into the future.

6.2 The elements of good papakāinga planning provisions

Our preliminary view of the key elements of enabling planning provisions for papakāinga are as follows:

- District plans (and whatever may replace them under any future resource management system) should contain planning rules for papakāinga development. High level statements in plan objectives and policies are positive, but planning rules provide certainty for owners about what can be built and where, allowing them to progress more quickly.
- Papakāinga rules should apply in all the places where Māori communities might want to develop papakāinga, for example by making papakāinga a district-wide activity, or through thorough engagement with iwi and hapū in decision-making on zoning.
- Papakāinga rules should not simply mirror provisions for rural dwellings or residential subdivision. For example, rules should provide for a range of non-residential activities to take place (cultural, educational, commercial, urupā, and so on). A papakāinga community

[23] Reuben Taipari (Ngāpuhi, Te Rarawa, Ngāti Kahu, Ngāi Tūhoe), quoted in Hellen Potter, 'Papakāinga Whare Uku and the Sustainable Re-occupation of Whenua' in in Fiona Cram, Jessica Hutchings, and Jo Smith (eds), *Kāinga Tahi, Kāinga Rua: Māori Housing Realities and Aspirations* (2022), p 151.

emphasises community interaction over separation between neighbours, so performance standards around setbacks, house site area, service areas, and so on will be different. In particular, councils should be careful that performance standards provide effectively for wastewater disposal etc, without unreasonably limiting the number of homes on a block.

- The idea and practice of 'papakāinga' has, and will continue to, evolve over time – and the planning system should reflect that. It is not for councils (or the Te Puni Kōkiri kaimahi who authored this report) to provide an exhaustive definition of what 'papakāinga' means, nor is it necessary. However, we are seeing a range of new models that are emerging, for intentional communities where whānau can live in accordance with tikanga Māori, to foster communal wellbeing. This is an area where further kōrero is required, but looking to the future, councils should provide for papakāinga in urban and suburban zones, and we would like to see papakāinga rules applying on the certain classes of General land we describe in the section titled Papakāinga rules apply to different types of land in different districts, above (pages 20 and 21). For example, this could help facilitate papakāinga that iwi may want to build on land returned in Treaty settlements.
- We think provisions aimed at maintaining the existing 'amenity values' of areas which have little or no existing housing are problematic because they are subjective and, more importantly, they may reinforce historical patterns of land loss and alienation that the papakāinga movement is seeking to reverse.
- Local planning rules relating to papakāinga housing must be aligned with other council policies that govern how easy or difficult it is to develop housing on Māori land. Development contributions, for example, are required to fund infrastructure to support new housing, but can present a major financial barrier. We have not reviewed development contribution policies nationally, but we are aware that some councils reduce or waive development contributions on affordable housing such as social housing and papakāinga. Given that Māori choice on the location of their land is limited, we would endorse this approach.

6.3 Effective local planning provisions must be built on strong relationships

While our recommendations above point the way to effective papakāinga planning, local provisions must reflect the specific circumstances of the district. This can only be achieved through the development of strong relationships between councils and tangata whenua of the rohe. By engaging owners of Māori land in the planning process, councils can ensure papakāinga rules support whānau housing aspirations. This engagement is already required under the RMA and supported through guidance in the National Planning Standards.

The current capability and approach of different councils to engage is variable. However, we were pleased to see a few examples of councils having listened to tangata whenua, and reflecting their housing aspirations in plans, for example:

> *"The District's Tangata Whenua have a special relationship to the land and the environment. The district plan addresses their desire to re-establish communities on their traditional lands, and in traditional environments"* - Hastings District Plan

Māori partnership teams, planning teams, and resource consent teams all have a role to play in building effective local partnerships, reflecting the mātauranga and aspirations of iwi and hapū in strategic and planning documents, and ensuring the intent of those documents is given practical effect through the administration of the resource consenting system. Overall, better relationships with tangata whenua will help reduce barriers for whānau and ensure better planning provisions. This will enable whānau to achieve their aspirations to improve housing and build stronger communities.

6.4 Next steps

Despite the limitations of the desktop analysis in this report, we believe the analysis in this report will be valuable to a wide audience, including - whānau, hapū, iwi and Māori landowners, as well as local authorities and policy makers.

Given the urgency of the housing crisis for many whānau, the growth and innovation of the Māori housing sector in recent years, and the recently launched government initiatives aimed at reforming the resource management system and expanding housing supply, Te Puni Kōkiri is committed to continuing to work on this kaupapa.

For the next phase of this work, we are seeking to hear directly from whānau and whenua owners about their experience of the planning and consenting systems, and the other council processes they navigate in the development of papakāinga. Some of this work is already underway as part of the papakāinga research we have commissioned, due to be completed in the second half of 2024.

Our Māori housing policy team would also like to hear directly from councils about their experience of administering these systems and processes, and the opportunities they see for improvement. While the picture is varied across councils, it is clear to us that there is a lot of good practice that should be highlighted, shared, and built on.

Lastly, we look forward to working with fellow agencies to help shape policy reforms in way that will support the growth of papakāinga as both a form of affordable housing and an expression of mana motuhake.

In the meantime, we welcome comments and feedback on any part of this report, please contact the Te Puni Kōkiri Māori housing policy team at: MB-WKWO@tpk.govt.nz

Acknowledgements

We would like to acknowledge the contribution of John Waata of Pīngao Trust. Thank you for sharing your whānau experiences with us.

We would like to acknowledge Biddy Livesey for her previous work on papakāinga planning rules and for her advice in the preparation of this report.

We would also like to thank officials from other agencies and councils for their review and feedback.

The Te Puni Kōkiri team who completed this analysis and report were Steve Kerr, Hākopa Ashdown and Kirsten Dale

Appendix 1. Details of papakāinga provisions in all District Plans

Notes:

- This analysis was completed as in November 2023.
- We have endeavoured to ensure the details in the table below are accurate, but it is possible that we have misinterpreted or missed some details.
- If you have any feedback, updates or corrections please contact the Te Puni Kōkiri Māori Housing Policy team at MB-WKWO@tpk.govt.nz.

District plan (A-Z)	Operative plan date (if analysis is based on operative plan)	Decisions version plan date (if analysis based on decisions version)	Relevant Objective (Ref OR 0 if none)	Relevant Policy (Ref OR 0 if none)	Relevant Rules (Ref OR 0 if none)	Where does papakāinga rule apply? (zone(s), precinct, etc)	Most enabling activity status under relevant rule	Density/ coverage/ max dwellings that apply under enabling rule	Papakāinga rule explicitly enables education/ health/cultural, etc activities?	Papakāinga rule applies on General land (under certain circumstances?)	Category (see p 36)
Ashburton District	1-Aug-14	N/A	0	0	0	0	0	0	0	0	1
Auckland Unitary Plan	N/A	1-Sep-23	B6.4.1	B6.4.2 E20.3 E21.3 H27.3	E20.4.1, E20.8 E21.4.1, E21.8.2 H27.4	Māori Purpose Zone Auckland wide on Māori Land and Treaty settlement land	P	Up to 3 dwellings - P 4 or more – RD Up to 250m^2 gross floor area - P > 250m^2 - RD	Yes "Integrated Māori development"	Yes	3
Buller District	28-Jan-00	N/A	0	0	0	0	0	0	0	0	1
Central Hawke's Bay Proposed District Plan	N/A	19-Oct-21	PKH-01 to PKH-03	PKH-P1 to PKH-P11	PKH-R2	District wide	C	Max building coverage 20% of site	Yes	Yes	4
Central Otago District	1-Apr-08	N/A	0	0	0	0	0	0	0	0	1
Chatham Islands Territory	2020	N/A	0	0	0	0	0	0	0	0	1
Christchurch City Plan	N/A	14-Mar-22	12.2.1	12.2.1.1	12.4.1.1 and 12.4.2 built standards	Papakāinga/Kāinga Nohoanga Zone (five somewhat rural areas)	P	Maximum coverage 50%	Yes	Possibly - Papakāinga zone	3
Clutha District Plan	30-Jun-98	N/A	MAO.2	MAO.3	MAO.4	Maori Reserves and Lands Within the Clutha District (Five areas)	C	Nil	No	Possibly	3
Dunedin City District Plan [Second Generation Dunedin City District Plan]	N/A	7-Nov-18	14.2.1	14.2.1.6	14.3	City wide	RD	Nil	No	No	3
Far North District	14-Sep-09	N/A	2.7.2 8.6.3.2 8.7.3.2 10.6.3.1 10.7.3.1	2.8.4 8.6.4.4 8.7.4.4 10.6.4.3 10.7.4.3	2.9.3 8.5.2 8.6.5.2.2 8.7.5.2.1 10.6.5.2.1 10.7.5.2.1	Rural Production zone Rural Living zone General Coastal zone Coastal Residential zone	C	Rural production, rural residential, general coastal, coastal residential: at least 3000m^2 land per unit	No	No	4
Gore District	31-Jul-06	N/A	0	0	0	0	0	0	0	0	1
Grey District	8-Apr-14	N/A	0	0	0	0	0	0	0	0	1
Hamilton City	18-Apr-23	N/A	4.2.1 16.2.1	4.2.1a 16.2.1a	4.3.1 k 16.3 n 16.4.2	General Residential Residential Intensification Large Lot Residential Special Character Community Facilities Zone	P	General Residential Zone - 400m^2 per residential unit Community Facilities Zone - 50m^2 land minimum per person net side area	Yes in Community Facilities Zone, or to be determined in consultation with tangata whenua	Yes	3
Hastings District	1-Sep-22	N/A	PK01-PK03	PKP1-PKP10	21.1.5	District wide	C	20% site coverage	Yes	Yes	4
Hauraki District (including Franklin District in separate plan)	29-Sep-14	N/A	5.1.2 (5)	5.1.2 (5) (a)(i)	5.1.4.2 C15.9.4.1(Franklin 23A.1.1, 23A.1.3, 23A.2.2.5, 23B.1.1, 23B.1.3, 23B.2.2.5, 23C.1.2, 23C.1.3)	Rural zoneMarae Development Zone(Franklin - Rural, Coastal, Village)	P	Nil	Yes	Yes	3

District plan (A-Z)	Operative plan date (if analysis is based on operative plan)	Decisions version plan date (if analysis based on decisions version)	Relevant Objective (Ref OR 0 if none)	Relevant Policy (Ref OR 0 if none)	Relevant Rules (Ref OR 0 if none)	Where does papakāinga rule apply? (zone(s), precinct, etc)	Most enabling activity status under relevant rule	Density/ coverage/ max dwellings that apply under enabling rule	Papakāinga rule explicitly enables education/ health/cultural, etc activities?	Papakāinga rule applies on General land (under certain circumstances?)	Category (see p 36)
Horowhenua District	2015	N/A	1.4.1 1.4.2 1.4.3	1.1 1.2	19.1(e) - Marae and marae based facilities and activities (includes 'kāinga housing for people associated with the marae')	Rural	P	Same as for rural zone: Sites up to 40 ha - one dwelling and one family flat Sites 40-100 ha - two dwellings and one family flat Sites over 100 ha – three dwellings and one family flat	Yes (marae based facilities and activities)	0	3
Hurunui District	21-Jun-18	N/A	0	0	0	0	0	0	0	0	1
Hutt City	18-May-04	N/A	0	0	0	0	0	0	0	0	1
Invercargill City	30-Aug-19	N/A	TW-O5	TW-P4	0	District wide	0	0	0	0	2
Kaikoura District	23-Jun-08	N/A	0	0	0	0	0	0	0	0	1
Kaipara District	2013	N/A	15A.5.2 15B.5.2	15A.6.2 15B.6.2	15A.10.4 15B.10.4	District wide	P	10 units per site is P, more than 10 is RD	Yes	Yes	4
Kapiti Coast District Plan	27-Jan-23	N/A	DO-024-030	UFD-P2	GRZ -R35, GRZ-R39, GRZ-R40 HRZ-R11, HRZ-R17, HRZ-R18 GRUZ-R8; GRUZ-R23, GRUZ-R24 RPROZ-R6; RPRRLZ-R6; RL-R6, R17, R18 LCZ-R22, 23,24 MUZ-R17, 18, 19 TCZ-R17, R18, R19; MCZ -R22, R23, R24 FUZ-R6, R17, R18	District wide as well as specific rules in the following zones Rural, Rural lifestyle, Town centre, Future urban zones	P	50% maximum coverage	Yes	Yes	4
Kawerau District	1-May-12	N/A	0	0	0	0	0	0	0	0	1
Mackenzie District	2022	N/A	0	0	0	0	0	0	0	0	1
Manawatu District	1-Dec-02	N/A	0	0 Current rules refer to "multiple dwellings on Māori land". Proposed plan change will use term 'papakāinga'	A1.3.3F) B3.2.1	Residential, Village, Rural	C	Nil	0	0	3
Marlborough Environment Plan	N/A	21-Feb-20	3.5	3.1.3 3.1.6	2.2.2, 2.2.3, 2.3.2, 2.3.3 3.1.50 3.1.51	District wide Rural	P	5 units per "record of title" minimum of 802 m per unit	Yes	No	3
Matamata-Piako District	31-Jan-23	N/A	3.3.2	3.3.2 P5	2.2 4.41 Activity table - rows 6.1, 6.2, 6.3	Performance Standard applies to Rural, Rural Residential, Residential and Business. However density rule appears to be premised on rural zone	P	Maximum 25 units 2000m^2 per unit	Not defined	Not defined (but possibly if adjoining marae)	4

District plan (A-Z)	Operative plan date (if analysis is based on operative plan)	Decisions version plan date (if analysis based on decisions version)	Relevant Objective (Ref OR 0 if none)	Relevant Policy (Ref OR 0 if none)	Relevant Rules (Ref OR 0 if none)	Where does papakāinga rule apply? (zone(s), precinct, etc)	Most enabling activity status under relevant rule	Density/ coverage/ max dwellings that apply under enabling rule	Papakāinga rule explicitly enables education/ health/cultural, etc activities?	Papakāinga rule applies on General land (under certain circumstances?)	Category (see p 36)
Napier City	21-Nov-11	N/A	50A.9	4.2.1 4.2.2 50A 9.3	0	0	0	Density rules of underlying zone apply	No	No	2
Nelson City	1-Sep-04	N/A	D01.1	D01.1.1 D01.1.3 D01.1.5	REr.62 RUr.49	Residential Rural	P	Rural - permitted up to 10 units	Yes (Māori purpose activities)	Yes (as long as held in trust, can't be sold, etc)	3
New Plymouth District	N/A	13-May-23	PZ 1-3	MPZ P1-P5	MPZ R1-19, MPZ S 1-5 LRZ S2 GRZ S2 MRZ S2 FUZ R5, FUZ S5, S6	MPZ rules apply in MPZ, other density rules apply in different zones	P	None in MPZ or rural zonesLRZ, GRZ and MRZ - 60% (35%-50% normal in those zones)FUZ - max gross floor area per site 450m^2	Yes	Yes	3
Ōpōtiki District	2021	N/A	8.2.4 9.2.3 10.2.22	8.2.4.2 9.2.3.6 10.2.2.5	MRZ S2	Rural, Coastal, Coastal Settlement Ohiwa Harbour	C	Rural: max 50 units, 1200m^2 per unit	No	No	3
Ōtorohanga District	30-Oct-14	N/A	0	0	0	0	0	0	0	0	1
Palmerston North City	2021	N/A	0	3.1	R10.7.4.8	Residential	D	40% maximum site coverage	No	Not defined	3
Porirua City	1-Nov-99	N/A	0	0	0	0	0	0	0	0	1
Queenstown-Lakes District	N/A	7-May-18	0	5.3.4.1	0	District wide	0	N/A	No	Not defined	2
Rangitikei District Plan	Dec-16	N/A	A1 Objective 2	A1-2.2	B7.7	Rural zone within the Papakāinga Housing land area overlay	P	Each dwelling must have an area for exclusive use of at least 200 metres	No	Yes	3
Rotorua Lakes District	N/A	Jul-21	SASM-P8 SDML-01	SDML-P1-P2	PK-R1, PK-R2 district wide KRDA-R1	District wide but additional rules for the specified papakāinga development zone where rural zone rules apply	P	Kaingaroa Papakāinga Development Area 1,000m^2 per 4hectares or 25% if : 4 hectares District wide - P - kaumatua flats 1 per 150m^2 otherwise RD with development plan	Yes	No	3
Ruapehu District Plan	1-Oct-13	N/A	ML2.3.1	0	ML3.2	District wide	P	No max in rural commercial or protected areas, Same as underlying zone in residential & urban settlement zones Up to 4 units P 5-10 C 10+ D	No	No	4

District plan (A-Z)	Operative plan date (if analysis is based on operative plan)	Decisions version plan date (if analysis based on decisions version)	Relevant Objective (Ref OR 0 if none)	Relevant Policy (Ref OR 0 if none)	Relevant Rules (Ref OR 0 if none)	Where does papakāinga rule apply? (zone(s), precinct, etc)	Most enabling activity status under relevant rule	Density/ coverage/ max dwellings that apply under enabling rule	Papakāinga rule explicitly enables education/ health/cultural, etc activities?	Papakāinga rule applies on General land (under certain circumstances?)	Category (see p 36)
Selwyn District Plan (Proposed)	N/A	19-Aug-23	MPZ-01	MPZ-P2 MPZ-P3	MPZ-R2	Māori Purpose Zone (can't be viewed on emap?)	P	On Māori land: max 40% site coverage On General land, rural zone rules apply	Yes	Yes	3
South Taranaki District	22-Jan-21	N/A	2.7.8	2.7.16	3.1.1 (f) 4.1.1 (e) 5.1.1 (e) 6.1.1 (a) (xiv)	Rural, Residential, Township, Commercial	P	Nil in rural zone	Yes	No	4
South Waikato District	Apr-21	N/A	3.3.5	3.4.4	20.3.4 23.3.4 25.3.3 26.3.4 28.3.2	Tokoroa Residential Zone Putaruru Residential Zone Tirau Residential Zone Rural Zone	C	Residential zones: min 450m^2 land per house (DIS) Rural zone: max 1 home for a 4ha land block	Yes	No	3
Southland District	22-Jan-18	N/A	RURAL.1	RURAL.1TW-P2 (for use of land incl papakāinga)	RURAL.2 (2)	General Rural zone	C	Max site coverage 35%	No	No	3
Stratford District	19-Feb-14	N/A	A4.2.2	A4.3.1	B1.2.1.1 B1.3.1	Rural zone Residential zone	P	Rural zone: max coverage 35% Rural/residential area min size for lots with dwellings 4000m^2	No	No	3
Tairāwhiti (Gisborne) Resource Management Plan	N/A	30-Aug-23	C2.2.3	C2.2.4	C2.2.6	District wide	P	Nil	Yes	No	4
Tararua District	2019	N/A	0	0	0	0	0	0	0	0	1
Tasman Resource Management Plan	1-Nov-08	N/A	7.2.2.1	7.2.3.2	16.7.2.4 16.7.2.4 17.1.2.3 17.5.2.7 17.6.2.7 17.8.2.4 17.13.2.1 19.2.3	Papakāinga Zone	P	Maximum coverage 33% of site	No (but may be discretionary)	Yes	3
Taupō District	15-Apr-19	N/A	0	3b2.2 viii	4b.1.22	Rural	P	0	No	No	3
Tauranga City Plan	30-Apr-23	N/A	12F.1.1	12F.1.1.2	12F.3	Marae Community Zones, Ngāti Kahu Papakāinga Zone and Matapihi Papakāinga Scheduled Sites	C	Minimum allotment size 325m^2 or 800m^2 depending on zone	Yes	No	3
Thames-Coromandel District	N/A	29-Apr-16	17.3	17.3a 17.3b	33	District wide	P	Up to 5 dwellings with max density 1 per 2,500m^2 - P 5 - 30 dwellings - RD >30 - D	Yes	Yes	3

District plan (A-Z)	Operative plan date (if analysis is based on operative plan)	Decisions version plan date (if analysis based on decisions version)	Relevant Objective (Ref OR 0 if none)	Relevant Policy (Ref OR 0 if none)	Relevant Rules (Ref OR 0 if none)	Where does papakāinga rule apply? (zone(s), precinct, etc)	Most enabling activity status under relevant rule	Density/ coverage/ max dwellings that apply under enabling rule	Papakāinga rule explicitly enables education/ health/cultural, etc activities?	Papakāinga rule applies on General land (under certain circumstances?)	Category (see p 36)
Timaru District	N/A	Sep-22	MPZ-02	MPZ-P2	MPZ-R1	Māori Purpose Zone	P	No maximum coverage, just setback distances	Yes	No	3
Upper Hutt City	2004	N/A	0	0	0	0	0	0	0	0	1
Waikato District	N/A	23-Mar-23	ML-01	ML-P1 ML-P2	ML-R1-R5 PRAC-R2	Māori land District Wide Franklin - Rural	P	Nil	Yes	Yes	3
Waimakariri District	N/A	Sep-21	0	2.1.3.4 2.1.3.5 14.1.2.1 17.1.1.5	23.1.1.16 & .17 27.4.4 31.35.1.1 & 31.35.2.1 31.36.1, 31.37.2 32.1.2.14 32.3.5 & .6 32.33.1 32.4.10	Specific area of Māori reserve land	P	Exempted from site coverage rules	Yes	Applies only to Māori Reserve 873	3
Waimate District Plan	28-Feb-14	N/A	04. Rural 12 05. Residential 8	04. Rural 12A 05. Residential 8A	2.2 2.4	Rural zone - on multiply-owned Māori or ancestral land Residential - on ancestral land for the occupation of one or more of the beneficial owners who are members of the same hapū	P	Density limits of the underlying zone apply - Residential 10-35% coverage and minimum site areas per residential unit apply - Rural	Not specifically but includes "marae associated activities"	Not defined buy possibly	3
Waipā District	14-Aug-17	N/A	13.3.2	1.3.3.2 - 1.3.3.4 1.3.5.1.k 2.3.4.4 3.3.6.2 4.3.7.8 13.3.1.1, 13.3.2.1, 13.3.2.3	13.4.1.1 13.4.2.2 to 13.4.2.25 21.2.30 (residential matters for discretion)	Marae Development Zone (six sites) Residential Large lot residential	P	No density/max units Max site coverage 40% site area	Yes	No	3
Wairarapa Combined District Plan (Masterton DC, Carterton DC, South Wairarapa DC)	N/A	5-Oct-23	MPZ-O1 MPZ-O2 MPZ-O4	MPZ-P1	MPZ-R4	Māori Purposes Zone	P	Nil	Yes	Yes	4
Wairoa District	Jun-05	N/A	4.3.5	4.4.5	4.5.14	District wide	Not defined	N/A	Not defined	Not defined	3
Waitaki District	May-10	N/A	0	0	0	0	0	0	0	0	1
Waitomo District	2009	N/A	0	0	0	0	0	0	0	0	1

District plan (A-Z)	Operative plan date (if analysis is based on operative plan)	Decisions version plan date (if analysis based on decisions version)	Relevant Objective (Ref OR 0 if none)	Relevant Policy (Ref OR 0 if none)	Relevant Rules (Ref OR 0 if none)	Where does papakāinga rule apply? (zone(s), precinct, etc)	Most enabling activity status under relevant rule	Density/ coverage/ max dwellings that apply under enabling rule	Papakāinga rule explicitly enables education/ health/cultural, etc activities?	Papakāinga rule applies on General land (under certain circumstances?)	Category (see p 36)
Wellington City	7-Mar-23	N/A	0	4.2.15.2 6.2.10.2 12.2.16.2 14.2.11.2 33.2.13.2	0	0	0	0	0	0	2
Western Bay of Plenty District	16-Jun-12	N/A	18.2.1 (9)	18.2.2 (15)	18.3.2 (d) and (e)	Rural zone	C	Up to 5 units if unsealed road access, 10 if sealed 2000m^2 land per unit	Yes	No	3
Westland District Plan	1-Jun-02	N/A	0	0	6.3(a)	District wide	C	Nil	Yes ('predominantly residential developments')	Yes	4
Whakatane District	N/A	27-Jan-23	Strategic Objective 2.1 Strategic Objective 2.7	Strategic objective 1- Policy 8 Strategic objective 7 - Policy 2 and 7 Rural objective 3 policy 2	3.4.1 3.5.1.1.e. 4.4.1 25.4.8 7.3.1.1	Most zones	P	Nil - just boundary setbacks etc	No	No	4
Whanganui District	2021	N/A	TW-03 TW-04	TW-P5 TW-P6 TW-P7	TW-R1 to TW-R3	District wide	C	Nil stated for RD activity	Yes	Yes	4
Whangarei District Plan	15-Sep-22	N/A	PKA-O2	PKA-P1 to PKA-P5	PKA-R1 to PKA-R3	District wide	P	Permitted activity so long as 2000m^2 per unit, otherwise RD	Yes	Yes	4

Category		COUNT
1	**No papakāinga provisions**	**17**
2	**Objectives or Policies but no rules**	**3**
3	**Papakāinga rules in one or two zones**	**31**
4	**Papakāinga rules in three or more zones or district wide**	**14**

Appendix 2. Territorial authority by area of Māori freehold land

Territorial authority	Māori Freehold Land (hectares, most to least)	Total area (hectares)
Tairāwhiti (Gisborne) District	234,338	838,529
Taupō District	231,119	696,386
Ruapehu District	108,936	673,442
Far North District	106,460	732,254
Ōpōtiki District	89,238	310,063
Whakatane District	79,704	446,481
Rangitikei District	65,876	448,391
Rotorua District	56,632	261,913
Hastings District	55,271	522,657
Wairoa District	53,236	413,025
Waitomo District	48,509	354,822
Southland District	38,527	3,108,454
South Taranaki District	22,436	357,507
Waikato District	19,955	451,648
Ōtorohanga District	18,012	206,438
Western Bay of Plenty District	16,720	211,544
Whanganui District	15,000	237,326
Chatham Islands Territory	13,338	1,357,769
Kaipara District	11,678	311,454
Whangarei District	11,616	285,412
Thames-Coromandel District	10,357	229,944
Tararua District	9,639	436,461
Stratford District	9,154	216,342
Central Hawke's Bay District	9,019	333,314

Auckland (8 district plans)	8,491	1,615,621
Marlborough District	7,161	1,248,459
New Plymouth District	6,653	220,560
Horowhenua District	5,892	106,391
South Waikato District	4,359	181,888
Hauraki District	4,091	127,013
Westland District	4,090	1,188,907
Clutha District	4,003	636,951
Matamata-Piako District	3,574	175,535
South Wairarapa District	3,482	245,784
Waipā District	2,787	147,007
Manawatu District	2,361	256,659
Tauranga City	2,099	17,698
Masterton District	1,878	230,021
Kapiti Coast District	1,851	73,152
Nelson City	1,474	44,721
Dunedin City	1,450	335,044
Christchurch City	1,211	160,860
Buller District	1,126	794,968
Waimakariri District	836	221,713
Carterton District	822	117,991
Kaikoura District	809	204,681
Grey District	602	351,559
Selwyn District	479	655,289
Timaru District	468	273,303
Ashburton District	359	618,951
Invercargill City	324	49,533
Hutt City	320	37,653
Porirua City	181	18,247

Tasman District	108	1,480,026
Waimate District	81	358,312
Queenstown-Lakes District	64	937,519
Waitaki District	63	744,237
Kawerau District	45	2,356
Hurunui District	34	865,450
Gore District	23	125,385
Palmerston North City	14	39,474
Napier City	13	10,594
Wellington City	10	29,005
Hamilton City	2	11,094
Central Otago District	-	996,835
Mackenzie District	-	713,859
Upper Hutt City	-	53,987

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